Religion and European Integration

Religion as a Factor of Stability and Development in South Eastern Europe

Proceedings of contributions from the Maribor Symposium 2005

Edited by

Miroslav Polzer, Silvo Devetak, Ludvik Toplak, Felix Unger and Maria Eder

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Foreword of the Editors

"Religion and European Integration. Religions as a Factor of Stability and Development in South Eastern Europe" has been the title of a symposium convened in Maribor in October 2005.

The organisers – the University of Maribor (marking with this symposium its 30th anniversary of foundation), the European Academy of Sciences and Arts, the Austrian Science and Research Liaison Office (ASO) Ljubljana, the Danube Rectors Conference and ISCOMET (Network of Democracy, Human Rights and Protection of Ethnic and Religious Minorities in South Eastern Europe) – decided to organise this symposium in order to contribute to the academic discourse on the role of religions and religious communities in social and economic processes and structures in general and especially with regard to European integration processes.

Special attention has been devoted to present situation in countries of South Eastern Europe as this region on the one hand aims at full European integration and has on the other hand been confronted with intense inter-religious conflicts in the past.

With this symposium there have been gained some new insights into the many functions of religion in contemporary European societies. There has been broad consensus on religions' important function as basis of formation of national identities and as a possible source of stabilising values like solidarity, tolerance, etc.. On the other hand there have been discussed also areas where religions are or have been key elements of different types of conflict and the symposium has thus been a very inspiring forum for intercultural and interreligious dialogue among the many different religions represented at the symposium by the participants.

The conference has been structured in 5 sections: "The Role of Religions Today", "Governance and Religious Communities", "Inter-religious Dialogue", "Science, Philosophy and Religion" and "Religious Communities and EU Integration Processes in South Eastern Europe. Country Reports". In addition to the papers presented at the symposium the present publication contains also two papers of young researchers from South Eastern European countries (Liana Galabova from Bulgaria and Irena Ristić from Serbia) presenting their research findings which have been found by the editors

to be very relevant for the subject of the symposium. Furthermore there have been invited also Johannes Marte (Pro Oriente Foundation) and Josef Pampalk (Centre International Lebret-Irfed) to share their knowledge and practical experience regarding inter-religious dialogue with the readers of the present publication.

By means of the present publication the knowledge gained at the symposium and the knowledge of the additional papers shall be made available to a broad interested public. The present publication is expected to contribute to intellectual understanding of the role of religion and inter-religious dialogue in present day societies and it is hoped that the publication will contribute also to good governance on local, regional and European level in a way that will utilise constructively the potentials of religious communities for socioeconomic development. We hope that these our joint intellectual efforts will bring us one step closer to peaceful, tolerant and stable multicultural European societies. This appears to us especially timely also with regard to the fact that European Union has declared the year 2008 to be the "European Year of Intercultural Dialogue".

Of course, every good conference opens new questions; sometimes at the end of an inspiring academic discourse there are more questions on the table than at the beginning; but this helps us to get a sense of the overall complexity of the issue discussed. This booklet reflects the many open questions our societies are facing with regard to "Religion and European Integration" and we – the editors – hope that it offers also some answers.

Finally we would like to express herewith also our gratitude to our colleagues Maria Lährm, Maria Eder, Jasmina Klojčnik and Gorazd Weiss who helped us with paper management and technical editorial work in conncetion with this publication.

Special thanks go also to Austrian Federal Ministry of Science and Research, Department for International Research Cooperation that provided funding for production of this publication.

THE EDITORS

Felix Unger, Maria Eder, Silvo Devetak, Miroslav Polzer, Ludvik Toplak

The Role of Religions Today

Religion in Europe. Sociological Considerations with Special Reference to Central and Eastern Europe

MIKLOS TOMKA

The end of the second millennium confronted Europe with tempting and threatening challenges. The iron curtain disappeared almost overnight. A population of similar size to those of democratic Western Europe got rid of communist totalitarianism and made first steps in freedom and democracy. All-European unification got a real chance. On the other hand, economic development of China and India accelerates and reduces the relative weight of Europe in global issues. Islam advances to an economic, political and ideological power released from the tutelage of America and Europe. And low birth rates, unemployment and secularization shake the traditional system of European society. In the framework of a new global order, supporting and endangering factors of peace and development in Europe are of vital interest. Religion has to be surveyed as one potential substantial factor.

Greco-Roman culture was the soil, where both Western civilization and Eastern-Orthodox culture and Islam arose. Christianity and its Western practice induced yet innovations, which guided European socio-cultural development to paths, different from those in other continents. Individual and social life changed especially in three fields fundamentally. The declaration of the absolute nature of God and simultaneously of the freedom of human beings opened the way to the emergence of the individual, with his/her personal conscience and responsibility, freed from the dominance of community (Dumont 1983). The affirmation of the autonomy of both sacred and profane realms enabled the autonomous existence of the spheres of politics, economy, arts and sciences, independent from religious ideas and prescriptions. The emergence of a growing number of autonomous subsystems contributes to advancing differentiation and complexity. Finally, in

contrast to eternal constancy or to circular changes in life and society, the idea of the Creation and the Last Judgment implies concepts of historicity, continuity, and progressive development (Kaufmann 1989). Western civilization with its separation of State and Church, with the explosive development of sciences, with industrial and consumer society, individualism, democracy and pluralism originated in these dynamic patterns.

Against a broad consensus concerning the role of Christianity and the Church in the creation of Europe and Western civilization, opinions about the present role of religion in social and political life is contradictory. 19th and early 20th century secularization theory suggested, that the self-ruled character of profane domains inevitably and necessarily results in a diminishing influence of religion in public life (Dobbelaere 1999, Martin 1978, Tschannen 1992, Wilson 1982). Contemporary specialists judge this construct an ideology, which contradicts history and actual evidences outside Western Europe (Gabriel 1996, Stark, Finke 2000). The spread of new religious movements all over the world displays religion's rebirth under modern and postmodern conditions (Beckford 1986, Meldgaard, Aagaard 1997, Wilson, Cresswell 1999)). Big parts of Eastern Europe experience a religious revival (Tomka, Zulehner 1998, 1999). Among others the explosive politicization of Islam demonstrates religion's capability to become a public force. Political religion works in other cultures and regions as well (Arjomand 1993, Benavides, Daly 1989, Juergensmeyer 2000). Some scholars consider religious community organization the most stable fundament of civil society (Casanova 1994). Altogether, religion is a working force in contemporary world. Nevertheless, Western European de-Christianization raises doubts about the possible and real relevance of religion and the church in modern society. The ratio of non-believers seems to increase. Considering the growing plurality of religions and ideologies, states and EU try to avoid references to Christian roots. Churches fight with inner problems of decreasing membership and the shrinkage of clergy. Facts and tendencies related to religion offer an ambiguous picture.

Uncertainty concerning religion's role is yet perhaps simply the consequence of an inadequate perspective. Nobody doubts that Europe's political, economic and

social order rapidly mutates. Yesterday's roles and competencies in interpersonal relations, in public life and in international relations are often out of place today. This general rule fits for religion and the churches as well. The possible loss of previous functions may stem from systemic transformation and does not say anything about the existence or lack of actual functions. A survey on religion's role requires, therefore, another perspective, one, which reflects on the new conditions of life in contemporary Europe.

Empirical research, already discussed elsewhere (Tomka 2002, 2004), allows displaying three patterns. The first set of data documents a relatively high level of discontent and unhappiness, as well as of social passivity in Eastern and Central European countries. These will underscore the need for pro-social efforts, especially in the post-communist societies. A second group of survey results proves the relative strong presence of religion, as well as the high expectations put in the churches in Eastern and Central Europe. A third collection of data refers to potential effects of religion and the church in contributing to pro-social behavior and the civil society.

1.   Discontent

In all European societies, there are people, who feel helpless to cope with their destiny. Growing complexity of modern life increases the feeling, that individuals are less and less capable to understand the big systems of economy and politics and to use them for their advantage. Most mature citizens of advanced societies possess knowledge and skills to master the situation. East and Central Europeans got a different socialization. Their majority has difficulties with conditions of post-industrial consumer society. This West-East-difference appears manifestly in the fact, that the percentage of people, who feel, that what they do has no real effect on what happens to them, moves between 3–19 percent of the populations in Western, but between 9–3 per cent of the people in Eastern and Central Europe (Fig. 1.), reports the European Value Study (Halman 2001).

Figure 1   The percentage of people, who feel, that what they do has no real
effect on what happens to them
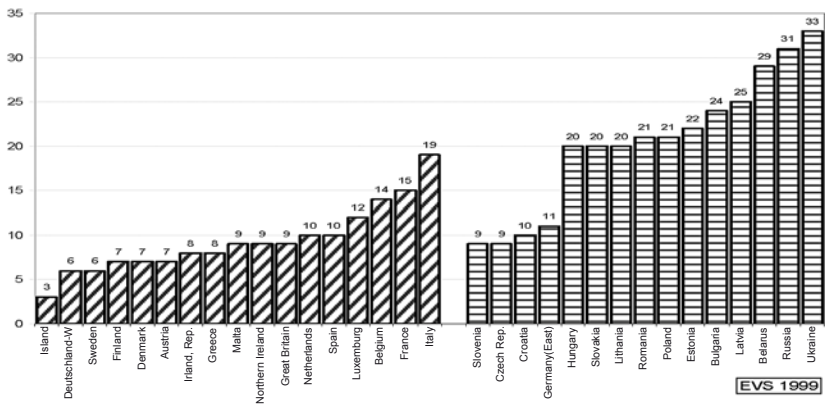
In most post-communist countries between one fifth and one third of the popu-
lation has the feeling, that their actions do not lead to the expected results, they
are unable to control their life and fortune. This shakes the people and weakens
the respective societies.

The feeling of helplessness is often combined with unhappiness and dissatis-
faction. Personal tragedies, bad life conditions, the lack of success in occupation
and human relations may result in dissatisfaction. Eastern and Central Europeans
have additional reasons for their discontent. They had poor economic chances
for decades. The totalitarian rule crippled their initiative. Most East and Central
Europeans are, finally, unprepared for the requirements of a performance-oriented
society and have difficulties to fulfill its demands. This disadvantageous situation
may cause unhappiness. There is another motivation too. Communism promised
a Heaven on Earth. Communist socialization stressed the conviction of the right
and the prospect to get higher standards of life soon. Propaganda bridged the
distance between high expectations and modest reality. The post-1989 disil-
lusionment is a remaining source of hopelessness and dissatisfaction for big
masses in Eastern and Central Europe. Whatever the main cause is, unhappiness

and dissatisfaction characterizes 5–18 per cent of Western European, but 15 to 50 per cent of Central and eastern European people (Fig. 2.). One of the most characteristic features of the post-communist social atmosphere is complaining over all possible things.

Figure 2   Unhappiness and Dissatisfaction in Western and Eastern Europe (In percent)
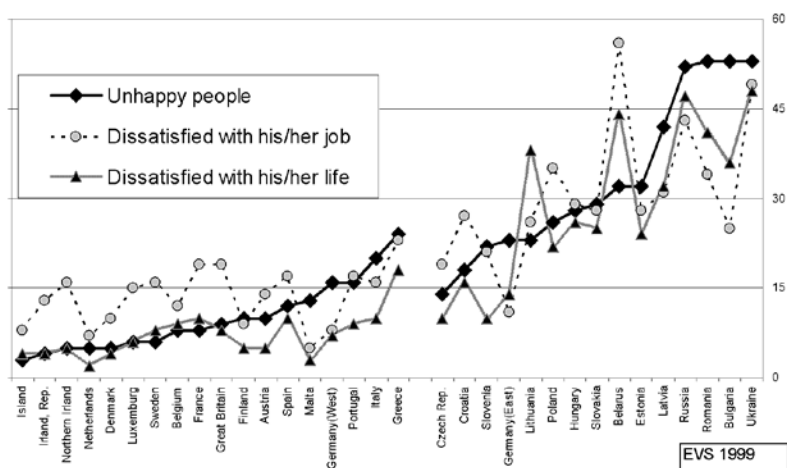
Social discontent has a peculiar double-aspect in Eastern and Central Europe. One part of it is the criticism on life conditions. The majority is dissatisfied with the development of the democracy and the situation of human rights in their respective countries (Fig. 3.) As a reaction, relatively big groups oppose democracy in general and reclaim a government of specialists, or even military rule instead of elected bodies (Tomka 2005).

Figure 3   Discontent with the situation of democracy and human rights (In percent)
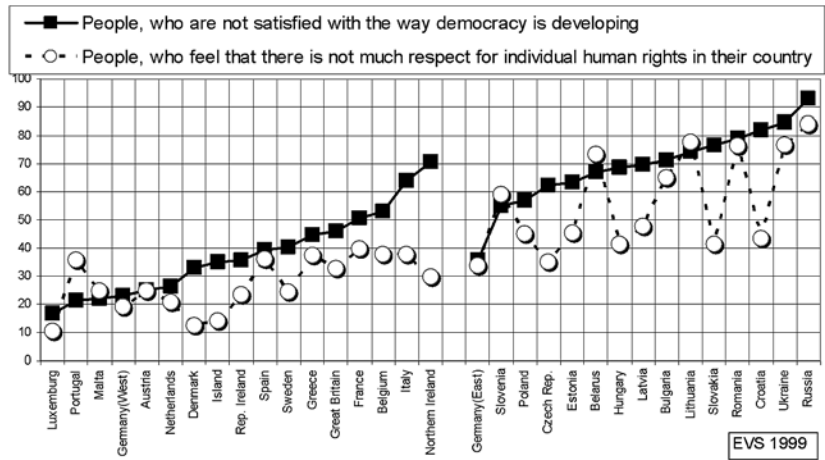
The corresponding behavior to the discontent with democracy is the refusal to care for other people and to participate in public issues. Already evidences of the first wave of the European Value Study indicated a high level of individualism in Eastern and Central Europe, in some countries even higher, than in the USA (Hankiss 1990). Recent data of the European Value Study point to the survival of the "homo sovieticus", who withdrew from all friendly, neighborly and social responsibilities, but relied on the state and expected the conduct of all affaires, which are necessary for the individual, by the state. This attitude is typical for post-communist societies, and for Greece and Spain (Fig. 4.). The after-effect of totalitarianism is obvious. Anyway, the distance between most Western and the Eastern and Central European countries stress the lag of post-communist societies in the process of democratization. The question is how to bring up this lag. According to our hypothesis, religion is a vehicle, which can be of help on the way to a solution. Is, yet, religion relevant enough for such a tremendous task? To the answer, we need more knowledge about the role and relevance of religion in Eastern and Central Europe.

Figure 4   The relative position of European societies (public opinions) in a virtual space as defined by the axes individualism/communiality, and the individual's or the state's role in social responsibility
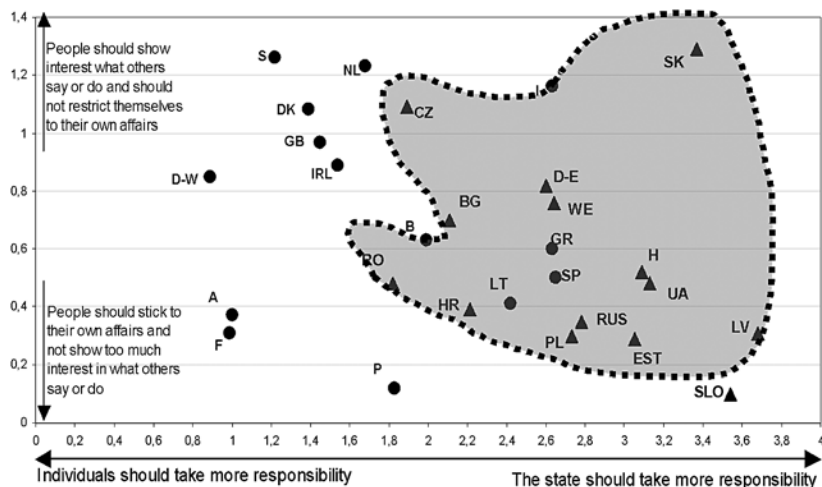
2.   Eastern and Central Europe's religion in European comparison

One of the most striking experiences with churches is their differing social evaluation in Western and in Eastern and Central Europe. Post-communist citizens are, by no means, undifferentiated religious. Atheism and criticism of religion is presumably more common in Eastern and Central than in Western Europe. Notwithstanding this fact, according to the European Value Study, most East and Central Europeans assume an increase of religiosity in their countries, whilst West Europeans postulate the opposite (Fig. 5.) The explanation may be the consequence of an optical illusion in the East. Previously invisible and underground religion became visible in the 90s. The conviction of a religious revival is yet strong enough to suggest a further expansion of religiosity too (Tomka, Zulehner 1999).

Figure 5   Public opinion on religious change in West and East (In percent)
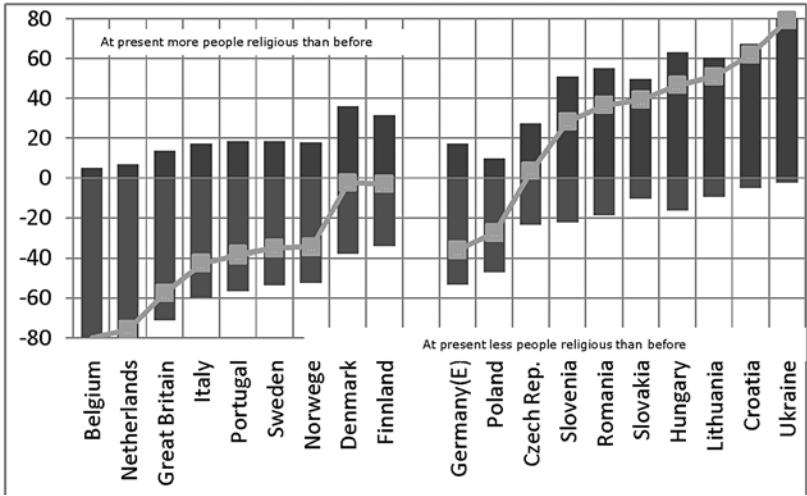
Absolute or relative social majorities consider *religion as "important for the future of the world"* in Romania (65,3%), Lithuania (63,2%), Croatia (61,8%), Poland (54,5%), the Ukraine (41,7%) and Hungary (44,1%), according to the ten countries comparative survey "Aufbruch/New Departures"[1]. In three out of ten Eastern and Central European countries (Czech Republic, Slovakia and Slovenia) about one third of the population agrees, another third disagrees with the above statement and the last third is undecided. Merely in one country (Germany-East) oppose the majority (40,8%) the statement, that religion would be important for the future of the world. In this country only one quarter (25,2%) of the population agreed with this sentence.

People in various countries perceive religious developments with different emotions. The 1998 wave of the International Social Survey Program included the statement, that "*the (one's own) country would be a better country, if religion had*

1   According to "Aufbruch/New Departures" survey.

less influence". Disagreements did not outnumber approvals in Great Britain and in Ireland, but they did in most West-European countries, proving the sympathy of majorities for the churches. This sympathy is in East-European countries even more univocal. In Latvia, Hungary, Bulgaria and the Czech Republic the opposition against the quoted sentence was stronger, than in most Western countries. In Eastern Germany and in Russia the opposition against the above statement was only a little more general than the acceptance of the statement. The tendency changed only in one post-communist country. The majority of the Slovenes said, "Slovenia would be a better country, if religion had less influence."

Not de-Christianization, but de-institutionalization, a growing distance to the churches characterizes West European ideological development (Davie 2000). Similar developments are present in Eastern Europe as well, mixed with old secularist hostilities against religion and the churches and with the egoism of new elites alarmed by the competition of churches in public domain. Approving and disapproving feelings in contemporary Eastern Europe are not the fruits of longer historical processes but consequences of changes in immediate past. Churches transmuted from hidden actors of socio-political scene into formally accepted ones. They were as much surprised by this switch as their adversaries were.

Church representatives are inexperienced in politics and in the rivalries between institutions, nevertheless they insist on their right of the church to be present in public sphere. Secular elites use individual, though not exceptional failures of clerics to dispute the right of the churches for a public presence. They are inclined to regard the churches nothing else than ideologically based institutions without keeping in mind their social character and the size of their members and supporters. A survey asked the evaluation of the following statement: *"To strengthen democracy it is important to ensure a role for the churches in it."*[2] One quarter to one third of the respondents was undecided. Among the remaining part, visible majorities opted in some (Croatia, Lithuania, Romania, Hungary) countries for the

2   "Aufbruch/New Departures"

assurance of a public role for the churches. In some other countries (Slovenia, Slovakia, Czech Republic, Germany-East and the Ukraine), majorities were not inclined to accept, that the substantiation of a recognized role for the churches would be a condition of democratic development.

Another survey demonstrates differences inside Eastern Europe. People, who say, "*Churches have too much power*" outnumber in all West European populations the contrary position, according which "*Churches have too little power*"[3]. Some East European societies (Germany East, Slovenia, Slovakia) accept the first opinion. In others (Russia, Latvia, Czech Republic, Hungary, Bulgaria) majorities say, "*Churches have too little power*" (Tomka, Zulehner 1999). Such results reflect, presumably, rather the evaluation of the social situation and history of individual states, than sympathy or antipathy to the churches.

3   International Social Survey Programme (ISSP) 1991 and 1999 data.

Table 1   The ratios of people, who accredit the churches the competence to give answers in relevant questions. (EVS 1999 data, in percent)

One's own church, respectively the churches in one's country give adequate answers to....						
Western Europe	...the moral problems and needs of the individual	...problems of family life	...people's spiritual needs	...social problems facing the country today	Average percentage of people supposing churches' competence	Average scores
Denmark	20	15	51,1	11,5	**24,4**	57,9
Sweden	25,6	18,3	55,4	16,9	**29,1**	67,2
France	35,3	27,3	55,4	20,9	**34,7**	71,4
Great Britain	32,5	30,2	58,1	26,5	**36,8**	79,7
Belgium	36,2	32,6	53,8	27,1	**37,4**	78,1
Netherlands	35,2	29,6	48,7	37	**37,6**	79,9
Republic Ireland	31,8	29	65,1	28,4	**38,6**	79,3
Austria	37,8	28,5	60,4	30,7	**39,4**	80,9
Spain	39,9	35,1	58,1	28,9	**40,5**	84,4
Greece	43,1	30,6	62,1	31	**41,7**	84,9
Finland	42	39,9	67,9	29,9	**44,9**	91,8
Germany (West)	53,6	41,6	59,2	35,8	**47,6**	95,7
Iceland	40,4	45	53,7	28	**48,6**	86,8
Portugal	56	45	72	36,8	**52,5**	104,6
Italy	61,8	47,7	72,4	43,5	**56,4**	111,5
Western average	**39,4**	**33**	**59,6**	**28,9**	**40,3**	**83,6**
2. Post-communist societies						
Germany (East)	34,6	26,7	39,1	15,3	**27,6**	61,7
Bulgaria	44,5	28,8	55,9	13,9	**33,9**	77
Czech Republic	36,8	32,1	68,1	16,7	**36,4**	81,6
Estonia	44,7	30,1	72,5	14,1	**38,5**	87,3
Hungary	44,8	38,9	66,3	23,3	**42,3**	89,2
Belarus	55,7	36,1	70,1	22,9	**44,5**	94,8
Slovenia	44,9	42,8	70,3	33,8	**46,8**	96,7
Latvia	58,2	47,9	81	26,3	**52,8**	105,7
Russ ia	71,5	56,2	74,9	26,1	**55,1**	112
Slovakia	68,2	63,8	83,2	29,7	**59,7**	129,9
Croatia	56,5	56,5	86	41,1	**60**	118
Poland	65,6	64,4	82,9	40,5	**62,7**	123,6
Ukraine	80,9	64,3	83,1	31,7	**63,1**	123,9
Lithuania	81,3	78,8	84,4	54,2	**74,4**	131,6
Romania	80,7	**78,5**	88,9	52,2	**74,7**	144,4
East European average	**57,9**	**48**	**69,8**	**29,5**	**51,4**	**105,2**
East-West difference	**18,5**	**15**	**10,2**	**0,06**	**11,1**	**21,6**

Beyond these specific survey results Eastern and Central European societies seem to sympathize with churches as big social institutions. According to available data, this sympathy is clearer in Eastern, than in Western Europe. Evidences include opinions about the socially supposed competence of churches, the trust in church, as well as social expectations concerning public role and statements of churches.

60 per cent of people in Western and about 70 per cent in Eastern and Central European countries suppose, that churches *give adequate answers to people's spiritual needs*. The ratio of people who expect that churches give adequate answers is higher in the East than in the West (Table 1.). Conclusions are same in some other fields of private life as well, concerning moral problems and needs of the individual, or problems of family life. The ratio of those, who count on adequate answers of the churches to social problems facing one's own country today is smaller, less than one third of the population and does not differ in East and West. Irrespectively of this East-West-similarity, in Eastern Europe more people expect that the churches can give answers in relevant issues than in Western Europe.

There are a few countries in the East where social groups expecting an answer of the churches are not bigger, than in Western countries. On the other hand, groups believing in the competence of the churches to give adequate answers are in a few Western countries as big as in most Eastern countries. This variety does not lower the value of the fact, that there are more countries in Eastern Europe than in the West, in which the majority of the society expects answers of the churches. Eastern Europe assigns a competence to the churches more generally than Western Europe.

A comparison to the trust in other social institutions can indicate the trust in church[4]. Once again, there is a clear East-West-difference. In most Western coun-

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4   The European Value Study asked trust in the church; the armed forces; the education system; the press; trade unions; the police; parliament; civil service; the social security system; the social security system; and the legal system; the European Union; and the UN. The present study compares trust in the church and average trust in all domestic social institutions i.e. without the European Union and the United Nations.

tries, the average trust in (profane) public institutions is higher than the trust in the church[5]. Trust in church is more common than trust in other public institutions in most countries in Eastern and Central Europe (Fig. 7.). One could guess, whether East-West-differences reflect different socio-political heritages or rather different levels of economic development and modernization. This is however a question of interpretation. Beyond this the fact remains, that in respect of social confidence and trust the church has an eminent position among other social institutions in a big number of East European countries with big populations.

Figure 7   Average trust in social institutions and in the church in Western and in Central and Eastern European societies. (Average ratings)
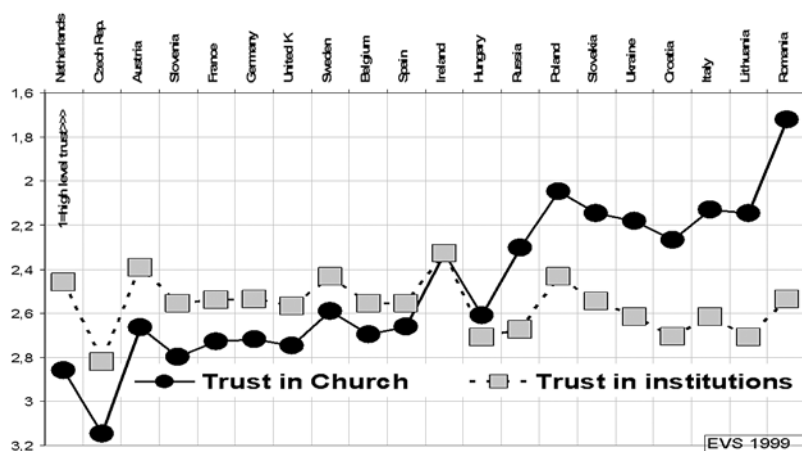
The logical consequence of the supposition of the competence of church(es) and of the trust in the church(es) is the expectation of their participation in public life, at least on a principal level. Large groups demand the voice of the churches in

5   EVS 1999 data. The offered marks in the questionnaire and the subsequently attributed values were: 'not at all' = 0; 'not very much' = 1; 'quite a lot' = 2; 'a great deal' = 3.

different issues[6]. The expression of the opinion of the Catholic Church on several topics is requested by one quarter to two thirds of the populations of ten countries in East-Central Europe (Table 2).

Table 2 The percentage of people who expect a public voice of the Catholic Church on some selected issues, in ten East-Central European countries. (Aufbruch/New Departures data 1998)

The Catholic Church should openly express its opinion on …	CZ	D	H	HR	LT	PL	RO	SK	SI	UA
Growing social disparity	47,3	68,1	58,0	62,6	54,3	50,2	41,7	53,9	47,6	55,9
Unemployment	32,6	66,8	54,7	51,5	41,5	52,8	39,1	43,7	34,6	52,1
Extramarital sexual relations	34,3	28,7	39,9	53,8	60,8	48,7	49,7	50,2	25,5	69,7
Abortion	31,3	34,6	43,4	56,8	57,1	48,9	51,6	42,0	25,4	67,9
Style and contents of the media	25,9	47,5	38,8	30,9	27,6	29,2	27,4	28,5	25,4	37,3
Government policy	26,3	52,3	36,3	20,7	23,2	17,6	20,7	22,5	19,4	41,6

It is worth mentioning, that in most countries, though not in Lithuania, Romania and the Ukraine, the strongest call for the opinion of the churches is not in individual (sexual) morality, but in the field of social differentiation and social problems. On the other hand, it is general knowledge that the interference of the churches in politics is something wanted only by smaller groups.

Western sociology of religion repeated several times the findings, that most people reject "*the interference of the churches in political issues*". These results mirror only partly an opposition to the political commitment of the churches. The rejection is to another part the result of the formulation of the statement. "Interference"

6   According to "Aufbruch/New Departures" survey.

is anywhere and for anybody objected. The evaluation of the political role of the churches needs further clarification. One point to it is the differentiation of politics and policy. Even if people oppose the political involvement of the churches, they request the commitment of the churches in social policy and action, at least according to Hungarian data of Aufbruch/New Departures survey (Fig. 8.).

Figure 8   The percentage of Hungarians who say, that the Church should accept responsibility in different social issues, among others for …
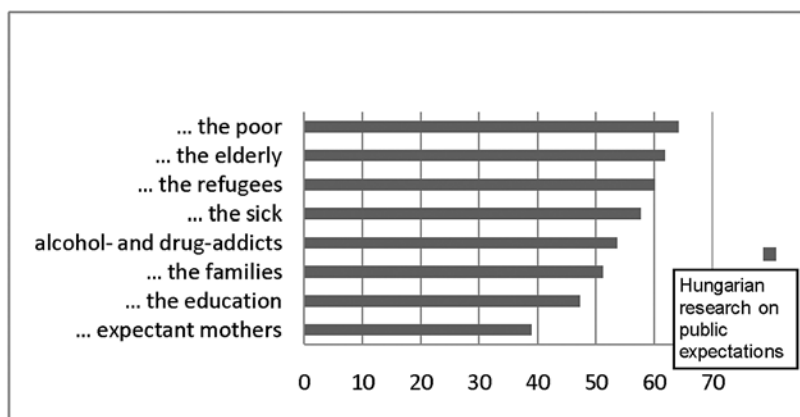
Altogether, churches are big social institutions, the greatest ones in atomized post-communist societies. They have much influence and public support, at least in Eastern and Central Europe. Expectations for their social role are high. The only question is, whether they can meet this confidence and demands.

3.   The capacity of religion and the church in contributing to social behavior

The social relevance of churches follows from their overarching networks in all countries. The sum of parishes, religious orders and movements, networks of

educational, cultural and social institutions represent a huge structure of socio-political organization, the most important of its kind behind state institutions. The specificity of this complex is its double character. On the one hand, churches are networks of administrative management of functionally specified goals and establishments. On the other hand, churches are moral institutions, commanding their members to pro-social behavior. One may debate the effectiveness of religious regulations. Doubts about their existence are out of place. Aufbruch/New Departures survey data document relevance of religious motivation in family and community issues, in participation in social and philanthropic organizations, in charity and in championing for egalitarian social conditions. In post-communist societies too, the stronger the religious ties are, the higher the ratio of people, who advocate the reduction of social differences and propose the sharing with the needy (Fig. 9.).

Figure 9   The ratio of Eastern and Central Europeans opting for measures leading to the decrease of social differences in non-religious and religious groups (In percent).

1. Differences among income rates should be reduced

2. The most important thing children should learn is sharing

3. If we all gave up a little bit of what we have, poverty would soon cease to exist

Aufbruch 1998
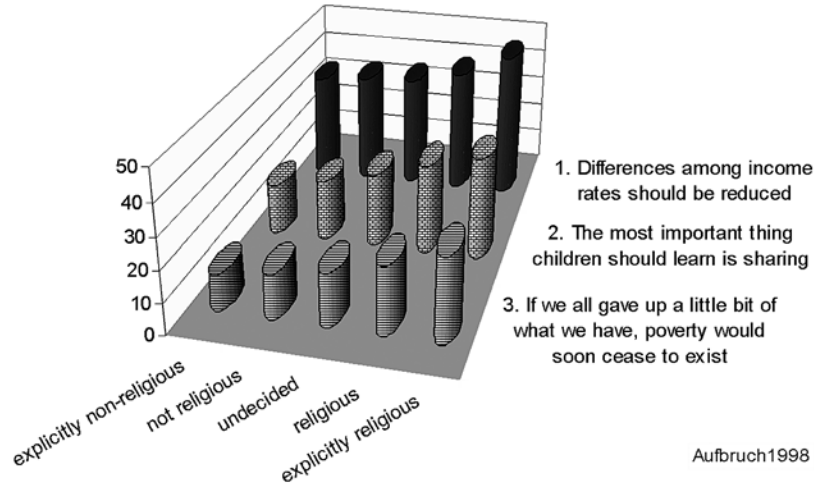
Religious people in Eastern and Central Europe are less affluent and socially and politically less influential than their non-religious fellow citizens, as a consequence of the ideological-political social selection in communist party-state (Tomka 1979, Tomka, Zulehner 1999, 2001). In view of this fact, it is amazing to find, that in a general milieu of socio-political discontent religious people are more satisfied with the social and political situation than non-religious citizens (Fig. 10.).

The respect for other people, as a moral obligation, is higher among religious than among non-religious people and it increases with the strength of religious commitment in almost all countries of Eastern and Central Europe (with the exception of the Ukraine). It is the more interesting, that the trust in one's own compatriots, as compared to citizens of other countries, is as strong among religious, as among non-religious populations. Religious people do not discriminate more against people, who are not citizens of their country, than non-religious people. The evaluation of the national culture and even more the national pride rises, yet, with increasing religiosity.

Figure 10 The average ranking of socio-political satisfaction and of indicators of national feelings in non-religious and religious groups of the population of ten countries of Eastern and Central Europe. (Average values on a 1 to 5 point scale.)
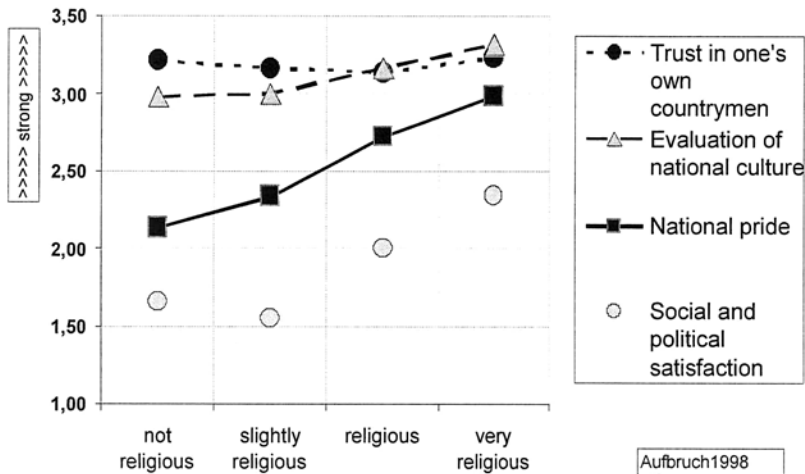
Religiosity motivates social commitment and patriotism. Its contribution to national pride is, however, different in different regions of Europe. In Western European core countries of the continent, it is negligible. In Scandinavia, weekly churchgoers, who are mostly of non-Scandinavian origin and not members of Lutheran state-churches, as well as the non-religious people are less proud of their country and its culture and achievements, than the less often practicing Protestant majority. In societies of Mediterranean and Central and Eastern European countries national pride increases with religious commitment. In post-communist societies the ratio of people, who are not at all or not very proud of their country is over two times as high among religiously non-practicing people, than among weekly churchgoers.

Figure 11 The distribution of populations according to the level of national pride, in social categories differing in the frequency of religious practice, in four regions of Europe. (In percent).
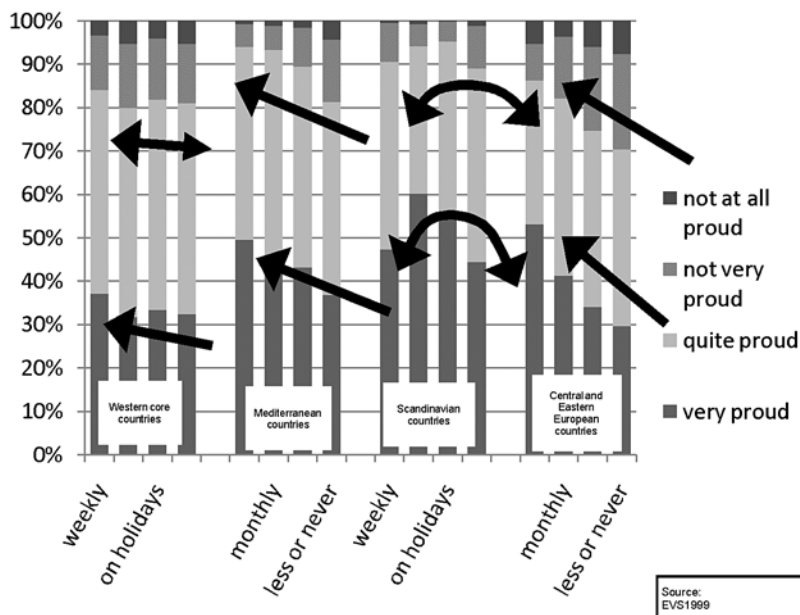
This final observation may cut both ways. Religion has the capacity to work for peace and development in Europe. It is, though, present in national divisions as well. To be a factor means partly instrumentality in favor of peace and development. It means yet, too, that it is a factor of differences, which has to be taken into account. In any case, peace and development in Europe and especially in post-communist Europe, can not be promoted sufficiently without taking the religious factor into consideration.

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Religion and Science as Factors in Stability and Development – A View beyond Europe

DANIEL SCHAFFER

"Religion and Science as factors in Stability and Development" is a topic of critical concern, not only to Europe but to all regions of the world.

I work for the Academy of Sciences for the Developing World (TWAS), an organization headquartered in Trieste, Italy, that is dedicated to the advancement of science in the South – and, equally important, to applications of science to promote sustainable development, especially in poor countries.

TWAS has been around for more than 20 years; it has more than 750 prominent scientists as members (including 15 Nobel Laureates); and it oversees one of the world's most comprehensive collection of science capacity building programmes in developing countries, including a programmes for young graduate and post-graduate students, which is sponsored by the governments of Brazil, India, China, and Mexico.

So, you may ask, what does TWAS have to do with religious sentiment as a factor for stability and development?

The short and quick answer is: not that much.

The longer, more considerate, answer may be: quite a bit.

Here's why. In today's troubled world, religion and science seem to be at odds – especially in the Islamic world but increasingly in scientifically advanced countries as well – most notably, in the United States, where fundamentalist Christians now hold sway over many of the levers of power, including the presidency, and where many of the most cutting-edge scientific investigations, such as therapeutic cloning, genetic engineering, evolution and reproductive health, have been challenged – and, increasingly, handicapped – by those who say they answer to a "higher power."

Yet, the truth is that it doesn't have to be this way. Religion and science can stand side-by-side, in harmony, as they have stood in Europe and much of the Western world for the past 500 years.

In fact, when science and religion do stand together, side-by-side and not one in front of the other, the society as a whole benefits. That's because a society's spiritual, intellectual and material needs can only be fully met when both religion and science thrive in an atmosphere of mutual respect and understanding.

And, as the history of Christianity and Islam both show, when science and religion co-exist, in harmony, the society has greater prospects for enjoying the pinnacles of wealth, power and influence.

That was true in the Islamic world at the turn of the first millennium when the Islamic empire, largely centered in the Arab region, stretched from India in the east to the Iberian peninsula in the west, and from northern Africa and the Arabic peninsula in the south to Sicily and the Balkans in the north – and, at the same time, when Alexandria, Baghdad and Damascus, at the crossroads between Europe, Africa and Asia, served as thriving hubs of trade and cultural exchange.

That science and religion can co-exist in harmony and promote social well-being has also been true in the Western world for past 500 years, home to the world's greatest wealth, greatest cities and, yes, the world's most advanced science and technology.

What also marks both Islamic civilization and Western civilization, at the peak of their power, is a religious sentiment that is at once heart-felt yet tolerant; often intense yet soothing and sympathetic; glaringly present but not culturally or politically dominant. The key to all of this is tolerance.

At the turn of the first millennium, encounters between Islam and other cultures spurred historic progress in science, allowing for unprecedented breakthroughs in astronomy, mathematics, medicine and physics. Jabir, Khwarizmi, Razi, Masudi, Wafa, Biruni and Avicenna (Arabs, Turks, Afghans and Persians) – all made fundamental contributions to the world of knowledge. At the peak of Islamic expansion, the cultural and political successes of its empire seemingly put it on a path of unlimited prosperity and influence.

Nearly a millennium later, it only takes a brief glance at the territories that were once part of that vast Islamic empire to realize that traces of its past glory have largely vanished, replaced by a stark portrait of economic stagnation. Of the 57 nations that comprise the Organization of Islamic Conference (OIC), 22 (nearly half the world's total) are classified as least developed countries (LDCs) and 29 as low-income countries. Indeed the total annual gross domestic product (GDP) of OIC countries – just US$1.2 trillion – is but half that of Germany and one-quarter that of Japan.

Many factors have been responsible for the material decline of Islamic civilization and its inability to regain its lost strength and influence. Yet, one of the compelling factors was the emergence of a fundamentalist brand of Islam inspired by spiritual leaders who preached intolerance and laid claims to the political seats of power.

Intolerance isolated the Islamic world, cutting it off from the cultural exchanges that had proven so fruitful during its period of unmatched economic influence and intellectual fervour.

Perhaps even more important, the relationship between Islamic religion and Islamic politics, always close, became even closer. The result was that intense personal sentiments were also defined as political dictates leaving little room for free thought, the lifeblood of science. And, as religion and politics merged, the patronage of science – in simple terms, funding for it – also disappeared.

The irony of all this is that, as Islamic world gained ascendancy and as scientific thought faded, religion itself became less of a factor for integration and development. The lessons here, both for Islam and the rest of the world, seem straightforward: the more that religion and science exist in harmony, the more likely both are to serve the prevailing needs of society. In short, these two fundamental aspects of human nature seem to prosper not only for themselves but for society when they exist in balance.

After a millennium of decline and despite all of the dismal news now coming out of the Islamic world on a daily basis, there are hopeful signs that science is once again emerging as an important force among Islamic countries:

- Over the past several years, Pakistan has increased its funding for science and technology by more than 1000 percent and has devised a comprehensive strategy for providing broadband access to the internet for its universities and research centres and eventually for its entire population.
- Over the past decade, Iran has rebuilt its system of higher education and has provided excellent training for an increasing number of young researchers, especially in the fields of biology, medicine and physics.
- Over the past five years, the small Gulf states, led by the United Arab Emirates, Oman and Qatar, have also made substantial investments in higher education and have partnered with universities in the United States to bring state-of-the-art learning to their countries.

All of these steps are welcomed and all suggest that improvements may be on the way. But the steps that have been taken remain small, especially in relation to the scope of the problem, and they are always subject to reversal in this volatile and, in many ways, unstable part of the world.

For example:
- Islamic countries have some of the highest illiteracy rates in the world, reaching 25 percent for males and 50 percent for women in some nations.
- Islamic countries spend, on average, less than 0.2 percent of their GDP on science and technology, compared to 2 to 3 percent in developed countries and 1 percent in China and India.
- Islamic countries have a total of 550 universities. Japan, in comparison, has 1000 universities; Tokyo alone 120.
- Scientists in Islamic countries, with more than 1 billion people, publish less than 1 percent of the articles in peer-reviewed international science journals – that's far less than Israel which has 6 million people.
- The number of patents awarded to technologists in Islamic countries is negligible, indicating that little of the science that is done in the region finds its way into useful applications that benefit society. Technologists in Korea,

for example, a country with 50 million people, were awarded 50 times more patents than their counterparts in OIC countries.

As science advances in the Islamic world, and we all hope that it does, it does not mean that the region will quickly earn a prominent seat at the table of international science. In fact, as in all countries, only a small percentage of the scientists trained in OIC countries are likely to be top-flight scientists.

But what science can do, beyond its contribution to global knowledge and material well-being, is to help alter the mindset of a nation – adding elements of openness, transparency, competition and criticism – that are so essential not only to economic development but to social stability. Again science does not eclipse religion in healthy and vibrant societies but stands side by side with it to create a full palette of human expression and sentiment.

And that brings me back the subtitle of this conference, "Religion and European Integration," which suggests that this event is designed not only to focus on religion as a factor for stability and development in general, but to focus on the European experience as well.

That's because it's here in Europe that you have the one country that may be poised to serve as bridge not only between cultures, but between science and religion. That country is Turkey, which has the strongest scientific infrastructure and capacity in the Islamic world: the best universities, the largest contingent of well-trained scientists, the highest number of publications in peer-reviewed journals, the most patents, and the broadest avenues of exchange with scientists from the rest of the world.

It is in Turkey, more than any other Islamic country, where efforts to recalibrate the relationship between religion and science are most advanced, and it is in Turkey, as a result, where the critical issues that you are seeking to explore in this conference may find their clearest expression and most valuable lessons. For these reasons, more than any other, I think the discussions of the International Symposium in Maribor on "Religion and European Integration Religion as a Factor of Stability and Development in South Eastern Europe" and the present proceed-

ings may have international implications that extend well beyond the venue of the symposium and even beyond Europe itself.

Cultural and Spiritual Values in the Period of Globalization.

The Slovene Case

FRANCE BERNIK

Summary

The point of departure of the author is the finding that Slovenian cultural and spiritual values are first and foremost a reflection of national identity, which has been shaped by the Slovenian history from the early Middle Ages to the present day. However, our own statehood became a part of Slovenian awareness only in the most recent times, with the establishment of the independent state of Slovenia. Historical circumstances and Christianity, i.e. a mighty spiritual force that connected Slovenes with Europe, shaped the spiritual aspects of national identity. Later, in times of Enlightenment, Christianity was combined with a liberal world-view, and in the twentieth century it was followed by Marxist ideology. The first and an absolutely binding value of national culture is of course the language. The national language represents the most important component of Slovenian identity, and national literature is the central art form, since it expresses itself in the national language. On the basis of all of this it is clear that throughout its existence Slovenian literature was supporting the national idea, and in the eighties of the last century it also became politically committed. It stood up against the totalitarian communist regime in Yugoslavia and declared itself in favor of an independent Slovenian state. In the nineties a phenomenon appeared on the international scene, which has become the greatest challenge for mankind, Slovenes

included. That is globalization, which fundamentally implies the multiplication and deeper interactive links in the economic, political, social and cultural sphere of international relations. All of a sudden cultural and spiritual values were faced with new opportunities and new dangers. It is the opinion of the author that national culture will retain its credibility in the era of globalization only if it will not withdraw into isolation or shun tolerant cooperation with other cultures. It should not fall under external influences and deny its own peculiar traits. It will have to reinforce its position also within the concept of sustainable development that is becoming the prevailing aspiration in the contemporary world and is stronger than all other aspirations. In the process of developing interactive links the state will have to continue to support national culture, although its autonomous action will not be guided only by external factors. The pluralistic nature of culture exists as a possibility that must be pursued every time a new. Therefore, identity and the future of national culture will also, if not primarily, depend on the culture itself, on its awareness of its worth and on its will to exist.

"Cultural and Spiritual Values in the Period of Globalization" is a specific topic that refers to the Slovene and all other national cultures individually, and it is also a general one that encompasses all national cultures together, but first and foremost it is a topical issue because the process of globalization is evolving here and now. We have taken up the Slovene case, as pars pro toto, since all European cultures are entering the period of globalization under more or less similar external conditions. In this context, as an introduction, we shall briefly present the substance of Slovenians that conditions culture and shapes the latter's content, and in extreme it defines the cultural identity.

And what is national; or rather what is cultural identity? The original meaning of identity is sameness, or harmony between the characteristics of a phenomenon, of a person or a group of persons, of an object and their manifestations. Hence, identity is the dynamics of harmony, rooted to the fundamental, or permanent origins. Therefore, harmony should be sought in national history and also in cultural history.

From these vantage point it could be said that group consciousness of our early predecessors started taking shape in the period between the 7th and 9th century,

during the existence of Carantania, a free tribal community living in the eastern alpine region. Later, on this basis, national consciousness evolved. After the collapse of the Carantinian community a fateful break occurred. What followed was a period, lasting more than a millenium, of subordination to foreign, ethnically more powerful rule, which lasted up to the beginning of the 20th century. At that time Slovenians freed themselves from the long Germanic supremacy and joined (without the prevalently Slovenian coastal area and Carinthia) the Yugoslav state, a state of linguistically close nations, which represented important progress in Slovenians aspiration towards independence, although it was not the final goal. Neither the first Yugoslavia, a conservative kingdom, nor second Yugoslavia, a state with a totalitarian communist system, met our expectations. Only in the present time has our own statehood become an integral part of Slovene consciousness. This statehood, which is without tradition in the true sense, represents the primary characteristic of the identity of Slovenians.

In this historical context, at the time of Carantania and later, Christianity holds the place of the central spiritual force of Slovenians. However, it does not exist alone, because the Christian world view, from Enlightenment onwards lives together with the liberal opposition and in the twentieth century even with the marxist ideological opposition. Christianity connected Slovenians with the European culture, and at the same time it shaped and strengthened our linguistic originality. In parallel culture, understood in the broad sense, also evolved. This is an indication of harmony, of an identity; this is the union of the fundamental components of our spiritual past as well as of our present. Not infrequently Christianity acquired the function of a national defender and not infrequently culture found in Christianity an ally in the development of consciousness on the national, moral, and a esthetic or some other level among peoples, nations. Of course this refers to culture in the classical sense, i.e. to the long-term endeavours which, according to Immanuel Kant, represent the advancement from the »crude« state of nature, when nature dominates man, towards a state when man dominates nature. Hence, culture means the sum of all values, all the achievements of Enlightenment, of education, arts, sciences, religion. It encompasses all the aspirations to

bring to light the »higher nature« in man, as well as the aspirations towards the more developed and nobler forms of man's existence.

It is understandable that any national culture is firstly conditioned by the national language. Particularly in literature, one of the main cultural foundations, language represents the first and foremost value that is absolutely binding. This is a fact, which probably will never lose its focal position, although precisely the national language is critically connected with our time, as the most sensitive and neuralgic area. Literature as the art of language, or art of the national language, has precisely this pecularity, which renders it different from music, painting, sculpture or architecture – all arts that speak a supranational language, understood by all, they truly speak a universal language. Literature, as an art, differs precisely because it uses the national language. Hence, the connection between literature and the national language is a logical, most natural fact. For this reason, Slovene poets and writers, as founders of our culture, considered, and still consider, language an irreplaceable creative means. As proof of the above statement we shall mention just two of the numerous examples. Firstly, France Prešeren, the Slovene poetic genius, who had a German educational background. He attended high-school in Ljubljana, where the townspeople and intellectuals spoke mostly German; he did his university studies in Vienna, the capital of the Austrian i.e. Habsburg monarchy. Many of his original poems had been written in German, some of his poems he later translated from Slovene into German. Hence, he had a command of the German language. Yet he remained with his mother language of which he had a profound mastery and understanding of the exquisite semantic nuances and sound subtleties. As with Prešeren, we note a similar situation with Ivan Cankar, another classic of the Slovene literature. Although in a different period, Cankar also for some time lived in a German linguistic environment. He lived in Vienna for more than ten years, in the most sensitive period of his life, from his twenty-third year to the thirty-third year of his life. In the Austrian capital he had a fiancée and they talked German, with some of his contemporaries he corresponded in German, in his youth he wrote a few lyrical poems in German. But still, the Slovene language was and remained the instrument of his writing. Although a master of

the language he nonetheless felt restricted even when expressing himself in his mother language. He lamented that »the word is awkward and heavy, it hides, and it is timorous…« He considered the word to be barely adequate and insufficient, as such it seemed to him »hardly a sign, scarcely memory of that which I had seen with my own eyes…«. In other situations he despaired over the language, claiming that: »there is no final word, no crucial and redemptive word, nobody had ever heard it and nobody had ever uttered it.« It is therefore, difficult to imagine that Cankar, the unparallel stylistic expert of Slovene literature, dissatisfied even with his own language of which he had full command, would emigrate into an alien linguistic setting where he would have encountered a language just as unsatisfactory as his own if not even more so. We are certainly aware of the exceptions among all peoples, also among Slovenians, because the literary writer is often faced with a dilemma: either loyalty to the mother language, or the dangerous temptation and a changeover to another linguistic setting. Despite the above, it still holds true that the national language is the fundamental characteristic of any literature. Namely, an intimate bond between the writer and the man in general, exists with his first language, the language of childhood and youth. And only this circumstance can explain the original, barely comprehensible, commitment to the mother language.

In this context it is clear that the national culture occupied a central role in Slovene history because of the language in which it expressed itself. Similar situations may be observed among other European peoples, because language never exists per se, it performs the function of communication and understanding. It is the most direct expression of culture of a people or an ethnic group; therefore it is not possible to accept the understanding, which denies the language its preeminent role in the inception and existence of cultural identity.

Culture, as a surge of the creative spirit and ideas, has been accompanying Slovenians from the beginning, in the early middle ages, to the present day. It stimulated and guided the process that transformed the people in an ethnic group and the ethnic group in a nation. For centuries it had a role, which, as a rule, pertains to the state and its institutions. We can even say that it had a role in

the creation of our state. Literature had exceptional merits; in one way or another it was always at the service of the national idea. In the last years of the second Yugoslavia many writers became directly politically involved. Aspiring to an independent Slovene state they opposed the totalitarian system and influenced other democratically oriented groups and individuals to take a more decisive stand. In this context *the Contributions for a Slovene National Program* in the 57th issue of the Nova Revija, in spring 1987, and the critical stance of the Slovene Writers' Association towards the then state authorities were important internal impulses for the historical change at the end of the eighties and beginning of the nineties. The change only occurred when the soviet empire and countries subordinated to it disintegrated. The extent of the mutual dependence between the national and cultural factors at that time is proven by the fact that from the multi-national entities, i.e. the Soviet Union, Yugoslavia and Czechoslovakia, new nation states have been constituted. Such a change of the political map of Europe was not in contradiction with the spirit of the time. Indeed, it enabled the new nation states, among them Slovenia, as independent factors of international policy, to decide on a more equal footing in favor of the integration processes under way in the democratic world.

The end of the bi-polar order of the world left an extraordinary mark on the Slovene national life and culture. After the Second World War the Slovene culture was cut-off from the west, albeit in a more liberal form than cultures in other communist states. Then, all of a sudden, there were no more restrictions. In 1989/90, the barriers finally fell also for East European cultures, which were separated from Western Europe for fifty years. From the October revolution onwards cultures of the former Soviet Union languished in isolation. The historical change has therefore given rise to the beginning of reintegration of the Slavic cultures, and some other central and east European cultures, into the culture of the old continent. This re-unification seemed so natural, because these cultures, isolated by means of repression, through a long period of history had been an integral part and a creative part of spiritual Europe. Naturally, this important shift is not the same as

the process we are witnessing today, although the return of Eastern Europe i.e. of the Slavic East could be also understood as a form of globalization.

The term globalization appeared approximately in 1990, and from then on it has been in use in economics, in order to describe the growing degree of interaction of economies and financial markets. As the years passed the use of this term spread and today we use it in order to describe new shifts not only in economy, but also in modernization of communications, creation of knowledge and goods, activities in the area of international security. According to Dieter Nohlen, globalization in essence means the multiplication and deepening of supra-national interactions, in the true sense worldwide interactions, which are increasingly connecting national societies and nation states. Although globalization is no longer an exclusively economic phenomenon, and its political, social, cultural and environmental aspects are still in a subordinate position, it is nonetheless increasingly developing into a universal global process. At the beginning it implied increased volumes of economic exchange, while today the process is also giving rise to serious structural changes on the national level; the changes are greater to the extent that a society is interactive on the international level. We are approaching the moment when the European nation states, members of the European Union, will significantly alter the model of their national jurisdiction. The supranational economic and other links will become so influential that it will become necessary to redefine their mode of operation.

And precisely because globalization is primarily an economic phenomenon, we should first ask ourselves about the material foundations of Slovene culture. Let us here draw the attention only to some circumstances that seem to justify such a question. The point of departure here is something which is generally known, reiterated innumerable times, and it is an established fact that Slovenia, as a state, is surrounded by more powerful neighbors. In addition, Slovenia is in many respects a unique country, with a sweeping mosaic-like structure. Already geographically it is quite fragmented. In an area slightly bigger than 20.000 sq. km. we encounter four landscape models: the Alpine model, the Mediterranean model, the Pannonian model and the Dinaric model. Linguistically it represents

a veritable polyphony, the mother language of less than two million inhabitants has its roots in seven dialectic groups and more than forty-seven dialects, what's more the languages of two ethnic groups have been constitutionally recognized i.e. the Hungarian and Italian languages. There is much diversity in Slovenia also with regard to regional characterology – the so–called national character, if it exists at all, consists of many regional character traits: Upper Carniolan, Styrian, Lower Carniolan, Coastal, Karstic, Internal Carniolan, Carinthian, Prekmurje, and a few others. The described diversity, if not the fragmentariness of the national community, under certain circumstances, may even be positive, but probably does not contribute to internal cohesion, to the resilience to external influences, particularly if we take into account some accompanying peculiarities: the rapidly declining birth rate, population aging, illicit drugs, or the high suicide rate. Even if the above-mentioned peculiarities are not exclusively Slovene, but rather are of a general nature i.e. typical for more advanced societies, nonetheless they offer sufficient reason for careful consideration.

What, in principle, holds true for identity in general holds true also for Slovene cultural identity: harmony between essence and form, the profound mutual permeation of the two i.e. the integrity of harmony, identity, the advancement of identity, and the constant renewal and preservation of balance in it. In the developed information age such dynamics are required primarily due to the fact that a national culture cannot operate successfully in isolation, but rather in the context of other cultures, particularly neighboring cultures. Therefore, if a national cultural identity represents a particular reality it is clear that today culture can only manifest itself under conditions where new challenges, new expectations and new aspirations appear. In this interactive, reciprocal process activity is linked to a response, the response is linked to the activity so that the national culture has to reconstruct harmony constantly, or in other words it has to rebuild proportional-ity and at the same time to respond to the jolts coming from abroad, to accept them either creatively or to respond to them in some other fashion. The danger that in this turbulent environment the national culture may lose its identity exists primarily in two cases: firstly, if the culture loses the necessary critical distance, or

if its originality fails vis-à-vis external influences, if it succumbs to such influences or if it identifies with them. In this case it suppresses itself. It jeopardizes, or rather it disavows all the characteristics that represent its essence, from the language to the numerous forms in which it manifests itself and its fundamental mission, steeped in tradition and in the search of the new, that which has not yet been discovered. Secondly, the loss of identity may occur if the culture, which does not give in to foreign initiatives, rather refutes them, does not see them and thus renounces the interactive, multidirectional relations with neighboring and other cultures. In this case it is transformed in a hermetic structure which is committing suicide, if not in the short run then most certainly in the long run. Consequently, if in the period of globalization a national culture desires to retain and preserve its credibility, it should neither succumb to the external temptations nor should it isolate itself from them, or renounce to the confrontation with them.

If a culture is not only to be preserved, but is to remain a lasting, integral and creative part of a nation, as the latter's spiritual dimension, it will have to fulfill a number of conditions. First, it must be aware of itself, of its role and the mission that it is performing for the common good. However, it will have to get acquainted with the role of other cultures, with which it will live in a reciprocal, interactive relationship. The more active i.e. critical the confrontation will be with other cultures, and the more self-reflexive it will be with respect to its own activity and to implementation of the set objectives, so much more easily it will assert itself in the dynamics of European and universal events. A critical distance towards self and other cultures will be crucial. In order for a national culture to attain such a state it will have to stimulate within itself greater flexibility and ability to identify with other cultures. Last but not least, bearing in mind this objective, in the course of this process of mutual coexistence it will have to strengthen, or form its own role. Without the ability to understand others, without anticipating the fundamental developmental aspirations in a broader context, it will remain incapable of building further its existing identity. From now on culture will have to open up to change without disregarding its foundations, which are its substance and which should not succumb to the times. We may also anticipate that in these

mutual links contradictions will emerge, as will vagueness and difficulties in communication. Tolerance will be needed because there will be clashes of influence, differences of value systems and other tendencies. Mutual and reciprocal tolerance is crucial for the existence and growth of diverse cultures; it is also an extremely demanding task. Its meaning is all the greater if we are aware that a tolerant relationship between individuals and groups is the primary condition of a free, democratic thought and conduct. Essentially, tolerance is dialogue, and vice versa, without a dialogue there can be no tolerance. Without tolerance a democratic society can neither exist nor function.

In the contemporary world the existence of differences, with all the emerging contradictory relations, must be recognized. This means that it will not be possible to simplify or ignore conflicting circumstances. National culture will have to confront them, and at the same time it will have to remain true to itself, to its identity. It will be easier to co-exist and co-operate in a pluralistic world if the national culture, in our case the Slovene culture, becomes deeply and broadly involved, as a multi-faceted phenomenon consisting of numerous systems, from the classical culture to pop culture and other alternative forms of culture. Each one of these systems will be seeking-on their respective levels- converging points with others and thus contribute to an interactive creative bonding. Probably, the different systems within national cultures will mitigate differences and bring these systems closer together, even though they may give rise to tensions and dissent that will have to be accepted as a natural phenomenon of historical development.

Now we are faced with the concept of general development and specifically of cultural development. Today we are no longer speaking of progress, as was the case in the previous century and even before, rather we are speaking of development, as a concept which is supposedly less idelogical and more universal. Development refers to a complex of phenomena, higly dependent of time and space, of individual, group and social value systems, of the conservative tendencies to preserve the foundations as well as of the revolutionary will to introduce change. The above phenomena are influenced by a large number of factors, first

and foremost, the economic and social circumstances, as well as broader historical experience. After the Second World War, in the second half of the 20th Century, we note diverse development models, where economic growth prevails, or is the focal point. In parallel, in the sixties, the aspiration to bring about social change has been noted, and aspiration towards greater independence, be it economic, political or social change. Development is understood as the improvement of the conditions of life of mankind: a higher living standard, improved nutrition, health, employment and greater social equity. In the meantime economic growth remains one of the priorities of development, but in the late seventies the question of quality was raised, and in this connection a 1980 report contains a noteworthy thought of the German channcellor Willy Brandt: »*If we do not take into consideration the quality of growth and social change, we cannot speak of development.*« From that point onwards the development concept was being consistently expanded and among its objectives appeared national independence, and for the first time, also the awareness of cultural values and traditions. A long time had to pass before the development planners remembered culture, and even this integration of culture into development plans seems more of a coincidence than a rule, because in the eighties a new idea emerged, the idea of sustainable development that overshadowed all the rest. This concept, comprising the above objectives, places in the forefront tasks related to environmental problems and issues concerning intergenerational relations. In this context sustainable development has been defined as »development, that shall satisfy the needs of the present time, without jeopardizing the possibilities of future generations satisfying their needs.« The dimensions of universality and of sustainability were driving development ever more into the context of globalization, into the area of the prevailing aspiration in the present-day world, mightier than any other aspiration and within which a new global governance is being planned.

However, it is becoming apparent that the general material concern for the survival of culture and its identity will remain with the state. Also in the future the democratic state, with a redefined role, will have to recognize the autonomy of culture in education, science and art. It will have the obligation to support the

preservation of the cultural heritage and the international assertion of national languages. At the same time it shall have to stimulate the complementary aspiration of getting acquainted with other languages and cultures. These tasks are not unacomplishable. It is, in fact, in the nature of things that differences attract each other – although the possibility of aversion cannot be excluded. Cultures of different orientations manifest a strong affinity for confrontation and mutual connections. This is not a new process, although it is becoming more intense, universal, and all-embracing. National cultures will have to accept these challenges if they will want to compete with other cultures and contribute their achievements to the treasury of world culture. In this sense the heterogeneity of cultures is a fitting complement of democracy, the prevailing political model of our time, which in principle recognizes the equality of differences, or rather equal opportunities for all and ensures, or should ensure, the conditions for the practical implementation of the latter. Yet we must be aware that the richness of freedom, the plurality of creativity in the sphere of culture, the tolerant co-existence among individuals and communities are not self-evident facts. They exist as possibilities, which have to be constantly asserted and verified. Therefore, national cultural identity will not depend exclusively on the state, but it will also depend of its own strength and will to exist.

The Impact of Theological Ideas on European Integration

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Keywords: theology, hierarchy, balkanism, orthodoxism, europeanism, anthropology

Contemporary Europe unites religious groups and institutions, which often represent controversial ideas and worldviews deriving not only from visible confessional practices, but from their traditional theology. Theological concepts appear as problematic points in European integration processes and remain unexplored due to the lack of sufficient common interdisciplinary, interconfessional and interreligious perspective on field of theology with its disciplines. Theological knowledge in general, often understood as religious philosophy especially after communism was disseminated in various branches of scholarship by different discourses reflecting it as culture. That is what still makes unclear to what traditions and values some European societies choose to return in the course of recent ongoing integration and globalization.

Recent intellectual space of Europe seems to contain more dimensions and colors than contemporary researchers can grasp from past and present history. Difficult points of investigation occur in exploring faith issues after communism. Anthropological perspectives on nationalism and ethnic religiousness do not fully explain the yet unclear cultural otherness. Theological scholarship developed by separate confessional national and ethnic traditions is not often taken into account, because it is considered to be reserved field for 'initiated' specialists forming separate 'camp'. So the rich variety of theological ideas basic to historical formation of European entity still remain in the background of historical outcome of integration processes.

In that respect theological ideas still matter intellectually though unexplored, neglected and forgotten by contemporary analysts. Shifting European idea of unification from an economic issue to problem of cultural or even religious integration comes to the point of discussing variety in faith. Knowing the heaviness of religious controversies some scholars prefer not to enter that field. Others wish to explore further such seemingly secondary issues as they fight otherness. Theology is possible ground of communication even if it would be still confessional, apologetic and considered to be archaic academic part of scholarship and education.

Theology as an interdisciplinary field exists in contemporary literature by variety of discourses dispersed in almost every branch of humanitarian scholarship. This invisible reflection on religion had been noticed by theorist of atheism when they objected transmission of religion through culture. Moreover communist prohibition of religious way of thinking in the past resulted in persistent contemporary understanding of faith as implicit in culture. In pre-commmunist context theology implied that religion had been basic formative element of not any more social justification to both traditional and modern culture. But cultural life is too vast notion providing variety of opportunities to examine the transformation of theological concepts into seemingly universal values, theses and… stereotypes. In this paper I argue that nowadays theological ideas traditionally gain considerable, though hidden impact on the processes of European integration.

To clear up that relation in detail, whole system of cultural, national, ethnic, individual and other possible framing should be reconsidered before complete removing of state borders. The necessity of enrichment, revival and stimulation of interdisciplinary *theological* studies and thinking depends on the place of problematic religious and social function of *hierarchical* order in setting democratic society.

In that respect *balkanist* place in East-West relations represents both *orthodoxist* view on Modern-Traditional concepts and *europeanist* unity between influences of American and Eastern culture. Explaining global situation by imperial-colonial relations scholars did not emphasize that orientalism and occidentalism still

exist theologically within religious culture. And this is a vivid ideology. That is a constant readiness to start again and again the mechanism of misusing religion on extremely secular purposes. Moreover these actions are usually propagated in public as noble attempts at attracting people back to socially useful religious values.

Thus theological concepts may turn into stereotypes and start supporting some totalitarian ideological thinking. For example cultivation of theologically originating hierarchical thinking parallel to building democratic values of European integration results in vague attitudes to space, faith and unity. So most of the related problems are usually disguised in intellectual movements or studied only as philosophy. Hence they are not yet fully addressed in reliable way, that would mean interdisciplinary and interreligiously. Moreover the constant wish of reforming religion does not mean only liberalization of confessions by possible openness of institutions and relevant independence in theological thinking. To achieve sufficient overcoming of religious opposition to integration process would rather mean to develop global theological scholarship than common religion or church.

But conservative religious theologies today would not send one clear message to all people, but multiple appeals to 'outsiders' and 'insiders' of single society of faith. Often even faithful of one confession would not receive a message in similar way: they are usually divided in wings, groups, stages of religiousness and theological education. Anthropologically even faithful people might not share common way of thinking as it is also determined by variety of factors as social and psychological conditions.

Still in the field of education and scholarship people are traditionally inclined to unification of clear identities; they are trained to reflect on ideas, fields and personal performances including themselves; they learn to debate and solve controversies. Then order would overcome in anthropologically correct way the existing philosophizing of religion and theologizing of society by rejecting ideological labeling of space and mind.

To many people European integration still would unconsciously mean integration of theologies or cultures deriving from religion. But the time has come to fight for *anthropological* necessity to avoid religious conflict by shifting it from political ideology to interreligious and interdisciplinary scholarship. That would mean not to open a new debate, but to supply the existing discussions on common building of core European-Union values with new data and perspectives.

Theology stands behind the idea of *faith mission* of people as minority or elite. Then *religious reform* turns theology into philosophy often used as ideology: religious, imperial or geopolitical, and transfer it into interdisciplinary scholarship. And finally *modernization of theology* implies strengthening of institutions and gaining of scholarly approval and social authority. Still history of theology is not only a history of its abuse on ideological reasons. Theological education is considered to be mostly vocational or catechetical and apologetic in its method. Theological studies in their traditional form may be religious justification of positive knowledge and scholarship. Different types and particular branches of theological scholarship exist until recently as academic appearance of religion, confession, church and faith.

In general historical perspective at the turn of the twentieth century western way from Roman-catholic monastic theological academy or university to Protestant reformed theological faculty or independent institute came to opening of units of general history of religion, oriental religious studies, and finally to above-confessional and interreligious theological scholarship. Eastern development of theological studies followed only partially the western intensive and vastly debated academic shift. Only at the Council of Moscow of 1917–1918 Orthodox theological education was clearly subjected to considered reforms and intellectual advancement. The move from academy to faculty and institute marked the way from traditional theology to humanitarian scholarship, religious philosophy and ecumenical studies.

But the main aim of improving theological education only seemed to provide more relevant and profound representation of church teaching or more attentive and adequate training of clergy. The central problem there was independence

of theological studies form church supervision and subsidizing. Key difficulty in state-church relations was to regard theological education part of both church and academic affairs. Moreover most of European states before communism were lead by ruler blessed by the church and by party and its ideology whose leader and members belonged to the same church, or at least to similar confession. So often the change of social status of church as institution and its theology depended on personal attitudes of the elite to religion and faith.

In *Bulgarian historical perspective* early twenties provide good example of

religious mission, church reform and modernization of theology. At that time theology was used in the Balkans to support Bulgarian national cause and to justify Russian church and scholarly Diaspora in Europe. The Russian idea of *religious mission* was given directly by the church with prophecy of saint. Seraphim of Sarov. Then the same idea of religious supremacy was expressed in more philosophical Eurasianism[1]. Kniaz Nikolai Sergeevich Trubetskoi while teaching philology at Sofia University constituted Eurasian idea in his works. Eurasian nationalistic had been taking shape about a decade yet in Russia as intellectual generation response in continuation to Russian Silver Age. Together with some fellow-intellectuals as future theologian George Florovskii, Trubetskoi started philosophical seminar intending to provide new philosophy of Christian Orthodoxy and to use church structures for developing geopolitical ideology. Most of the scholars did not follow Trubetskoi in ideology: Petr Bicilli preferred to develop Bulgarian school of historiography, George Florovskii as scientist later became one of the best theologians of our time turning modern theology back to its holly traditional

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1   Eurasian thinking coming from the twentieth century recently gains the interests of scholars with its constant life as opposition to western-centered European culture based on modernization. In my opinion, Eurasian philosophy today deserves intellectual interest not as geopolitical view on Europe, but rather because of theological background of the wish to decentralize Europe ideologically from east. Russian impact of that style of theologically based thinking on Balkan intellectual space turned the European historical perspective of my work on history of theology in 2005 to studying Eurasianism:'*Between West and East: Eurasianism and Academic Politics among Russian Émigré Scholars in Sofia, 1920–1930.'* CEU Theses Collection, Budapest College

sources. And thus Russian intellectual presence in the twenties became engine of Bulgarian modernization not only by providing it with human resource.

Russian intellectuals promoted Orthodoxy by both academic and church structures which were spread in Europe. With the support of states, organizations and persons from different confession only in a decade Russian émigrés started acquiring local intellectual and spiritual identity. And that integration was not only Slavic, but European. Yet in Bulgaria that identity was not a formation of religious minority, but rather formation of scholarly and clerical intellectual elite.

Modernization of theology was part of that image from strengthening of institutions to gaining of scholarly approval and authority. Orthodox Christian theology was academically presented internationally by both Russian and Bulgarian scholars in its traditional or in modern, rising in the twenties ecumenical way by: Russian traditional Archbishop in Bulgaria: Seraphim, Russian Professor Nikolai Glubokovskii and Bulgarian Exarch Stephen and the best Bulgarian theologian, Prof. Protopresbyter Stephen Tcankov, etc.[2] And that civilized attitude to theology was valid to theological problems occurring in historiography and other humanitarian fields.

Agrarian educational movement in Bulgaria at the same time used theological idea of *religious reform* in quick enforced modernization. For the orthodox born and western trained charismatic agrarian leader Alexander Stamboliiski state-aid to the church meant independence. He attracted predominantly rural population to the extend of obtaining state power and try to democratize yet patriarchal

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2   Ukrainian theologian Prof. Nikolai Nikanorovich Glubokovskii was distinguished scholar having trained Bulgarian high clergy yet in Russian Empire. He brought Russian consideration of theological education to the just opened Bulgarian theological faculty just by the time when Bulgarian religious and theological solidarity to Russia referred to Liberation by Russia from reign of other religion in Bulgarian lands and prevailed the European diplomatic imposition of Russian immigration there in hard post-war conditions. By supporting Russian independent parallel church and academic communities in Bulgaria local elite showed expectation to future revival of Svataia Rus', the exemplary Orthodox Empire, Second Rome. And Glubokovskii spoke about returning back to Bulgaria the Christian cultural heritage having been brought previously to Russia. So all that can be studied also as regular mutual loyalty of faith.

society as in Romania Eugenics was to reduce the impact of church structures on private life and local communities.

Hierarchy as central principle of religion is often appearing as *hierarchy of theologies* resulting in split in the Christian church on western and eastern as followed by separation in Roman-catholic and Protestant-reform churches in the west and Greek and Russian influenced independent national churches in the east[3]. And what had to be crossed on the Balkans was nothing but theological border. The idea of diocese lost its formal meaning by the fall of Russian empire. And the shift to the spiritual meaning of church hierarchy showed that in Europe intrareligious and intraconfessional controversy is even more problematic in terms of integration and development. The renewal of hierarchy and reproduction of elite had to return to primary hierarchy of knowledge and virtues. Recent tradition of *hierarchical thinking* and setting of hierarchical structures and relations still opposes democratic social values and ethics and labels spaces. And such stereotypes derive from both Christian and Muslim religious environment.

Balkan stereotype had been attached to Balkan space, because historically it is strongly theological. The heart of Eurasia with Bulgaria in its heart matters as a bridge, gate, border, battlefield, marginal land, end of Europe, strategic geopolitical space, crossroads of European interests, formative to European horizon to the East. Balkan theological space of several religions form historical stereotypes as Balkanism, Orientalizm-Occidentalism, Byzantine, Ottoman and Russian imperialism just represent the idea of Christian or Muslim *Orthodoxism* and problematic orthodox mind in different theologies of state.

Even particular idea seemingly forgotten and not functioning as common belief may matter anthropologically and form attitudes of a local community to global issues problematizing some points of European integration. So even a

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3   Gradually western Christianity had advanced in scholarship, church discipline and social mission of the church. Eastern Christian theology is famous for surviving Ottoman domination and Communist regime keeping and strengthening its spiritual and folk tradition. In the case of Russia the impact of other non-Christian domination on Orthodox Christian traditions is often neglected by researchers and recovered in Eurasianism.

problem central to the whole process may seem to have come from nowhere. And solution would be sought in wrong direction because theology had been considered for some time unimportant.

Theory of secularization and desecularization thesis only hinted at the fact that theological ideas existing in various fields and discourses play key anthropological role. Balkan integration is not yet fully addressed in that respect because theology is not understood in its broader sense as it is dispersed in scholarship. Typical case is the so called ideology appearing in some Slavic scholarship, Byzantine studies, Medieval studies, etc.

Balkan idea in that sense implies mediation and communicative approach to sharing of identities. Christian past was shaped by the dialogue between East and West, Slavic and Greek 'cultures' and interests. Fight for sacralization of local language and theological literature was followed by nationalization or emancipation of churches and church literatures and cultures on ethnic basis and resulted in peaceful theological coexistence with other religions. Later on the case of Bulgaria is also characteristic with Orthodox baptisms and blessing of western court, naturalization of Muslim population, institutional acknowledgment of Russian émigrés and diplomatic salvation of Jewish people.

Stereotype of Orthodoxy is common to all religions with the anthropologically problematic concept of achieving true, correct and perfect way of understanding religious reality. In its negative sense *Orthodoxism* connects any monotheistic religion with dogmatism besides its necessary dogmatics and religious intolerance. From the idea of grace hierarchical relations are transmitted outside context of faith to violating human, gender, generation and national equality implied by divine image given in the Creation. If faith is taught as scholastics, worship practiced formally and pious life lived hypocritically church is not stimulated to save teaching without innovations and even folk traditions do better that sacred duty. The direct transfer of spiritual principles of Christian orthodoxy on social life makes sense only on internal faith reasons: when they would be 'properly' understood in their essence. Not only post-communist theological writing of converts from atheist studies show inclination to forget both transcendent part

of theology and some historical points as multiconfessional choice of Slavdom and rich ethnic and national composition of Orthodox people.

Orthodoxy as an idea in its positive sense would mean deep exemplary religiousness, which is noble, ability of inspired desecularization of society, human tolerance to other religious people. Not yet proselitism, but theological expectation, or consciousness of possible conversion of 'the other' may not be tension, but a good ground of respecting others' sense of hierarchy of religions[4]. Traditionalism and deeply convinced confession of faith and sacred keeping of its traditions is not implicitly opposite to peace. Good example is the subjection even to non-Christian rule as Ottoman and Communist one and religious survival on early Christian model. The bright Medieval culture bring the idea of coexistence of various nationalities in one faith and different religions in one state. So once having stopped identifying stereotypical thinking with Orthodox Christian mentality one could study dogmas and cannons even within confession and confessional religious philosophy. In that respect institutional belonging is even stronger anthropological problem to a scholar's consciousness and ethics.

European stereotype is hidden in anti-unionist fears of western-centered, anti-eastern, pro-American European Union. Still as unification entity Europe is also full of Christian symbols. Within the process of European integration theological ideas become once more meaningful in the background of political and economic events. Since theological issues are systematically neglected by researchers only an attentive and unbiased insight would directly distinguish theological ideas in their cultural or ideological transformation. It is so easy to refer on theology

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4   Faith dialogue is usually not an issue in religious orthodoxy, because of the theological concept of hierarchy of religions. And orthodoxy should concentrate its efforts as theory and practice on its positive experience from the past, and even by avoiding any theoretical renewal as canonically difficult, to develop another, more acceptable way for better coexistence. Realizing the good points in old tradition had already proved to be the efficient way. To study the tradition may mean to provide better realizing to what religion we return. Theology also implies social models from the past, information more limited by communist past than by language barrier, human resource insufficient to the too high expectations and in case of obtaining power, eagerness to impose values to the others in totalitarian way.

and misuse ideologically religious symbols after a communist period of half a century when its tradition had been transmitted secretly in different 'cultural' forms. Then neither media, nor final addressees of propaganda would recognize theological issues if scholars are not religiously or professionally interested in realizing their meaning.

Contemporary scholarly thinking considers religion an issue of integration, because it is the visible part of the problem. Still confessional problems are not yet profoundly explored in their theology outside special fields as Medieval, Slavic and other branches of scholarship not considered to be related to politics and economy. When ideology transforms achievements of scholarship into popular writing, theological points are already too melted into the whole that they cannot be distinguished.

European idea of unification is to make pointless the existing interstate and interreligious and interconfessional conflicts. Integration is to solve plenty of problems. Intellectual result would be multiculturalism as balance, conflict resolution and peaceful coexistence if not yet complete church unification. Realizing true national identities will not melt them, but form one stronger common European culture.

Unification of churches, confessions and religions is to prevent wars of: religion, media, public opinion and economy. Coming again to the idea of sacred war, or even to the expectation of Last war preceding the end of the world, European mind should be ready to agree on the deep theological sense of salvation: rather to be ready to die for our faith and not to kill for what we believe in. *Anthropology* as scholarly perspective on theology and ritual is to explore their community in everyday religious life in sense of neighborhood as traditional religious value supported by rich theological teaching.[5]

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5   Anthropologists consider that Communism as other atheist or other-religion state power deprived Christianity from its social role and limited it in the world of private. Still a lot of pseudo-theological stereotypes yet live in the social space of Balkans. There is too much controversy in that spiritual space deriving from patriarchal or even matriarchal values. There is traditionalized misuse of theological concepts concerning body, gender, generation, class,

So then *global faith or global state*? Put in such a way the same question divides the opinions and contains discriminative idea towards people whose 'sensibility' requires belonging to a definite confession and nationality. Measuring of the spread of such anthropological feature is to bring understanding of those specific problems while scholars decide between concepts of secularity and spirituality and distant or included observation in studying various religions and their theologies.

Bulgaria as the most centrally Balkan intellectual space nowadays is silently expected to find at least local working key solution of theologically based controversies standing on the way of European integration. Interestingly enough, in comparison to the other Orthodox Christian countries, not to speak about other confessions and religions, in Bulgaria there are least efforts in the field of religion, theology and church studies and activities. Some pursuit to an unattainable perfection stops most of the initiatives, which could contribute to understanding better recent status of local mind. Specialists refer to the past and find enough grounds to argue that Bulgarian church circles had traditionally not been active in social life. In the last centuries starting from the end of Ottoman Empire Bulgarian revival movements had usually needed external agents of social awareness besides the Church. In the first half of the twentieth century church already preferred

ethnic, professional and other kind of personal and social relations. Theological ideas on neighborhood include hierarchy of faith and religion, gift of grace, transferred on national and ethnic unity, family, guild and institutional identity, body and personality. Often in religious practice violation of human rights in these dimensions is theologically justified and Christian ethics is known only superficially while the common ethical code is neglected as secular and hence secondary. People are inclined to turn rather to the common customary law from the past and the folk image of Christian faith containing some theologically based virtues. At the same time rather unclear confessional and spiritual reasons than linguistic or translation barriers stop scholars in their exploration of faith issues so that they prefer using someone else's results from direct work with sources. For example an anthropologically incorrect way of reviving post-communist church in mystical sense considers faithful only people who regularly attend church cervices. Religious literature is borrowing scientific value from psychology and other fields as it was obligatory in communist theology and church literature changes to the extent of losing its characteristic and traditional theological argumentation.

to have steady good relations with the state. But only if the state did not want church reform, which was difficult to be accepted. Though Balkan intellectual time usually seems to have stopped forever in that respect there are still strong mechanisms to introduce mobility and improvement.

Progress had been initiated many times in history and it was not forgotten in local memory. Anthropological reasons including theology traditionally make external measures as: assistance, example and involvement seem to the strong Balkan mind as: enforcement, invasion and occupation. Conscious Balkan intellectual mind was only seemingly passive. In fact, Balkan historical consciousness is wisely rethinking what had happened while concerned European westward look expected another dynamic "as if nothing had happened there before". Even if in united Europe there would not be sides of otherness, the most positive mutual attitude would be: profounder studying of each other including theology as central factor of anthropological portrait of Balkan personality formative to improvement of local society. And as soon as that yet invisible border could be opened from all the directions, one of problematic steps of the enlargement could become good history.

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Orthodoxy and Economic Development.

Religion as an Obstacle for European Integration?[1]

IRENA RISTIĆ

Key words: European values, economic development, Orthodoxy, Protestantism

Summary

A membership in the European Union is not just a question of structural reforms but also a question of the readiness and capability to accept specific values. These values are not easy to define, but some of their roots can be identified. This work uses Max Weber's "Protestant Ethic" as a starting point to define particular European values, which led to a specific economic development and the foundation of capitalism in Western Europe. By assigning religion a significant place among the factors of social and economic development the work further drafts a thesis on «orthodox ethic» and determines its role in the development of the «spirit of capitalism» in orthodox countries and its impact on economic development and hence on the process of European integration.

The concept of European integration stands for much more than structural changes, conduct of judicial reforms, regional cooperation and the development of industry and trade. Although the importance of these "hard factors" within the overall process of European integration is significant, it seems that they alone can

not lead to sustainable results without the support of "soft factors" such as (political) culture, religion and civil society which need to be marked by a commitment to values and principles that are dominant in and shared by the countries of the European Union. These values and principles are numerous and although rather very broadly defined, they are deeply rooted in the heritage of ancient philosophy, Christianity, reformation and the period of enlightenment.

This work aims to focus on religion, as one of the "soft factors", and to elaborate its impact on Serbia's development and European integration process. Thereby religion (Orthodoxy) is understood as a pattern for a micro-system of values which are shared by a society or country (Serbia) in which that religion is the predominant one. In this respect it is taken as a starting point that religion/religiousness to a certain degree influences the attitudes of individuals towards development and their acceptance of European values, hence that it influences the EU-integration process.[2] However, it should be stressed that religion can never be used as a solely explanation for the social and economic development and integration process of any society or country, since these processes are far too complex and diverse and influenced by many "hard" and "soft" factors which are mutual preconditioned and interrelated. Hence the aim of this work is not to determine the exact measure of certain forms of religious belief on the way of life and on the economic and political system, but primarily to show their universal kinship (Schluchter, 1979: 207–210).

2   According to Max Weber, "it seems that a modern human being oneself, even by having the best intentions, is not able to imagine the real scope of significance religious contents of the conscience have on the way of life, culture and social character". Relying on Weber seems useful insofar as at the beginning of the last century he was one of the pioneers in conducting research on the significance of religion, trying to explain how and why it led to a specific economic development and foundation of capitalism primarily in the states belonging to the occident (Western Europe), while that same "spirit of capitalism" despite other given preconditions, bypassed or at least reached to a lesser extent other parts of Europe and the world. Having this in mind Weber however did not attempt to offer a spiritual cause and effect interpretation of the given culture and history, neither he believed that Protestantism solely caused capitalism.

In order to set a scope for this work and to provide a comparative object, in a first step an overview of values originated from a dominant religion in EU-countries will be given. For that purpose this work will deal very briefly with Max Weber's Protestant ethic and the philosophy and theology behind it. Building upon that this work will in a second, and main step outline an "orthodox ethic" and focus on theological and historical roots that led to the establishment of different values, different understandings of the role of the individual, the state and their relation, and hence assumingly to a different economic development and EU-integration attitude. Hereby this work raises the question why on the territory of the Eastern church, other than on the territory of the Western church, we can not observe an establishment of a specific mutual relation of religion (church) and society which significantly influenced the fruitful west-European social, political, economic and cultural life. By showing the specific interaction of the Orthodox church and the society this work aims to perceive the impact of the orthodox religion on the formation of an individual and his/her "economic spirit" in a wider sense. Doing this, it aims to draw a parallel to Weber's conclusions on the course of the (economic) development in the Occident.

1.   The Protestant Ethic and the *Spirit of Capitalism* as European values

In a spiritual manner values originating from the Western religions, especially Protestantism can be defined as a clear devotion and obligation of individuals to work, seek wealth and material goods in order to serve God. This means that serving God requires activism, a struggle and engagement for oneself, and hence for others, and rejects the withdrawal into a shell and accepting one's own destiny expecting in case of a sin a sacramental salvation by a absolution (Weber, 1965: 133). The concept of *calling* (Berufsethik) is thereby seen as the top virtue that is a purpose on itself (Weber, 1965: 45,60) while a possible inactivity, which is equal to a sin, does not foresee any possibility to get absolution (Weber, 1965: 119,133). At

the same time Protestantism declares the acquisition and accumulation of wealth by man as ethical and wishful, but only under the condition that it is a result of honest work and thus a product of the service to God. The striving for wealth is even seen as the "summum bonum, but hereby the striving is not a purpose for itself but only a instrument that makes it possible for a human being to do good deeds by serving God, above all by helping those who need help" (Lessnoff, 1995: 57/58).[3] The nearly most important postulate is that the individual way of living has to stay modest (Weber, 1965: 58, 180–184). In this trinity of work, earnings and modesty (savings), and in the discipline and organization on which this trinity is based upon, Weber sees the characteristics of the protestant ethic and the principles of modern capitalism. Hence he does not look for the beginnings of modern capitalism in the origin of *capital*, but in the origin of the capitalistic spirit, since where this spirit appears, there it provides itself the financial resources, and not contrary (Weber, 1965: 58).

The understanding of salvation by working goes back to the pessimistic Protestant understanding that by committing the original sin man became a spiritually incorrigible sinful being. Religion therefore demands from him to take over personal responsibility and to atone for his guilt by using his own strength. Serving God the way Protestantism asks for, the individual takes over responsibility for both himself and the community and thus helps those community members who need help the most (poor, ill, orphans etc.) (Weber, 1965: 157). This kind of acting can be described as an inner-world asceticism: the individual lives ascetic (modest) like a monk, but does not run away from the world and does not deny its problems. Instead he stays in the world and finds his purpose of life in gathering

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3   The Anglican theologian Richard Baxter (1615–1691) further stresses: "wealth seeking is a virtue, or even an obligation, but it must be sought for the right reason – for God, not oneself – or in order to be put to the right uses – well employed, to enable one to show mercy. One should seek wealth in order to act as God's steward. (…) Shall we look for a rich crop and do nothing at all but eat, drink and sleep? Is this the way to be rich? Is this the way to be happy forever? If you intend to do anything in religion to any purpose, you must buckle to your business, you must take as much pains about your souls as men do about their bodies for estates." (Lessnoff, 1994: 57, 91).

material goods which he uses to help the needy and hence doing a good deed. In this regard Protestantism clearly preaches activism, and not contemplation. Latter one Weber considers as useless, even sinful if it is on the detriment of work, since by dissuading from carrying out the calling, contemplation at the same time dissuades from serving God (Weber, 1965: 168).

Concluding it can be said that Protestantism approaches religion and faith rationally and it wants to understand and practice it by rational means. At the same time the individual is not supposed to be passive and to accept his/her and the world's destiny without objections and to obey without questioning it, but to control the world. The Protestant ethic believes that by serving God the individual is turned to him/herself and his/her calling, but at the same time he/she is turned to God (ora et labora). For that purpose and with the help of systematical self-control the individual leads an utmost ascetic and organized life devoted to his/her calling (Schmidt-Glintzer in Gneuss/Kocka, 1988: 79). In that respect Weber talks of «heroic individualism» and of a «conscience living, and not obedience». Hereby he believes that man is only then giving the best results when he is strict to himself and when he is not acquainted with self-pity and pity (Kock in Gneuss/Kocka, 1988: 193).

These described values and principles are a part of the values which are – in this work – conditionally considered as European values. They derived from the Protestant theology and philosophy which in the 17th and 18th century gained in importance in todays EU-core states at one side. On the other side these values are also a result of interactions and historical events and achievements within these countries. Due to limited space these developments cannot be more elaborated in this work.[4] However, briefly they can be described in the existence of a formalized legal system and the priority of a state of law, in the separation of church and

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4   For a more detailed insight see: Ristić, I. (2004).

state[5], further in the bureaucratization of politics and autonomous institutions, in market economy mechanisms and a social responsibility for the needy.

2.   Orthodoxy

As Protestantism, the Eastern church as well was marked by specific historical and political constellations which in combination with orthodox theological concepts led to the development of a specific understanding of the role of individuals in the community and its impact on economy.

2.1. The Development of the Relation between the Eastern Church and the State

The causes for the specific development of the states on the territories of the Western church Max Weber has found in the formation of autonomous institutions and hence in the division of church and state, further in the formation of republican city-states, and finally in the appearance of sects (Protestantism) which succeeded in breaking up with the tradition and in imposing a new concept of faith and a new role of the individual in the world. The fact that similar events did not took place on the territories of the Eastern church can be seen as much as a cause, as a consequence of the formation of two utmost different churches

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5   The separation of church and state is considered as an advantage for both subjects, and not only for the state (against the interest of the church) as it is usually assumed. As long as church and state keep their autonomy they are not only capable to control each other, but also to intervene only in those areas which are clearly defined. This includes interventions of the state in church affairs, as well as those of church in state affairs. Contrary, if state and church form a unity they act as one subject and dependent on each other in the decision making process.

within Christianity: the Eastern (imperial) church on one, and the Western (pop-ian) church on the other side.

Taking the non-theological reasons for a different development of the two churches it is necessary to first discuss the different understandings of the concept *collegium*. Both churches recognize the existence of the Apostolical collegium, which symbolizes unity and defines common tasks and the function of every member. The collegiate system of both churches is based on the principles of the collegium. Both churches officially consider the collegium as egalitarian, but while the Roman Catholic church interprets that apostle Peter represents the top and that according to that he gets a special place within the Apostolical colle-gium (primus supra pares), the Orthodox church sees the Apostolical collegium, despite the different influence of its members, as a strict egalitarian collegium in which apostle Peter is first among equal (primus inter pares) (Savramis, 1982: 111/112).

Starting from the described different concepts of collegium, the problems between the two streams of the Christian church arise with the establishment of five patriarchies and the appointment of five patriarchs in Constantinople, Rome, Alexandria, Jerusalem and Antioch. Within this pentarchy, which stood for a type of collegium that determined the structure of the whole church, the question of the primate emerged in the foreground. That was certainly not only a theological, but also a political conflict. Two main circumstances in that con-flict were crucial for the establishment of a state dependent church on the East (collegiate principle) on one side and a state independent church on the West (autonomous principle) on the other.

The first circumstance is related to the fact that the Constantinopolitan patriar-chy, as the most influential of the four eastern patriarchies, was always too close to the center of power and the emperor in order to establish an independent center of power that would stand in competition with the emperor's power and that would enable the church to build its own autonomy within the state. The Roman patriarchy on the other side was far from the emperor's and conclusively succeed to form an identity that was independent from the state. The second

circumstance that led to a different development of two churches is linked to the fact that the Constantinopolitan patriarch had to find a common language with three other also relatively strong and traditional patriarchies in Jerusalem, Alexandria and Antioch, while the Roman patriarch did not have neither a spiritual nor a secular competitor in his surrounding, what made him accumulate spiritual and political power. As a consequence of the described situation the East gets a compromising imperial (state) church with an untouchable emperor's power and four patriarchies, which are on one side not united, and on the other each one separate too weak in order to compete with Rome for the primate. On the other side, in the West a popian (autonomous) church is being established, which due to its autonomy gains politically in importance regarding the struggle for the primate. Later, the schism in 1054 and the following disintegration of the Byzantium emperor's church into autocephalous, orthodox-national churches, made the Constantinopolitan patriarch lose all chances to underline his right for primate, while the Roman patriarch, who became the sole legitimate ruler in the Roman Catholic church, succeeded to dogmatically seal his primate pretensions in the 1054 formed Western church, preserving at the same time the acquired autonomy of the church in relation to the state (Savramis, 1982: 113/114).

The history of this political-theological conflict can be used as a additional explanation in the different understanding of the concept of collegium. The bigger the differences between Rome and Constantinople were, and the more Rome became autonomous and powerful, hence, the more the Pope insisted on his position primus supra pares, the more persistent the Eastern church stuck to the standpoint that the church has its only head in Christ, and that the pentarchy of patriarchs represents the egalitarian collegium which is based on the principle of collectivity. Doing so the Eastern church wanted to turn its position of tied hands into a virtue. Additionally, in accordance with its theological standpoint due to which man does not need to gravitate towards power and activity, but towards contemplation, the Eastern church has renounced every struggle for its autonomy from secular power, holding the ideal system to be the one of an unity between spiritual and secular authority (symphony). In such a system the

individual has its beforehand defined spot and duty: to get closer to God by living a contemplative life.

The primate of contemplation caused a sort of external-world asceticism (in contrary to the protestant inner-world asceticism), which is within the Orthodoxy considered as the only path to God and which is not limited only to monks («escape to Athos»), bur recommended to every Christian. Thus in the Orthodox theology the protestant asceticism and the actively devoted performance of one's own calling is considered as unacceptable. At the same time Orthodoxy rejects the thought of the instinct for acquiring wealth as the only aim in life, interpreting that as «auri sacra fames» (Weber, 1965: 60). This kind of activism rejection on one side, and the emphasizing of contemplation on the other, further the negative standpoint towards acquiring material goods and the declaration of poverty as a virtue, together with the outstanding traditionalism can be considered as double useless for an economic development and successful EU approach. On one side it stops inventions, rational drives for creativity and individual enterprising, sending a message that – after man can get salvation only by a contemplative devotion to God – he should leave himself to his destiny and poverty, expecting (material) help from others (state/God). On the other side that rejecting viewpoint of the church towards material goods and wealth, leads to the establishment of «adventurous» capitalism, since the Orthodox theology does not foresee any systematical social purpose for the possible wealth earned by individuals. Adventurous capitalism stands for a concept in which wealth is acquired without any moral obligation that the fruits of this wealth serve the community as well, what stands in the center of the social policy that is anticipated by Protestantism. Instead, the Orthodox church accepts irregular charity of a layer of capitalists, which are, despite the rejection of wealth acquisition and despite the underlining of poverty as a virtue, not considered as sinful by the Orthodox church. By accepting their donations the Orthodox church approves them a clear conscience and gives them freedom of action for their capitalistic aims and the liberty to spend their financial resources or invest their acquired wealth antisocial. It is exactly that kind of socially completely uncontrolled disposal and management of acquired wealth on one side and the

outstanding immaterialism and sensitive religiousness (contemplation) on the other, that hinder the establishment of modern capitalistic enterprises, which are based on calculation and long-term planning, and which products are related to monetary prices that result from the market economy (Savramis, 1982: 49–51).

2.2. Theological-philosophical Roots of Orthodoxy

By mentioning contemplation as one of the pillar of the Orthodox religion it was already touched upon the theological-philosophical roots of Orthodoxy. Contemplation on one side, and activism on the other are of course only a way of demonstration of faith, not its essence. In the previous chapter it was shown why Protestantism considers activism as its outstanding virtue. It remains to show the conviction of the Orthodox theology why man should seek for salvation not by activism, but by contemplation.

In contrary to Protestantism, Orthodoxy believes that man by committing the original sin did not completely lost his ability to return spirituality, hence, he is still capable to change himself and get better (Müller in Niemöller, 1949: 47). Man is sinful, but not that much that he could not again get closer to God, on condition that he wants to spiritually devote himself completely to God. Hereby he has to turn against his calling of this world and against the rational acquiring of material goods and social care, and get closer to God by an unconditioned faith and practice of contemplation, believing that one day he will rescue his soul, suffocate his own will, become carefree and with a liberated soul and pure heart accomplish the unity with God (Harkianakis, 1975: 72/73; Bulgakov, 1996: 231).

According to the Orthodox theology the heavenly kingdom and thus God's will on earth will be achieved at the moment when all people reach this described transcendental level. In addition to that they consider as dangerous the belief, that it is possible to achieve heavenly kingdom by practice and some kind of "easygoing" way, which Protestantism preaches with its rationality and activism. Especially it is not possible to achieve a heavenly kingdom – like Protestants be-

lieve – based on the model of this world, since this world is completely rejected by the Orthodox faith, because it is considered as only a transitional one towards the one world which is visible and tangible for those who completely devote themselves to God (Harkianakis, 1975: 41/42).

While Protestantism has an utmost pessimistic image of a sinful and incorrigible man, Orthodoxy perceives a optimistic image of individuals. While due to that Protestantism asks the individual to confront itself personally with its sin and to serve God by permanent devoted working and caring for the community (caring for oneself, man cares for the community), Orthodoxy defines serving God primarily as a contemplative devotion to God and the striving to a world that is above the current material world, declaring ones calling and the acquisition of material goods as secondary. That creates a certain rejecting standpoint towards the current (material) world and the problems that reigns it, hereby averting the individual from long term planning and organization («living from hand to mouth»). And at the same time it metaphysically legitimates suffer, humiliation and sacrifice as virtues. In that respect going to a monastery, the rejection of this world and the individual's abandonment to participate in making the world become better is considered as a virtue as well.

Just as Protestantism is followed by a specific «economic spirit», to a certain degree a specific orthodox spirit can be defined as well. As a result of the primacy of contemplation in order to achieve the salvation of the soul, Orthodoxy does not attach sufficient importance to work and the acquisition and accumulation of wealth. Work serves first of all to satisfy physical needs (food, clothes, sensory perceptions), while the ideal work is considered the one that is being done without any personal profit or that is done without any compensation. This understanding of work is closer to the socialist, than to the capitalist understanding of economy, which has maybe led Dostojevski to claim that «Orthodoxy is our Russian Socialism» (Bulgakov, 1996: 258). The question whether the covering of the daily needs should be the final aim and hence the end of economic development, or work should also cover other needs beyond the daily ones, Bulgakov answers indecisive, since the satisfaction of more than the needed physical needs the Orthodox

theology considers as a danger for man to fall into bigger and bigger sins. That is why Fjordov thinks that a control of nature and the acquisition of economic surplus should be permitted only if by doing that «Gods sons contribute to the resurrection of their fathers», accomplishing by that Gods deed (Bulgakov, 1996: 256). If, in the broadest sense of the word, the accomplishment of Gods deed would be interpreted as the satisfaction of the physical needs of mankind, then it could be identified with the modern formulation of the elimination of (material) poverty, which consequently can only be accomplished by economic development. This would enable Orthodox theologians to justify the creation of surplus and to induce economic growth. However, the one problem that remains is that the orthodox believer is not by faith «prepared» to create a surplus since he is supposed to work only as much as it is needed to satisfy his own physical needs.

Other than Protestantism, Orthodoxy rejects to comprehend the world rationally. Hence it asks the individual to serve God primarily by being spiritually devoted to him, and not by working and acquiring material goods. Man should not and can not change this world by working, but only by a contemplative devotion to God. This kind of external-world asceticism leads to an absence of systematic self-control and an organized life devoted to ones calling. Thus in Orthodoxy there is no unity of «ora at labora» in the same sense as in Protestantism, but contrary: the accomplishment of God's will on Earth is to be found in the salvation of the soul of every man, but everyone has to take care of himself, his soul, be solely devoted to God without obligations towards others or the community.

3.   Conclusion

Religiousness is a subjective condition of conscience that gives a (subjective) sense to certain ideas and needs of life, and that, to a smaller or greater extent, influences the way of thinking, feeling and hence the everyday life in principle. Besides, religiousness marks also the relation towards others and the community (Krech in Kippenberger, 2001: 73). The aim of this work was to show, in the broadest sense of word, the influence of the Protestant and Orthodox religious understanding of individuals and work on the creation of specific values within societies. Similarities in abstract characteristics of the political and economic systems on one side and characteristics of the religions practiced within them on the other can be observed. In this regard Atanasije Jevtić characterizes the Western understanding of reality as "primarily looking at things within their established order and organization, so they can be utilitarian, stabile, objective, rational (that is consequently the origin of […] technology, institutionalism, guaranteed rights, state, stabile progress). […] Western Europe has brought up the human *subject* which led that people to individualism and the understanding of state as an organization that is supposed to protect individual rights." On the other side Jevtić considers the eastern European (orthodox) organization "ineffective, even chaotic". He emphasizes the concept of *personality* (contrary to the concept *subject*), which is not just a free individual or unit, but a self-reigning person essentially linked to others and preconditioned by community and a communal spirit (Jevtić in Bigović, 2003: 176).

While Protestantism, as a paradigma of European values, stresses individual activism in order to accomplish an uprooting of poverty and economic growth, Orthodoxy supports individual contemplation and asks for economic satisfaction of personal needs only, rejecting at the same the acquisition of wealth. Orthodoxy can in this regard be considered as the "inversion of the Protestant ethic" (Pantić in Vasović, 1998: 65). Consequently it can be concluded that Orthodoxy creates particular values which are to some extent not compatible with European values, since the Orthodox values hinder not just economic growth, but also the separa-

tion of church and state, and the rationalization of the state administration. The EU-integration process in Serbia, as a orthodox country, will hence probably be more complex and difficult than the one of other non-orthodox EU-candidates.[6]

6   Finally, it should be kept in mind that the given theological reviews of two religions represent a model of their ideal standard. Hence it can not be overlooked that anthropology and reality tie the hands of both religions when it comes to the realization of their aims. In that respect during the last century in protestant states a type of capitalism has grown, which has not many similarities with the protestant ethic. «Protestant asceticism has given birth to capitalism, and died or perhaps rather been killed by its offspring» (Lessnoff, 1994: 105). Stark explains that kind of development by the fact that the protestant ethic originated above all from Calvinism, which preached only civic virtues (self-control, fulfillment of duties, systematic way of life). These virtues, as history has shown, can not be immortalized as themselves. Already in the third or the latest in the fourth generation the motivation gets lost to "live just in order to work". In accordance to that Stark thinks that the breakdown of protestant capitalism is a result of the hedonistic utilitarianism, "that illegitimate child of Calvinism" (Stark, 1985: 31). Max Weber noticed that danger as well, he even foresaw as a consequence of such development the shortage of fossil fuel, one of today's most crucial ecological problems. Due to that Weber saw in property and wealth also a temptation (Weber,1965: 167, 180, 188.). But, if one accepts the world's materialism as an unavoidable characteristic of today's being, meaning that one accepts the necessity of satisfaction of at least minimal material needs in order to uproot poverty, than the Orthodox answer is also not satisfactory, since it calls for a negation of material needs and thus of realistic problems of mankind. Also the Orthodox solution of fleeing from this world and the call to passivity does not satisfies, since by fleeing from the (material) poverty the poverty does not disappear on itself, while at the same time a decrease of spiritual poverty can not be observed either.

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GOVERNANCE AND RELIGIOUS COMMUNITIES

The Principle of "Unity in Diversity" and Law of Religion in Europe

DR. WOLFGANG WIESHAIDER

Summary

The secular State provides for a framework of religious accommodation, which often claims to be based on secular, hence neutral parameters. These parameters, being advantageous or disadvantageous for different religions require a particular justification or adjustment, in order not to be considered discriminatory. The present essay discusses this angle of law of religion, exemplified in the cases of the weekly day of rest and public holidays, the muslim veil, and religious slaughter.

Considerations about the platonic formula 'Unity in Diversity' and the Law of Religion could start from a religious angle, indeed. Not only Christianity (esp. in ecumenism), but many other religions, too – for instance Bahāʾī (Cannuyer 1987: 53) or Hinduism (cf. Michaels 1998: 285–299) – often refer to this principle. The following text, however, will depart from the European legal perspective. There are two realms of European legislation, both of which are relevant to the law of religion:
- the law of the European Union, and
- the law of the Council of Europe.

Both provide a unified framework within which national systems set forth a diverse variety of rules.

In case № 1, we may identify Art. 5 of the Treaty establishing the European Community (TEC) in junction with Art. 21 and 22 of the EU Charter of Fundamental Rights of the European Union[1]. Since the constitution has not been adopted, it remains on its old level which may be characterised as soft law.

The Final Act to the Treaty of Amsterdam[2] contains as № 11 the Declaration on the status of churches and non-confessional organisations:

"(1) The European Union respects and does not prejudice the status under national law of churches and religious associations or communities in the Member States.

(2) The European Union equally respects the status of philosophical and non-confessional organisations."

Since the EC has no direct legislative competence in the field of religion, the EC Member States continue their respective legislative activity.

In case № 2, Art. 9 of the European Convention of Human Rights (ECHR) guarantees the freedom of conscience and religion. The ECHR does not enforce harmonisation of norms in the strict sense as EC directives do, but the Member States to the Council of Europe have to respect freedom of religion in the way the European Court of Human Rights in Strasbourg interprets the Convention. Indirect harmonisation, however, is slowed down by the Court acknowledging the states' margin of appreciation, and referring hereby to the composition of the different societies. Margin of appreciation is generally applied, but especially wide in the field of religion.

From this first premise we may take that both European frameworks tend to harmonise by setting a sort of minimum standard, yet give room for diverse legal solutions in the respective Member States, hence: diversity.

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1   Official Journal (henceforth OJ) 2000 C 364.
2   OJ 1997 C 340.

Regarding the structure of these states' relations to the sphere of religion, traditional theory will differentiate three systems established. Gerhard Robbers (Robbers 1996: 324–325; Robbers 2005: 578–580) described these systems as follows:

- the State Church model, preserving close ties between the statal power and the dominant Church (e.g. United Kingdom, Denmark, Greece);
- the separation model, where the realms of the State and the religious communities are strictly separated (e.g. France without Alsace-Moselle, the Netherlands, Ireland);
- the recognition model, which is based on an institutional separation allowing however a co-operation in fulfilling particular tasks (e.g. Belgium, Italy, Hungary, Austria).

Rik Torfs (Torfs 1999: 21–22) calls this the formal-empirical method to classify the systems. Balázs Schanda (Schanda 2003: 259–269), distinguishes even four systems.

Analysing the actual position, the accommodation and the influence of the religious communities in Europe, Silvio Ferrari and Iván C. Ibán, however, argued that the vast majority of systems resemble a pyramid (Ferrari, Ibán 1997: 43–71) despite the differences which are generally claimed to be constitutive. At the top of the pyramid there is one Church – in Germany there are for historical reasons two of them – who enjoys the best accommodation for its religious needs. This model even goes for the laical system of France where the Catholic Church refused to establish *associations cultuelles* in 1905, and was allowed to create *associations diocésaines* in 1924 (Ferrari, Ibán 1997: 59).

Taking this second premise into account we seem to find unity – i.e. the pyramid – despite national competence.

Facing the fact of a multi-religious Europe, we have now to ask how the diversity of religions is accommodated under the system of – as we may apostrophe them – united pyramids.

Both pillars – the EU and the Council of Europe – contain elements to strengthen again this kind of procedural unification.

Although the EC has no competence to directly legislate religious matters, the impact of other legislation such as e.g. food law or labour law on the realm of religion must not be underestimated. In order to illustrate this statement, we may refer to the Commission Regulation (EEC) № 3201/1990 laying down detailed rules for the description and presentation of wines and grape musts[3]. Accordingly, a recommendation that a wine is acceptable for religious purposes shall comply with the EC rules how to properly indicate wines, while the needs of certain religious rites are taken into account. Art. 10 § 1 of the quoted regulation enumerates the possible recommendations to the consumer on the wine and hereby explicitly mentions the acceptability of the wine for religious purposes. Art. 10 § 2 of the quoted regulation stipulates the conditions under which such an indication may be made. The wine may, accordingly, be offered or delivered for direct human consumption in accordance with the provisions of Regulation (EEC) № 822/1987[4] and must have been produced in accordance with the special rules laid down by the religious authorities concerned. Furthermore those authorities need to have given their written approval as to such indication. In addition, such recommendations may be indicated only in trade with the religious authorities concerned, which is the case for mass wine. Indications of kosher wine or kosher wine for Passover and their translations may be made without this trade restriction if the aforementioned conditions are fulfilled (cf. Rynkowski 2004: 125–124).

We may as well refer to Art. 13 TEC empowering the council to enact measures to prevent discrimination *inter alia* for religious reasons (cf. Rynkowski 2004: 96–100). Such a measure is e.g. the Council Directive № 2000/78/EC Establishing a General Framework for Equal Treatment in Employment and Occupation[5], whose Art. 1 describes its purpose as

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3   OJ 1990 L 309, p 1.
4   Council Regulation (EEC) № 822/87 on the Common Organization of the Market in Wine, OJ 1987 L 84, p 1, as amended.
5   OJ 2000 L 303, p 16.

"to lay down a general framework for combating discrimination on the grounds of religion or belief, disability, age or sexual orientation as regards employment and occupation, with a view to putting into effect in the Member States the principle of equal treatment."

Hence, any direct or indirect discrimination based on religion or belief, disability, age or sexual orientation is prohibited, as stated by Art. 2 of this directive. Art. 7 § 1 of the directive permits, however, positive action, i.e. "measures to prevent or compensate for disadvantages linked to any of the grounds referred to in Article 1." Additionally, Art. 4 § 2 of the directive deems not discriminatory any national legislation permitting a different treatment based on a person's religion or belief where the latter constitutes a genuine, legitimate and justified occupational requirement, having regard to the ethos of churches and other public or private organisations whose ethos is based on religion or belief. This stipulation is an example for the application of the aforementioned Declaration № 11 of the Final Act to the Treaty of Amsterdam[6] on the status of churches and non-confessional organisations.

On the side of the Council of Europe, it is the way the European Court of Human Rights applies the comparative method, in order to detect the minimum standard, the balance between infringement and legitimate aims prevailing in the different Contracting States to the ECHR (Kastanas 1996: 192–193). A judgement holding the current *ordre public* as illegitimate and arguing a violation of the ECHR – Elias Kastanas gives the example of homosexual marriage – would most probably considered illegitimate itself (Kastanas 1996: 194). Aware of certain problems involved in this method to deduct a common standard, the Court respects national particularities by respecting the Contracting States' margin of appreciation (Kastanas 1996: 196–200).[7]

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6   OJ 1997 C 340.
7   See e.g. Eur. Court of H. R. 7 December 1996, Appl. № 5.493/72, *Handyside v. United Kingdom,* Series A, vol. 24.

Such a margin of appreciation is perceived even larger in the sphere of religion and morals. In *Otto Preminger-Institut versus Austria*[8] *the Court stressed the importance of even a local or regional religious profile of society and held that the confiscation of a provocative film shown in an avant-garde cinema did not violate the artists' right to free expression. In Manoussakis versus Greece*[9] *the Court again recognised the Contracting States' margin of appreciation "in assessing the existence and extent of the necessity of an interference". The statal legislative measure as well as the decisions applying the legislation will, however, be supervised by the Court. The measures and decisions must be justified and proportionate. In particular, the Court held that religious pluralism is "an inherent feature of the notion of a democratic society" which is not subject to a wide interpretation of the States' margin of appreciation.*

In Cha'are shalom Ve Tsedek versus France[10] *the ruling opinion of the Court's Grand Chamber underlined the margin of appreciation left to the State "particularly with regard to establishment of the delicate relations between the State and religions". The dissenting opinion, however, referred to the same Manoussakis* case and pointed out that a similar argumentation securing religious pluralism would be in the place in the present case, too.[11]

Again in the language of the Treaty establishing the European Community, this position is not far from what Art. 151 TEC puts as follows referring to culture in general:

> "(1) The Community shall contribute to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore."

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8   Eur. Court of H. R. 20 September 1994, Appl. № 13.470/87, Series A, vol. 295-A, §§ 50 and 56.
9   Eur. Court of H. R. 29 September 1996, Appl. № 18.748/91, Reports of Judgements and Decisions (henceforward Reports) 1996-IV, § 44.
10 Eur. Court of H. R. 27 June 2000, Appl. № 27.417/95, Reports 2000-VII, § 84.
11 Eur. Court of H. R. 27 June 2000, Appl. № 27.417/95, Reports 2000-VII, § 2 of the joint dissenting opinion of seven judges.

> "(4) The Community shall take cultural aspects into account in its action under other provisions of this Treaty, in particular in order to respect and to promote the diversity of its cultures."

Although Art. 151 TEC did not originally mean to encompass the whole realm of law of religion, its aforementioned section 1 seems to be at least analogously fruitful in the case of religion.

To conclude this first part, we may hold that European law contains both unifying and diversifying elements as regards the realm of religion. These components have, however, been scrutinised mainly in the light of the dichotomy of the EU or the Council of Europe on the one side and the Member or Contracting States on the other side. The next step shall therefore be to look at the religious pluralism within these legal systems.

While general accommodations to majority religions, the dominant ones of the pyramidal system, are justified by the principle of equality, political theory of multiculturalism – and here we refer to the work of Will Kymlicka – argues that group specific rights are justified, are required by the principle of equality. Discussing for instance public holidays, he quotes the opinion that holiday exemptions violate the separation of State and ethnicity (in Austrian terms we might change that to the State's neutrality in religious affairs). Kymlicka, however, takes the opposing position, affirming that public holidays "currently reflect the needs of Christians." Although the original aim to promote Christendom is not longer valid and a suitable explanation for the generally Christian context of public holidays, such decisions are simply disadvantageous for non-Christians (Kymlicka 1995: 114). In order to escape the 'benign neglect' (Glazer 1975: 25, Glazer 1983: 124, cf. Kymlicka 1995: 3 and 114) view, he postulates fair terms of integration among which one touches the matter of holidays:

> "Revising work schedules so as to accommodate the religious holidays of immigrant groups. For example, some schools schedule Professional Development days on major Jewish or Muslim holidays. Also,

Jewish and Muslim businesses are exempted from Sunday closing legislation."

This argument is even stronger regarding minority groups who have been established for a long time (such as e.g. Jews in Europe) or who were newly formed in Western countries (such as e.g. Jehovah's Witnesses or Seventh Day-Adventists).

Weekly Day of Rest and Public Holidays
For majority religions are accommodated much better compared to minority religions in respect of time in Europe. The State, moving from a Christian doctrine based system with a dominant Church and more and more tolerated, later recognised religious communities, took over the Christian order of time. The time of the week, with the Sunday as the day of rest. The time of the year with its holidays. Alleging that neither Sundays nor holidays do have a religious meaning (any longer), the State presents itself as a secular one, respecting its citizens' beliefs. This is, we hold, not fully true. Denying adaptations – at least in form of exceptions – of the Christian-secular system of time to beliefs who have other holy days, the secular State remains biassed, that is religiously not fully neutral, that is not fully secular.

The European Court of Justice (ECJ) quashed a stipulation[12] requiring the Sunday being part of the workers' weekly time of rest:

"As to the second sentence of Article 5, whilst the question whether to include Sunday in the weekly rest period is ultimately left to the assessment of Member States, having regard, in particular, to the diversity of cultural, ethnic and religious factors in those States (second sentence of Article 5, read in conjunction with the tenth recital), the fact remains

12   Art. 5 § 2 of the Council Directive № 93/104/EC Concerning Certain Aspects of the Organisation of Working Time, OJ 1993 L 307, p 18.

that the Council has failed to explain why Sunday, as a weekly rest day, is more closely connected with the health and safety of workers than any other day of the week. In those circumstances, the applicant's alternative claim must be upheld and the second sentence of Article 5, which is severable from the other provisions of the directive, must be annulled."[13]

These regulations, though, generally accommodate the Christian needs. This even goes for general EC norms. The EC law framework is set by the Directive № 2003/88/EC Concerning Certain Aspects of the Organisation of Working Time.[14] Its Art. 5, after having undergone the aforementioned changes, generally and now more openly stipulates that every worker is entitled to a minimum uninterrupted rest period of 24 hours plus the 11 consecutive hours' daily rest (Art. 3), per each seven-day period. The directive explicitly accommodates religion insofar, as according to its Art. 17 (1) *lit*. c, workers officiating at religious ceremonies in religious communities may be exempted from the stipulations described above with due regard for the general principles of the protection of the safety and health of workers.

As far as public holidays are concerned, EC law refers to the national regulations, even for staff of EC institutions. See for instance Art. 20 of the Staff Regulations of the European Union Institute for Security Studies,[15] setting forth that the public holidays of the host State, *i.e.* France, shall be observed by the Institute. Art. 20 then enumerates these public holidays: New Year's Day (1 January), Easter Monday, Labour Day (1 May), VE Day (8 May), Ascension Day, Whit Monday, Bastille Day (14 July), Assumption Day (15 August), All Saints' Day (1 November), Armistice Day

13   ECJ C-84/94, 12 November 1996, *United Kingdom of Great Britain and Northern Ireland,* European Court Reports 1996, I-5755, see esp. § 37.
14   OJ 2003 L 299, pp 9–19.
15   OJ 2002 L 39, pp 18–43.

(11 November), Christmas Day (25 December). Seven of these days are explicitly Christian holidays.

Similarly the Rules of Procedure of the European Court of Justice.[16] According to its Art. 28 § 3, the Court shall observe the official holidays of the place where it has its seat.

The same goes for market regulations. Thus for instance, Art. 4 § 2 lit. b of Regulation (EC) № 1327/2004 on a Standing Invitation to Tender to Determine Levies and/or Refunds on Exports of White Sugar for the 2004/2005 Marketing Year,[17] which lays down the time limits for partial invitations to tender and originally read: "The periods during which tenders may be submitted in response to the second and subsequent partial invitations: (a) shall begin on the first working day following the end of the preceding period; (b) shall end at 10.00, Brussels local time: […] 4 , 11 and 25 November 2004, […]" For administrative reasons and the sake of a "sound management"[18], the EC cancelled the invitation to tender scheduled for Thursday 4 November 2004, because 1 and 2 November 2004 are public holidays in the majority of Member States (see also Rynkowski 2004: 119–121).

Muslim Veil

The discussion about the Muslim veil has been focussing on two major circles: Muslim students in France and Muslim teachers in Germany. Whereas it is uncontested so far that Muslim teachers in France do not wear religiously determined garment, Art. L141–5–1 of the Code of education[19] introducing the prohibition for the students tried to be neutral in the way that any ostentatious religious symbol was forbidden. Leaving aside now that a veil is not really a symbol, but a prescribed garment by religious law, the fact that Christian students do not have any particular garment prescription deemed ostentatious under the quoted law,

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16   OJ 2001 C 34, pp 1–37.
17   OJ 2004 L 246, pp 23–27.
18   So the recital (1) to Regulation (EC) № 1685/2004, OJ 2004 L 303, p. 21, which amended the Regulation (EC) № 1327/2004 accordingly.
19   Inserted by Art. 1 of Law № 2004–228, *Journal Officiel* of 17 March 2004.

is again simply advantageous to them. In some German *Länder* the propositions have not even aimed at being somewhat secular or religiously neutral. Thus for instance, § 51 sec. 3 of Lower Saxony's School Act[20] requires the teachers to dress accordingly to the school aims, laid down in § 2 sec. 1, which are explicitly based on Christendom, European humanism, and the ideas of the liberal, democratic, and social liberty movements. Similarly reads Art. 59 § 2 of the Bavarian Act on the Educational System[21] which forbids the teachers to wear symbols or garments expressing a religious or philosophical conviction if these symbols or garments can be understood as the expression of an attitude not compatible with the educational aims of the Constitution inclusive of the Christian occidental educational and cultural values.

Religious Slaughter

Apart from very few exceptions European national legislation permits religious slaughter (Schinkele 2001, Robbers 2001, Kalb 2001, Wieshaider 2001, see also Krauthammer 2000, Schwarz 2003, Wieshaider 2005). This way of regulation conforms both with Art. 5 § 2 of the Council Directive № 1993/119/EC on the Protection of Animals at the Time of Slaughter or Killing[22] and Art. 9 ECHR, which clearly protects ritual slaughter as the European Court of Human Rights stated:

> "It is not contested that ritual slaughter, as indeed its name indicates, constitutes a rite or 'rite' (the word in the French text of the Convention corresponding to 'observance' in the English), whose purpose is to provide Jews with meat from animals slaughtered in accordance

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20 In the version of 3 March 1998, *Niedersächsisches Gesetz- und Verordnungsblatt,* p. 137, as last amended by Art. 9 of Law of 22 April 2005, *Niedersächsisches Gesetz- und Verordnungsblatt,* p. 110.

21 In the version of 31 May 2000, *Bayerisches Gesetz- und Verordnungsblatt* 2000, p. 414, as last amended on 26 July 2005, *Bayerisches Gesetz- und Verordnungsblatt* 2005, p. 272.

22 OJ 1993 L 340, pp. 21–34.

with religious prescriptions, which is an essential aspect of the Jewish religion."[23]

Whenever religious slaughter is on the political agenda, it is not discussed within the topic of slaughter in general, but as a separate annex to it. It is redefined by outsiders contesting the stunning and slaughtering *uno actu*. The ways of stunning as prescribed by Annex C to the aforementioned Directive № 1993/119/EC – many of which also cause the animals' death inevitably – are claimed to be almost perfect. Nonetheless, its Annex C.II.4.B.5., referring to waterbath stunners for poultry, stipulates: "If necessary, manual back-up must be available." The fear of malpractice tends to strive for an interdiction of the minority's method, instead of an adjustment and accommodation of the majority's method. Or, as a veterinary surgeon, being principally sceptical towards religious methods of slaughter, put it:

> For poultry, the religious slaughter method is definitely much less painful than the generally prescribed one and ought to be laid down as a rule for any kind of poultry slaughter. But this point of view has no chance of gaining political support in discussion.[24]

Farmers who slaughter for their own purpose and nourishment are sometimes not required to stun the animals according to Annex C to Directive № 1993/119/EC, which is, for instance, the case in Austria, as far as pigs, sheep, goats, bred game, rabbits, and poultry, are concerned.[25]

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23 Eur. Court of H. R. 27 June 2000, Appl. № 27.417/95, Reports 2000-VII, § 73.
24 Personal statement in the presence of the author in the context of the draft for the new Austrian Animal Protection Act, *Bundesgesetzblatt* I № 118/2004. For the same political reasons the veterinary surgeon does not want to be referred to by name.
25 § 9 sec. 2 of Decree Concerning the Protection of Animals during Slaughter and Killing, *Bundesgesetzblatt* II № 488/2004.

To Conclude

The aforementioned examples underline that the standards by which a perceived deviation is measured, are determined by and formulated around the traditions of the predominant religion. This may be the case, even if these standards are vested in secular garments. And it goes for both individual and collective rights.

The method of the conference which initiated the book in which this essay is printed is interdisciplinary. An interdisciplinary imperative to be deduced from its results is a shift from vertical to horizontal categories in public discourse. Genuine accommodation will be reached where the discourse perceives different approaches no longer as superior, since defined by the majority's view, and inferior, since defined by the minority's view, (vertical categories), but as equally possible standards on the same level (horizontal categories).

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Responsibility – A guiding principle of church-state relations

RIK TORFS

Summary

Religion and state relationships enter into a new era of history. Multicultural society and, even more so, security concerns, make that religious freedom is less unchallenged than before. This evolution requires a balanced strategy and an increased responsibility from the side of the state. Possible points of interest are (1) objective legislation; (2) the legal status of the exception; (3) care for the limitations of religious freedom; (4) active pluralism versus passive neutrality; (5) fostering a true inter-religious dialogue; (6) strategic use of religion and state relationships; (7) contractual religious freedom.

The topic of this paper is a rather new one. Responsibility is not the first notion one thinks of while discussing current relationships between religion and state. How can the emergence of this new theme be explained? The answer is simple. For a long time, the key paradigm with regard to religion – state relationship was the notion of separation. Certainly, quite often separation turned out to be more a general principle than a reality in applied in practice. The ideal as formulated by Cavour, *libera chiesa in libero stato,* was not very often present in its purest form. Especially in Europe, majority churches used to enjoy a privileged relationship (often entailing material advantages) with the authorities of the state they were operating in.

Today, however, the interaction between religion and state becomes increasingly visible again. Both security concerns and the emerging multicultural society do increase the role played by religious groups on the public form. More

outspoken relationships between religion and state open new perspectives with regard to the notion of *responsibility* as one of the cornerstones of the legislation on religion.

Responsibility can be seen in two different ways. On the one hand states have to behave responsibly in their policy vis-à-vis religious groups. On the other hand, the attitude of the religious groups themselves should be characterised by a strong sense of responsibility. In this paper I will focus on the attitude of the state. The policy followed by religious groups will only be at stake indirectly, to the extent it can be stimulated by secular authorities.

Today there is no clearly established and generally shared theory on responsibility with regard to religion and state relationships. The development of such a theory probably requires both some time and some tradition. Here, I shall just offer some materials for a future theory. Seven points of concern can be precious with regard to the elaboration of a true *theory of responsibility* within the framework of religion and state relationships.

1. Objective legislation

The state can shoulder the responsibility for a convincing policy by issuing general legislation that is as objective as possible. Clearly, true objectivity is an elusive goal that ferments trouble because it can never be achieved. At times unconsciously we are guided by our own past and by many hidden presuppositions steering our mind as well as our emotions. But then again, we should be aware of our own lack of objectivity by eliminating unnecessary discrimination in the legislative field.

Obviously, various forms of discrimination are not empirically visible at first glance (Messner, 1999). Moreover, they are not always due to a deliberate attempt to discriminate against certain groups. The true problem can be found elsewhere: apparently objective legislation turns out to be more subjective and discriminatory than it seems to be. A few examples can illustrate this thesis.

The construction of a mosque does not differ from the construction of a church, at least not on a theoretical level. In practice however, building a mosque may turn out to be a thousand times more burdensome. Indeed, apparently neutral norms and prescriptions with regard to urbanism may lead to a lot of difficulties for the construction of mosques, whereas building churches remains relatively easy. The conclusion is that norms with regard to urbanism are less neutral then one may think. Their content is inspired and influenced by a cultural model based on Christian principles and ideas.

Another example is offered by ritual slaughtering. Animal protection is not a problem from a Christian perspective, yet it could be more complex in an Islamic environment, where slaughtering activities are much more connected with religious requirements. In other words, animal protection can be fostered radically without hurting Christian values, yet it could lead to pressing questions once Islam is involved.

The previous examples show that the State should be aware of the limited neutrality of seemingly objective legislation. More flexibility concerning the religious needs and aspirations by minority religions, including Islam, can be recommended.

Yet, true responsibility does also mean that certain aspects of religiously inspired practise should be stopped in case they are truly incompatible with our western value system. The state should be firm with regard to the protection of women rights and should not be too easy going while dealing with the phenomenon of female circumcision and the lasting effect is generates.

To sum up, responsibility means both the awareness of true objectivity and the defence of the hard core of our value system.

2.   The exception

Another field where the state should show its responsibility is the notion of exception. By exception I mean any form of different treatment that the state gives to certain categories of religious groups. The mere principle of *the exception* becomes debatable in current religion and state relationships. The latter are characterised, much more than in the past, by a growing sense of equality. Here, with some delay, Europe follows the principles set forward by the United States, where equality is perceived as an as a characteristic of religious freedom itself.

This evolution complicates the typical European tradition of privileged relationships between the state and a limited category of religious groups (Torfs, 1997). All this leads to the following question: is making exceptions limited to *some* religious groups still acceptable today?

In my opinion, exceptions are workable in case they do more than protecting the privileges of the rich and the mighty. Exceptions can be useful to underline a special treatment given to minority groups. In that regard, history can be important. Just one example: the representation of the Jewish community in the board of the German public broadcasting company is not due to the statistical strength of this group, but to its historical misadventures and to the Holocaust.

Another important ground for a different treatment is conscientious objection. Exceptions are possible if the conscience of the people involved requires them. Here, one can think of diet norms and of the observance of religious holidays. Of course, exceptions can not be limitless as the common good and the functioning of society as a whole should never be endangered.

The equilibrium between the exception and the common good is sometimes difficult to determine. A keen sense of compromise is not useless. For instance, with regard to religious holidays, one can imagine a common nationwide list of feast-days completed by one specific day chosen by each individual, allowing thus some space to specific religious preference.

3. Limitation of religious freedom and its limits.

Religious freedom, today, is less appealing than it used to be a few years ago. The reason for this evolution is clear: as a result of "nine eleven", concerns for security tend to be more urgent than religious freedom protection. Limiting religious freedom is seen as less problematic than before. However, one should not forget that any limitation of religious freedom is a defeat. Rights and freedom are one of the cornerstones of our Western value system. It is part of state responsibility to protect the hard core of religious freedom in a convincing way by keeping necessary limitations limited.

We find ourselves already confronted with new constraints and new limitations. A good example of the latter is the notion *national safety*. This notion is not part of article 9 §2 of ECHR. Nonetheless, national safety is invoked quite often today as a possible source of limitations of religious freedom. It is questionable whether this new notion should be developed in depth. Could one not imagine the older grounds of restriction being strong enough to include the content of the so called nation safety?

And yet, some restrictions, even in the security field, can be legitimate. For instance, hate speech under the umbrella of religious freedom may endanger security and stability and thus can be stopped through legislative measures.

Finally, the protection of other fundamental rights remains an acceptable ground for limiting religious freedom, more precisely for limiting internal autonomy of religious groups. In that regard, one can think of the observance of due process norms (art. 6 ECHR) within religious groups as well as of the protection of women's rights within the traditionally male dominated religious communities.

4. Active pluralism and passive neutrality.

Responsibility today entails a more active role of the state with regard to religious groups. It is obvious that a certain evolution can not be denied in that perspective. We may talk about a move from passive neutrality toward active pluralism.

In the past, neutrality did very often mean: the absence of any intervention by the state. The more the religious phenomenon was absent from the public scene, the better it was in the eyes of many observers. To some extent, this idea is correct. Indeed, if there is no trace whatsoever of the religious phenomenon in the public sphere, the state remains remarkably neutral at first glance. The absence of the religious element in the public forum is an absence that all religious groups share in a completely equal way.

And yet, one should not be naïve with regard to the religious phenomenon and the public forum. Whereas invisibility of religions entails equality, it also results in a lack of information of what people really think and of what religion truly implies. Let me give just an example. In many countries, there is a tendency to consider as an example the French law with regard to the headscarf and other ostentatious religious signs worn by pupils at school. There is a trend favouring the prohibition of these signs. But then again, what is the main result achieved by such an approach? Is it neutrality or is it ignorance? Indeed, one could reason as follows: in case the headscarf is forbidden, one does not know who would have worn one if it had not been forbidden. In other words, the prohibition makes that the state lacks information with regard to what a part of its citizens truly think. One should always be aware of the fact that *invisibility* is not the same as *non existence*.

All these elements make that a move from passive neutrality to active pluralism could be a sign of wisdom and responsibility. Active pluralism means that the state facilitates equal possibilities for all religious groups to manifest themselves on the public forum. In that configuration, the state no longer anxiously tries to avoid the presence of religions on the public stage, yet is chooses for the opposite model, including their equal chances to manifest themselves openly in places accessible to all.

This model of active pluralism can be very useful with regard to headscarves and other religious signs. Yet, it can also be prominently present elsewhere. For instance, one can imagine a public broadcasting company allowing various religious groups to present their own programs with the technical help of the TV-company. Another way of dealing with active pluralism on television would be a clear commitment with regard to programmes concerning the religious phenomenon in general and the inter-religious dialogue in particular.

In other words, because of the growing importance of religion as a source of political activities of certain citizens, a policy of active pluralism seems to be more responsible than the old strategy of passive neutrality. Passive neutrality only functions well in a society where the religious phenomenon does not play a significant role in the process of society building.

5.   Fostering the inter-religious dialogue

Responsibility of the state with regard to law and religion includes a keen interest for the inter-religious dialogue (Witte and Martin, 1999). It is obvious that a peaceful co-existence of people belonging to different religious denominations is of utmost importance for the successful construction of a multicultural society. Yet, what should be the role of the state with regard to a dialogue which, after all, remains a matter of the religious groups involved themselves? Three things may be done by state authorities.

Firstly the state can encourage religious groups to enter into a fruitful dialogue without prejudices. In some countries, religious groups take valuable initiatives themselves. Yet, at times they remain restricted to a mere ecumenical dialogue. And in several cases there is no true inter-religious dialogue whatsoever. In that hypothesis, the state may take the lead by bringing religious leaders together. In any case, the representative character of religious leaders should be considered. Authorities should avoid including only sympathetic, easy going people, always prepared to enter into a dialogue with others. Indeed, such a policy may lead to

a dialogue restricted to the so called professionals of dialogue. In order to avoid solutions and results which are too easy, the dialogue should include more difficult characters as well, providing they do accept the rule of law as the overall legal framework they are functioning in.

Thirdly, a responsible state also monitors the dialogue. There is a risk that religious leaders hug each other and talk about love all the time, without showing any sign of mutual tolerance. Love without tolerance is dangerous. It is also a phenomenon that exists in marriage and, at least there, leads to many crimes. Therefore, four steps are needed with regard to the building up of the religious dialogue. The first step is passive tolerance: other faithful are accepted, yet not with pleasure. Tolerance, in that stage, is not a pleasant but just a necessary attitude. The second step is active tolerance, where the difference between people is already perceived as enriching and useful. The third step is respect: from pleasure with regard to difference, participants evolve towards respect for other people and their way of thinking. The fourth step, finally, could be love. Yet, let us accept this as a possible gift and not as an implicit presupposition of any inter-religious dialogue whatsoever.

6.   Strategic use of religion and state relations

As long as one lives in a more or less strict system of separation, the political possibilities of the state with regard to conducting a true religious policy remain limited. Today, in the Netherlands, we observe that the state can not do much more than refusing the entrance of certain imams and other religious leaders to the country. In other words, separation leaves secular authorities alone with religious freedom issues and decreases creative possibilities as they can be offered by the development of religion state relationships. A keen strategy with regard to indirect subsidies just leaves a small margin.

Privileged relationships and financial support are very typical for the European understanding of religion and state relationships; they do offer possibilities for

the state engaging into an active religious policy. Whereas religious freedom protects religious groups even if their behaviour is not sympathetic and not constructive for the common good, religion and state relationships give the state the chance to be more creative. Indeed, the state can set up a *do ut des* mechanism. In that hypothesis, the mechanism is as follows. The state grants money and other advantages to the churches, and in exchange the latter limit themselves with regard to exercising their religious freedom. Certainly, religious freedom allows them to go further than they currently do, yet the perspective of obtaining state support is an excellent incentive for auto-limitation. A few examples can illustrate this idea.

The Belgian expert in international law François Rigaux launched the idea that religious ministers would only be paid by the state in case the latter enjoy decent legal protection, including the application of due process norms, within their religious denomination (Rigaux,). The idea goes as follows. The state can not impose due process norms within religious groups as such. Religious liberty prohibits an intervention of that type. Yet the state can make a proposal to these religious groups. The proposal is contractual: the religious group receives material support, and in exchange it practises due process norms within its internal structures.

The second example may be clearer. In many European countries the integration of Islam is a mayor political issue. How can a "European Islam" be given shape? A key element in this discussion is the position of imams, including their education and their remuneration. An application of the *do ut des* theory is here: the state pays for the education and even the salaries of the imams, under condition that the latter obtained their education at state funded or state recognised institutions. To be clear, this construction is not just an idea or a form of science fiction, yet it is a deliberate a strategy which is now under development in various countries (Delruelle and Torfs, 2005).

7.   Contractual religious freedom.

More in general, a responsible state is aware of a paradigm shift that we are experiencing in Europe at this very moment. The shift can be described as follows. Until very recently, the nineteenth century paradigm with regard to religion and state relationships remained dominant. That paradigm was characterised by religion and state relationships dealt with in the sphere of public law. Both religious freedom and church state relationships had to be situated on that level.

Today, there is a clear tendency to a more contractual, one could even say private law, approach of religion and state-relationships. This contractual approach can of course lead to concordats and other agreements, but the latter tend to focus on the position of the religious groups themselves, not so much on the common good including the role that religious groups can play in that regard in the broader context of civil society. By contractual religious freedom, I understand more than just the above mentioned older, rather traditional approach.

Contractual religious freedom in the future will deal with the free collaboration of religion and state on themes such as the elaboration and development of a multicultural society under the rule of law. This evolution, as far as today seldom developed in detail by legal scholars, is becoming highly relevant. We should try to discover and identify traces of it. And in any case, its basic principle is a positive one: in full respect for each other's authority, religion and state collaborate for the benefit of the people.

In conclusion, one may say that, more than ever, responsibility is a key notion guiding the relationships between religion and state. In this paper, I focused on the responsibilities of the state. It goes without saying that also religious groups do have serious responsibilities and should be stimulated to bring them into practice. However, in the meantime, the state needs to give the example. It should not avoid its responsibilities by referring too easily to religious freedom and state-church separation. It should also show enough intellectual strength and moral credibility to inspire religious groups.

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Religion and Equal Rights for Women – Dealing with Cultural Non-Synchronicity

SUSANNE HEINE

Summary

In Europe completely different mentalities are at home as a result of diverse historical developments, including war and persecution. A long period of migration brought together cultures and religions, traditions and ways of thinking from all over the world. This heritage means a political challenge of dealing well-advised with non-synchronicity. Women's rights and the presence of Islam are taken as examples.

1   A Continent of Contrasts

The attempt to describe Europe as a unified whole boils down to oversimplifications that are objectively inappropriate and politically dangerous.

- One of these simplistic viewpoints declares Europe, in contrast to other cultures, to be the continent of the successful Enlightenment.
- Another perspective views Europe as the Christian continent that must remember its religious roots.

Both statements are a widespread rhetoric. These ways of looking at Europe fade out the fact that the splintering of Christianity since the Reformation has led to wars and fault lines on this continent so that, for a long time now, it is not possible to speak of a single Christianity. Since the human right of religious freedom

has more or less been achieved, the multitude of confessions lives in opposition to one another and side by side. On the margins of Europe, the situation has not yet reached that point; on the Balkans and in Northern Ireland, old religious conflicts and nationalistic ideologies have remained stubbornly intertwined up to the present.

Religious freedom is a product of the Enlightenment which, however, resulted in another type of fragmentation. Its nation-uniting idealism could not prevent the emergence of opposing nationalisms. The demand for political participation has been increasingly successful since the French Revolution; it has caused the development of a public political opinion and, precisely during this process, separated the various linguistic regions more sharply from one another. The 19th century gave education and science an impetus that had never before existed and simultaneously caused the impoverishment of the exploited working class. A liberal theology liberated itself, primarily in Protestantism, from the dogmatic constraints of the churches and thereby provoked the retaliation of fundamentalism. Finally, enlightened Europe saw itself to be so superior to all non-European cultures that Africa and Asia became scenes of an unrestrained colonialism.

This concentrated number of opposites means that completely different mentalities and experiences are simultaneously at home in Europe – even up to today. The 20th century has taught us that old, transnational structures are out-dated, and that new attempts by leftist and rightist ideologies to force unification have ended in war and genocide. Today, Europe stands before the task of accepting and dealing with the limitations of non-synchronicity[1], which can no longer be reversed. Migration and the media exacerbate the problems: Cultures and religions from all over the world, traditions and ways of thinking from all centuries, are simultaneously present. Non-synchronicity is Europe's destiny.

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1   The German phrase "Gleichzeitigkeit der Ungleichzeitigen" can also be translated with "non-synchronism" or "the contemporary of the non-contemporary".

2   Women's Rights – Belatedly

The role of women was also not able to keep itself separate from the fate of European non-synchronicity. The traditional position of women as second-class citizens in patriarchal societies was also a blind spot for the French revolutionaries of 1789: The Declaration of Human Rights applied only to the citizens of the masculine gender. In 1793 the 43-year-old author, Marie Olympe de Gouges, was beheaded by the guillotine because she contrasted the Declaration of Human Rights to a Charter of Women's Rights.[2] One year earlier, a friend of Kant, Theodor Gottlieb von Hippel, had published his book entitled *Über die bürgerliche Verbessering der Weiber* [On the Civil Improvement of Women], though – to be on the safe side – under a pseudonym[3], since whoever spoke up for the rights of women could, as a woman, lose her head or, as a man, lose his reputation.

Certainly, movements struggling for women's rights developed during the second half of the 19th century, but even they were divided. As a representative of the proletarian women's movement, Clara Zetkin (1857–1933) wanted the position of women to become more and more like that of men. In the bourgeois party, Helene Lange (1848–1930) insisted on the female instinct of motherhood and the direct contact with nature. Up to today, this problem has divided the women's movement into the two camps of "equality feminism" and "difference feminism". Thus, Simone de Beauvoir (1908–1986) advocated the principle of equality, while Luce Irigaray (*1930) made her mark as a theoretician of gender difference. Feminist theology is also rooted in the context of this controversy. Furthermore, a post-Christian feminist theology attempts to prove that the

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2   Cf. Neda Bei, Ingeborg Schwarz, Olympe de Gouges: "Les Droits de la Femme. A la Reine", in: Autorinnengruppe Uni Wien (Hg.), Das ewige Klischee. Zum Rollenbild und Selbstverständnis bei Männern und Frauen, Wien-Köln-Graz 1981, 45–75: French original and translation into German.

3   Theodor Gottlieb von Hippels sämtliche Werke (complete works), Bd. 6: Über die bürgerliche Verbesserung der Weiber (On the Civil Improvement of Women), Berlin 1828; unveränderter Neudruck (reprint): Vaduz/Liechtenstein 1981.

entire history of Christianity only represents a combination of oppression and injustice, while a Christian orientation aims to prove historical "periods of fulfillment", beginning with the Jesus movement, in which the equality principle was already realized.[4]

   Such conflicting trends have definite practical consequences. It was not long ago that equal rights for women were established in European constitutions. In Austria, the role of men and husbands as head of the household, whom women and wives had to obey, was not abolished until 1975, that is, only 30 years ago; and it was even later, namely, in the mid-1990s, that the patriarch was eliminated in Malta, on the south end of Europe, and women were allowed to vote for the first time in the Swiss Canton of Appenzell. But do the patriarchs really belong to the past? Laws establish a change in the mentality of the political elite that must – also in democracy – not necessarily correspond to the customs of the majority. Women in high positions in universities and the business world are still rare. The Roman-Catholic Church undoubtedly has a retarding influence, while the Protestant churches have already ordained women as pastors. Whoever thinks this has to do with an achievement of the Reformation is mistaken, however: Only about half of Lutheran churches worldwide ordain women; and wherever this is the case, women's ordination began – initially with great restrictions – only three to four decades ago.

3   An European Islam in Austria

European non-synchronicity also applies to the religious field where an Islam unfolds that is being accused of oppressing women – the oppression that *de jure* has taken Europe 200 years to eliminate and that *de facto* is in no way overcome. And while married women in this country "came under the veil" (= were obliged

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4   For the various positions in feminism cf. Susanne Heine, Frauenbilder – Menschenrechte (Images of the Female – Human Rights), Hannover 2000.

to wear scarves) until 100 years ago, Europe feels provoked by the headscarves worn by Muslim women, a piece of clothing that still adorns peasant women in Central Europe. What the Koran demands in this regard is probably met with consternation only because it was forgotten that the New Testament required the same from women – to cover their heads and be silent in church.

The simplistic view believes that it perceives *the true* Islam and *the true* Christianity. In the meantime, development has been going in the direction of finding a form for an Islam in and for Europe, which, in the religious writings, distinguishes between the shaping of regulations that are dependent upon a certain historical period from the *intentio legis*, as Christianity has done – even if it has not been synchronous and even if this has been the case more in Reformed churches than in the Roman Catholic Church. This Islam in Europe stands vis-à-vis the diversity of the respective backgrounds and educational levels of the Muslim immigrants. Anatolian guest workers and physicians or technicians from Bosnia, Syria, or Egypt bring along other customs and have completely different mentalities. Sunnis and Shi'ites, who are currently fighting each other bitterly in Iraq, are friendly neighbors in Austria. The knowledge of European history and reality can be a training course in perceiving the fragmentation, the diversity, and the non-synchronicity in Islam.

The home of the oldest European Islam is and was in Bosnia. This condition has proven to be advantageous for Austria.[5] Since 1878, Bosnia and Herzegovina have been under Austrian administration, which has also recognized Islam. Following the annexation of both Balkan provinces in 1908, the decisive law pertaining to Islam was passed in 1912. Based on this law, the Second Republic then also included Islam among the recognized religions. The precondition for the "Islamic Religious Community", which was founded in 1979, was the willingness of all

5   Cf. Susanne Heine, Islam in Austria, in: Günter Bischof/Anton Pelinka/Hermann Denz (eds.), Religion in Austria, Contemporary Austrian Studies: Vol. 13, New Brunswick/London 2005, 27–48.

Islamic groups to agree among themselves, in order to form a single negotiation party vis-à-vis the national government. This model is unique in Europe. Muslims enjoy the same constitutional rights as the Christian churches, and they stick to upholding the constitution and laws of Austria. This applies to education and work, as well as to family law and women's rights. Where practical application lags behind full legal opportunities, Muslim women have the same experiences as their non-Muslim sisters, who for example get less pay for the same work. And the headscarf is recommended, but neither mandated nor prohibited.

4   A Model for Europe

The way in which Islam is dealt with in Austria is paradigmatic. Europe has to learn to deal with an immense variety of social strata, educational levels, mentalities and religions, and this in a manner that avoids two different things – both romantic ideals of multiculturality and the falling apart of society into social and ideological ghettos. Historically, the challenge is new and unique, and it has never before been such a pressing issue. In order to meet this challenge, some conditions must be fulfilled; these can be observed in the model of Islam in Austria, but they in no way apply only to this special case.

1. The government may not distance itself from the task of integration politics. Whenever education, universities, health care, security services, etc., are privatized, then the compulsion for all citizens to use such institutions commonly is eliminated. As a consequence, each group creates its own institutions, causing a segregation of society. The civil liberties of cooperative existence become a freedom to live side-by-side. Permanent encounter ceases to exist, and the potential for conflict increases.

2. Necessary are legal frameworks – e.g. for the rights of women and the recognition of religious communities – in order to set limits, even if these are not, or not yet sufficiently, recognized and acknowledged by portions of a people. By this, the informal debate is forced into public opinion, and a bracket is created

that prevents non-synchronous mentalities from drifting apart. It may be a temptation for the religious communities, if the state delegates social issues to them. But various religious communities cannot provide a bracket.

3. Developing respectful acceptance of different ways of thinking and different lifestyles and communicating the diversity of life in a way that reduces fear are urgent educational tasks that can be adequately fulfilled only by public educational institutions. If this is accomplished, then demands are also exerted on educational institutions of individual societal groups and religions.

4. Wherever human beings suffer under the pressure of certain lifestyles or worldviews, because they no longer believe in them, help and mediation must be provided. This applies to generational conflicts among immigrants, changes in religion, religious or ideological indoctrination, and especially the curtailment of the rights of women who, within the context of legal possibilities, claim more responsibility to them than their families, traditions, or religions would want to give them.

Only insight into irreversible European non-synchronicity will make it possible to conceive of religious peaceful coexistence as well as equal rights and obligations for women and men as a *work in progress*. Precisely that non-synchronicity that has prevailed in Europe for at least 200 years provides the opportunity for a creative integration of newly arriving ways of living.

Religious Freedoms in South Eastern European Countries in the Context of the Process of European Integration

SILVO DEVETAK

Summary

The collapse of communism has given religious institutions in Central and Eastern Europe an opportunity if not responsibility to renew their social potential and focus on their basic, historical tasks. The entry of religion into the socio-political arena is a highly significant and also controversial development. One of the most serious and controversial problems is the association of religion with politics. Traditional church hierarchies mobilize in defence of the nation's cultural and religious identity, striking back at the new religious movements, and often dragging government agencies into the struggle. Registration should not be subject to any obstacles as long as religious communities abide by the constitution of the country and do not engage in any illegal activities. The emergence of independent states has encouraged certain national Orthodox churches to seek independence for themselves or transfer their allegiance – aspirations which are sometimes strongly resisted by the Orthodox centres to which they were previously subject. The believers, especially those from "non-traditional" religious communities are faced with numerous restricts and harassments of religious rights and freedoms. As to the countries of Western Balkans the author put forward three observations: reconciliation is (still) conditio sine qua non for the stabilisation of the region, the implementation of genuine freedom of faith and religion is needed, it is

necessary to develop modernisation and dialogue in order to create a new European religious reality.

The collapse of communism has given religious institutions in Central and Eastern Europe an opportunity if not responsibility to renew their social potential and focus on their basic, historical tasks (e.g. the spiritual education of the individual, the ethical improvement of society, and charitable, cultural, educational and other projects). The situation in this area needs to be assessed with special care. It is true that religious diversity is a fact in central and Eastern Europe – but this does not mean that religious pluralism (which is not the same thing) is increasing, at the same time and to the same extent, in all the countries of the region.

Religious pluralism means, not simply that numerous beliefs are held in a given area, but also that those beliefs are recognized in law and by the community as valid expressions of the religious life (the case which concerns us here), and that friendly – or at least peaceful – relations exist between different churches and between people with different beliefs. The transition from "diversity" to "pluralism" – inhibited by sad memories of age-old ethnic and religious conflicts in the area – may well be a long one, and will probably keep pace with the progress of democratic reform.

POSITIVE AND NEGATIVE POLITICAL IMPACT

The entry of religion into the socio-political arena in the countries of central and Eastern Europe is a highly significant and also controversial development. On the one hand, religious institutions have played a major part in the non-violent demolition of totalitarian regimes, and in the development of civil society. On the other, religion in some countries has been used, or has actively helped, to mobilize public support for military aggression, and stoke the fires of nationalism and chauvinism, which have destabilized certain parts of Europe.

This trend was very clear in some of the episodes, which marked the first post communist decade. Conflicts in the former Yugoslavia, the northern Caucasus

and Transcaucasia, which had nothing to do with religion at starting, were subsequently given a strong religious emphasis. Religion can be exploited for military-political purposes in two ways: by turning a religious doctrine into a military-political program, and by bringing religious symbols, rhetoric and concepts into politics. The second approach was classically exemplified in the interaction of religion and politics during the Yugoslav conflict. Key political concepts were given a strong religious colouring: there was talk of "Holy Serbia", "God-saved Croatia" and a "sacred struggle" against the holders of other beliefs. In the public mind, conflict becomes a collision between different "breeds" of people, and the other side is demonized. "Friends" are seen as servants of God's will, "enemies" as agents of the Devil. This kind of rhetoric always goes with a sense of being victimized. The wars instigated by such rhetoric had as a "result" a massive loss of life, the destruction of countless places of worship, and the redrawing of political and confessional boundaries. Those dramatic events also seriously undermined the dialogue between Orthodox and Catholic Christians, and, very limited, between Christians and Muslims.

The conflict between Armenia and Azerbaijan in Nagorno-Karabach also led to an objective worsening of Christian-Muslim relations. It developed into a large-scale war, in the course of which Azerbaijan lost 20% of its territory, and 1.1 million people in both countries became refugees or lost their homes. The attempts of religious leaders on both sides – the former Armenian Catholics, Vazgen, and Sheikh Allahsukur Pasha-Zade – to help settle the crisis in its early stages not only received no support, but also were sharply criticized in radical circles. The attempts of the Georgian Orthodox hierarchy to stop the civil war in that country by excommunicating Georgians who took up arms against their fellow countrymen also came to nothing. In the same way, the appeals against bloodshed in Moscow made by the supreme leadership of the Russian Orthodox Church in October 1993 went unheeded.

The pattern of church involvement in the Yugoslav conflict was actually duplicated in the first Chechen war. The Church seemed unable to stem the aggressive wave of chauvinist and nationalist feeling, and many priests actively called for

"unification of the Russian lands". As a result, the calls of the Russian Orthodox leadership for an end to the war, once it had started, were seen as a mere empty gesture. Later, during the second Chechen war, the Orthodox hierarchy unconditionally supported the Russian government's policy, urged it to prosecute the war to a victorious conclusion, and justified the army's actions. In the same way, the hierarchy was demonstrative in its support of the military operations which began in the northern Caucasus in summer 1999: Patriarch Aleksei II spoke of them as a war between states, not an anti-terrorist operation, and completely ignored the very real sufferings of the non-combatant civilian population – all of them citizens of Russia.

Socio-religious developments in the post-communist countries have been thus marked by the emergence of fundamentalist and extremist tendencies, active attempts to make religious slogans and religious organizations part of a process of military, political, and ethnic mobilization in the service of militant nationalism and chauvinism, and the politicization of religious life. One of the most serious and controversial problems is the association of religion with politics. Ultimately, the two can never be totally separated – nowhere and at no time in the past has this ever proved possible. Religion, which aspires to tell individuals how to live, and ideally wants a social order which accords with its doctrines, cannot stand aloof from the public sphere. Indeed, it would be unreasonable to expect religious institutions, which bring together millions of believers, to restrict themselves entirely to worship organizing.

NEW CHALLENGES FOR TRADITIONAL PATTERN

Most of the post-communist countries base their attitude to religion and the churches on the values proclaimed by the international community. At about the same time, the new religious movements (NRMs), i.e. the various new-style religions which emerged after 1959) started to gain a foothold in central and Eastern Europe, where they found a ready market for their ideas. In the East, they

also found it easier to overcome the problems caused by the generation change, as the first fiery impulse was lost and the charismatic founders died (e.g. A.N. Bhaktivedanta Prabhupada, founder of ISKON, in 1977; L. Ron Hubbard, founder of the Church of Scientology, in 1986; Osho, in 1990).

In a "globalise" context, religious cultures cannot develop in isolation. When the "iron curtain" disappeared, the countries of central and Eastern Europe were flooded by religious missionaries from outside. The influx was especially dramatic in the late 1980s and early 1990s. An East–West church and ministry survey carried out in 1996 showed that the number of foreign missionaries in the former Soviet Union alone had risen by 31% in just one year. According to reports produced in the mid-1990s, there were over 1,900 full-time missionaries from North America and South Korea in that area.

In central and eastern Europe, the NRMs found people, and especially young people, with a vital desire for spiritual improvement, for answers to the major questions of existence. They also found certain disillusionment with the forms of religion purveyed by the traditional churches. The strategy they adopted in central and Eastern Europe differed significantly from the one they had initially followed in the West. Instead of aiming at the misfits and outsiders, they targeted all young people, promising them, not just keys to "the meaning of life", but material prosperity too. The success of the NRMs has been dramatized and exaggerated by the media and anti-cult groups, but is still significant. It has also obliged the traditional church hierarchy to mobilize in defense of the nation's cultural and religious identity, striking back at the NRMs, and often dragging government agencies into the struggle.

Generally speaking, there is, in central and eastern Europe, an increasing trend away from "national" to "free choice" religion. But it is also true that churches in the region are not prepared to accept or engage in free competition with other religious traditions, are very sensitive to the activities of NRMs and sects, and are often extreme in their reactions. This has provoked a number of incidents and is creating a whole series of problems. Some countries have adopted repressive

approaches to solving them – with human rights violations and outbreaks of xenophobia and religious intolerance as the consequence.

Often the traditional religious minorities behave with the same degree of intolerance towards NRM's, as the dominant church. Furthermore, the support for certain non-dominant religious groups is often focused exclusively on their own rights and not on religious freedom at a universal level. There is a noticeable tendency of low public support for religious rights, especially in the sphere of education. In Croatia only a negligible number of students indicated their interest in participating in non-Catholic religious education. Similarly, in Macedonia, 78 % of children in an opinion poll consider marriages between members of different religious communities undesirable. This poll also highlights the possible links between religious and national groups. Often, both are closely identified. Thus, at times of tension between national groups, overall inter-religious relations may also suffer. Frequently, the NRMs are also subject to harassment on the local level, often more so than by the central government authorities. This "decentralized" discrimination is much more difficult to combat and often manifests itself covertly.

To understand (but not also defend) this behaviour it is very important to remember that, at various times in the past, many nations in central and Eastern Europe were subjected to foreign rule. This makes them particularly sensitive to even the slightest affront to their ethnic and religious dignity, and to any threat to their identity. Both of these factors fuelled a series of quite dramatic conflicts, as the church hierarchy started to insist that the state must restrict, not just the presence and mobility of foreign missionaries on its territory, but also the religious freedoms of members of the religious communities they had founded.

The legal criteria for registration of religious communities have an ambiguous function in regulating religious freedoms. NRMs and religious communities that are new to the region are still viewed with a high degree of suspicion by the authorities in all Eastern and South Eastern countries. This manifests itself differently from country to country. In Turkmenistan, Belarus, Uzbekistan, Kazakhstan and Azerbaijan is registration obligatory before any religious activity can start. The governmental services have somewhere the power of veto (Uzbekistan,

Belarus, Moldova, Slovenia, Slovakia, Macedonia) or are in the position to make the registration very difficult (Russia, Latvia). Some countries including Czech Republic, Slovakia, Serbia and Bulgaria grant full status as religious communities to favoured religious communities only.

In some cases, registration of new religious groups must be done at the ministry of interior, not the ministry of religious affairs; thus signifying the state perception of the movements as potential security threats and not on par with already established churches.

In our opinion registration should not be subject to any obstacles as long as religious communities abide by the constitution of the country and do not engage in any illegal activities. It is necessary to guarantee all churches, religious associations, centres and communities the status of legal entities, if their activity does not violate human rights or international law.

CONFLICTS WITHIN ORTHODOXY

The emergence of independent states has encouraged certain national Orthodox churches to seek independence for themselves or transfer their allegiance – aspirations which are sometimes strongly resisted by the Orthodox centres to which they were previously subject. This has led to a worsening of relations between Churches and, in some cases, Governments. The state often intervenes in inner-church conflicts and in the internal matters of the church, especially regarding ecclesiastical hierarchies. This pertains particularly to unresolved disputes between Orthodox churches (Serbian Orthodox Church vs .Macedonian Orthodox Church, the split in the Bulgarian Orthodox Church, Old vs. New Calendarists in Greece).

The Macedonian Orthodox Church had already been trying, since the late 1950s, to sever its links with the Serbian Orthodox Church. Even when "the former Yugoslav Republic of Macedonia" became an internationally recognized, independent state, this issue had not been resolved. Under Orthodox canon law, the limits of

church jurisdiction should normally coincide with administrative boundaries. As a result, the refusal to recognise the independence of the church which commands the allegiance of most of the newly independent country's believers is seen as an indirect denial of its statehood – and so relations between the Serbian and Macedonian national churches have a negative effect on relations between their two countries.

Equally baneful in its effects on Russo-Estonian relations is the conflict concerning jurisdiction over Estonia's Orthodox parishes (is the Constantinople or the Moscow Patriarchate to control them?). The conflict has dragged on for over four years. The problems raised by the Bessarabian Orthodox Church in Moldova have remained unsolved since 1992. It was founded in that year, when a number of priests broke away from the Moldavian Orthodox Church, which is answerable to the Moscow Patriarchate. The Bessarabian Orthodox Church sees itself as the lawful successor of the pre-war Romanian Orthodox Church in Bessarabia, and has attached itself to the Bucharest Patriarchate of that church, whose primacy its leaders acknowledge. The Moldovan Government has repeatedly (October 1992, March 1996, August 1996, March 1997) refused to register the Bessarabian Church, giving unresolved property claims as its reason and declaring that the church itself is a "breakaway movement."

In June 1998, the church took its case to the European Court of Human Rights. On 13 December 2001, European Court of Human Rights decided unanimously that there had been violations of Articles 9 (freedom of religion) and 13 (right to an effective remedy) of the European Convention on Human Rights. The Court also warded the applicants EUR 27.025 for pecuniary and non-pecuniary damage and for legal costs and expenses.

The Orthodox churches in Ukraine have been in conflict for over a decade. This conflict is rooted in differing attitudes to the question of severing links with the Moscow Patriarchate. While some Orthodox believers reject the latter's authority and regard subordination to Moscow as offensive, others accept it totally. There are now three Orthodox churches in Ukraine, and the conflict between them is causing serious social and political problems. The Ukrainian Government's attempts

to mediate have so far proved unsuccessful. In August 2000, President Leonid Kuchma asked the Russian Orthodox Council of Bishops to grant the Ukrainian Orthodox Church, which is answerable to the Moscow Patriarchate, the status of an autonomous church. This request was rejected.

In 2002 has Bulgaria adopted the controversial law establishing the Bulgarian Orthodox Patriarchate as the only one Orthodox religious authority in the country. Two years later the prosecutor's office and the police officers forcibly expelled followers of the "Alternative" Orthodox Synod. The similar happen with the followers of the Serbian Orthodox Church in Macedonia.

It is true that questions of church government and canon law lie outside the competences of treaty bodies. Which are supervising the implementation of international standards on religious freedom and the European Court on Human Rights respectively, but the conflicts we have mentioned (and others that we have not, e.g. the dispute between the Orthodox Churches of Serbia and Montenegro, which will reach new dimensions after the independence of the later country; the refusal of the Belarus authorities to recognize the Belarus Autonomous Orthodox Church) show how serious the problems can be, and how easily they can acquire a socio-political dimension. This is why there is a pressing need for a general reconciliation strategy, which can be applied, in specific cases. At the same time, any such strategy must exclude all possibility of governmental interference in questions of dogma, church organisation and canon law. It is important to exclude all possibility of governmental interference in questions of dogma, church organization and canon law.

And finally, the inclusion of "Orthodox countries" as are Bulgaria and Romania will add substantially to the number of the present (Russian) Orthodox communities in the Baltic members of the EU and to the old Orthodox communities as well. This put forwards in much clearer way the issue what should and / or could be the future impact of Orthodox factors on the European identity as a whole. The Orthodox Churches are the unique institutions in these countries, which had during the history without intervals, represent a strong tool for spiritual unification of the people concerned regardless within which political unity they

had lived. We could not see any reason why should not these Churches develop their role of the spiritual bearer of the emancipation of the relevant nations in the contemporary circumstances.

The consideration of the following elements could be in our mind a basis for searching right ways and means for the process of modernisation of the relevant Orthodox Churches:

- The adaptation of Churches to the new circumstances, which have been created by the process of European integration and their overwhelming opening and linkage within the European space.
- The development of genuine dialogues with other Christian Churches and new religious movements as well.
- The finding out ways and means for the sincere dialogue with the Islamic communities in the spirit of the century long cohabitation with them on this areas and for the affirmation of the "European traditional Islam" in the global, European relations with Islam,
- The greater efforts of the Orthodox Churches in the field of Human Rights and democracy and in providing religious freedoms and rights to the members of religious minorities.

The experiences, which will be gained in the first years after January 2007, when Bulgaria and Romania will become members of the EU, and in the "stabilisation and association process" regarding the countries of the Western Balkans, will give us the opportunity to make the evaluation if the impact of Orthodox Churches has been in line with the expectations.

RESTRICTONS OF RELIGIOUS RIGHTS: LACK OF DEMOCRACY

There are different legal status of religious communities in Eastern Europe and different ways of financing their activities as well. Some countries (Bulgaria, Georgia, Macedonia) refer to the majority church in their constitutions, while others (Armenia and the Russian Federation) have laws recognizing the special status

of a particular church (or churches). Some central and east European countries (Croatia, Hungary, Slovenia, and Poland) have concluded concordats with the Holy See, providing extra protection for the Roman Catholic Church, as compared with minority religions. Some countries (Lithuania, the Czech Republic, Slovakia, and Serbia) have "recognized churches", with more legal rights than others. Other countries (Lithuania) have a probation period for religious associations seeking state recognition.

Slovakia traditionally funds the "recognized churches", but direct state funding of churches does not exist in most of the former Soviet-block countries. In the Czech Republic, Slovakia, Hungary, Poland and Slovenia, the restitution of church property is nearly complete. In many other countries, the problem has yet to be solved, and progress varies. In Russia, Ukraine and some other countries, only the restitution of items used in worship and places of public worship is still on the agenda. In Romania is the restitution of the property of the Greco-Catholic Church that is in the hands of the Romanian Orthodox Church is but in the region of Banat still open. In most of the countries that concern us, the legal status of religious institutions does not depend on their spiritual centres' location. In some cases (Estonia), churches based in other countries may not own real estate.

Some countries impose next to no restrictions on the propagation of religious beliefs. Others (Belarus, the Russian Federation, Ukraine, etc.) restrict the activities of foreign missionaries, and others again (Armenia, Moldova) ban proselytism on their territory.

The problems of guaranteeing and respecting religious freedoms also vary in their scope and intensity. In some central and east European countries, violations of religious freedoms are minimal, but in countries ravaged by war and ethnic cleansing, they can be serious. In most of the latter, discrimination is both ethnic and religious, since the two aspects have merged (this applies in Serbia, Croatia and Bosnia and Herzegovina).

Some governments recognize the legal equality of all religions, but fail to take the action needed to protect religious minorities against attacks and violations of their rights by members of the religious majority. According to the reports and

analyses of Forum 18, one of the most prominent international non-governmental organisation in the field the religious believers face intolerance in the form of attacks on their internationally agreed rights to religious freedom – mainly from their governments or at least with the tacit consent of them.

A number of states raid religious gatherings and punish those who take part (Uzbekistan, Turkmenistan, Belarus, Kazakhstan, Azerbaijan and Macedonia). In some states is very difficult or even impossible to open a place of worship (Turkmenistan, Uzbekistan, Azerbaijan, Belarus, Slovenia, Slovakia, Bulgaria, Bosnia and Herzegovina, Macedonia). As to religious literature Belarus and Azerbaijan require compulsory prior censorship of all religious literature produced or imported into the country. Uzbekistan and Turkmenistan have not formal censorship but nevertheless confiscate imported religious literature or literature found during raids on homes. Believers from minority religious communities face difficulties in keeping religious literature, praying in private and receiving visits from spiritual leaders and fellow- believers (Uzbekistan, Kazakhstan).

Members of religious minorities are faced with discrimination in their working posts and dismissed (Turkmenistan), pressed to abandon their faith (Armenia, Belarus), attacked in the media, insulting their believes, accusing them falsely of illegal or "destructive" activities, as well as inciting popular hostility to them (Azerbaijan, Armenia, Belarus, Macedonia). In Serbia more than 150 attacks have taken place on Protestant, Catholic, Jehovah's Witness, Jewish, Muslim and Romanian Orthodox "minority religions" targets. Georgia had a wave of violence with over 100 attacks on True Orthodox, Catholics, Baptists, Pentecostals and Jehovah's Witnesses. In Kosovo the NATO-led peacekeeping force and UN police have failed to protect the Serbian Orthodox churches and graveyards; only during the anti-Serb violence in March 2004 some 30 Orthodox sites were destroyed or heavily damaged.

RELIGION AND SOCIETY IN THE COUNTRIES OF WESTEN BALKANS

Due to its activities has been ISCOMET, an international NGO with the consultative status with the COE and with the seat in Maribor, Slovenia (see the Appendix) requested by the co-ordinators of the Pact on Stability in SEE to prepare within the programme of the WT I the project "Maribor Initiative – Contribution of Religious Communities to Reconciliation, Respect of Diversity, Democracy, Human Rights, Protection of Minorities, Co-operation and Stability in South Eastern Europe". The ISCOMET Network has been a way of bringing together members of all religious communities and different ethnic and social groups from the countries of the SEE area. The aim of these gatherings, which had a great echo in the region and abroad, were to discuss and propose adequate actions for obtaining peace, reconciliation and co-operation between people in the region with special emphasis on the states – successors of the former Yugoslavia.

The present political situation in the Balkans, which is characterized among other by not yet finished process of establishing national states, by strong political and military presence of international institutions and of particular European states (and USA) as well, by existence of social and economic crisis, by political instability in most of the countries in the region and the similar determines the parameters also for the consideration of religious rights and freedoms and of the role of Churches and religious communities in the process of democratisation and further stabilisation of the societies in the countries of Western Balkans.

The participants of the ISCOMET Network conference held in Belgrade, FR Yugoslavia, 14–15 December 2001. From the left: Msgr. Prof. Mato Zovkić, Ph.D., Sarajevo Archdiocese; Muarem ef. Zukorlić, Mufti of Sandžak and His Excellency Archbishop Stanislav Hočevar, Metropolitan of Belgrade

The participants of the ISCOMET Network conference held in Timişoara, Romania, 31 May-1 June 2002. In the front row are, among others, standing His Excellency Martin Roos, Roman-Catholic Archbishop of Timişoara, HHH Nicolae Corneanu, Metropolitan of Banat, Timişoara, the author of this article and Chief Rabbi Dr. Ernst Neumann, Timişoara.

The experiences recollected through the activities of the Maribor Initiative project have confirmed our initial assessment that the Churches and religious communities in this part of Europe have a great influence on the population and that the political structure is usurping frequently the (traditional) religious affiliation of the population to instigating (also extremist) public opinion that fits their political ambitions. On the basis of our observation we would like to put forward for the reader's consideration three observations related to the region of the Western Balkans:

First observation
RECONCILIATION IS (STILL) *CONDITIO SINE QUA NON* **FOR THE STABILISATION OF THE REGION**

The effective reconciliation process is a starting point for obtaining stability and progress. We hear often the words "dialogue", "tolerance", "reconciliation" and the similar as the way of healing the wounds of conflicts in the Western Balkans. Nonetheless we could say that the factual process of reconciliation has even not begun yet. Positive examples as are the regret expressed by politicians for the "bad deeds" that "their nation" has done to the others have been only accidental pragmatic political events and not the beginning of the genuine process of reconciliation in the countries of the Western Balkans and in the region respectively. Reconciliation process must develop spontaneously and include the largest possible number of people, in particular youth. It must include the following elements:

– Recognition of responsibility and regret for all atrocities that were committed by one ethnic or religious group on another.
– Fair and just solution of all problems of people that occurred as a consequence of hostilities among groups. This encompasses first of all the punishment of the perpetrators of crime; the return of refuges and displaced persons to their homes (or fair and just compensation for their lost property and rights); the reconstruction and conservation of cultural heritage and religious sites of ethnic and religious minorities.
– Elimination of the sources of further conflict. It should encompass also the extraction of negative contents in educational curricula; education of people and the youth especially in the spirit of respect of diversity and tolerance; prevention and sanctioning of incentives to ethnic and racial intolerance, "hate speech" and the similar behaviour that cause conflict and crisis situations in a multi-cultural society.

– The process of reconciliation would not be successful if people who were involved in negative politics, which caused the cataclysm in the near past, are taking part in the current political life of the countries of the Western Balkans. Experience with building Franco-German relations as well as with regulation of inter-ethnic relations after the fall of apartheid in South Africa, without mentioning further telling examples, showed that reconciliation was the foundation for renewal of trust and for beginning of cooperation between ethnic, racial and similar groups. One of the reasons for the insufficient success of the current EU policy toward Western Balkans is the fact that its implementation greatly depended on cooperation of people who only recently have fought between them and committed hideous crimes on each other. For that reason the future EU policy will have to support more than ever firmly and systematically the reconciliation process among nations of the Western Balkans and the creation of adequate mechanisms and structure for implementation of the reconciliation process.[1]

Second observation
THE IMPLEMENTATION OF GENUINE FREEDOMS OF FAITH AND RELIGION

The internationally recognized values are more or less included in relevant constitutional, legal and political documents of the European countries. This relates to such values as are: freedom of conscience and religion, and the right to profess the religion of one's choice, to worship freely (alone or as part of a community), to act in accordance with one's religious beliefs, or indeed to profess no religion. Equality before the law is guaranteed to all (not just the citizens of a given country)

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1   For details on reconciliation process in South Africa see Michael Jesse Battle, Desmond Tutu, Reconciliation: The Ubuntu Theology of Desmond Tutu, Pilgrim Pr; (June 1997). It is also useful to consider substantial information and analyses on reconciliation process between France and Germany after World War II; as part of that the TV channel Arte was established.

regardless of their religious beliefs, and any restrictions on religious freedom must be provided for in law, and be necessary to protect the life and health of citizens or public order. States undertake to respect the internal structures of religious organizations, and not to interfere in their internal affairs, and also guarantee the rights of religious minorities.

But in order to implement them in genuine way it would be necessary among other to undertake the following actions:

- to take effective action to guarantee the freedom of religious minorities with special emphasis on protecting them against discrimination or persecution by religious majorities or other groups practicing aggressive nationalism and chauvinism;
- to include information on Europe's main religious cultures and practices in school curricula;
- to support the activities of non-governmental organizations working to strengthen mutual understanding between religious groups, and protect the religious cultural heritage;
- to take action to secure equal access to the media, education and culture for representatives of all religious traditions;
- to encourage the setting-up of special centres to promote inter-confessional relations, and also the exchange of exhibitions and fairs, centred on cultural heritage, masterpieces of religious art and books, and helping people to familiarize themselves with Europe's various religious cultures.
- to promote the exchange of programs to give students, research workers and artists a full picture of the ethical, moral and cultural values of Europe's religions.
- to encourage the development of cultural itineraries in Europe and linking Europe with neighbouring countries so as to reflect and develop past perspectives and new possibilities of cultural communication.
- to provide public libraries with publications, which detail the cultural achievements and beliefs of the various religious traditions;

- to promote scientific research aimed at uncovering the shared roots of Europe's various cultures and fostering a better understanding of the ways in which they interrelate and complement one another.

The execution of such actions would be of paramount importance in the countries of Western Balkans, which are drifted with hate and archetypes in inter-.ethnic and inter-religious relations. The interdependence between religion and political, social and economic circumstances is obvious in this region. The legal regulation of the state-church relations and the factual situation in this regard is one of the basic parameters for arranging the system of religious freedoms in these countries. The other, which derives from the first, is the attitude of big (state) Churches towards smaller religious communities. There is a wide spread opinion that have the recently adopted "religious law" in Serbia (this refers also to Bulgaria, Moldova and to the draft law in Romania) provide the traditional (Orthodox) Churches with a privilege position in this society while creating several obstacles for smaller religious communities and thus put in danger the implementation of religious freedoms, including the right of changing ones religious believe.

The dichotomy between freedom of belief and preservation of ones ethnic and religious identity exists in today Europe. She finds itself facing a wholly new problem – that of striking the right balances between protecting freedom of belief and preserving the religious identity of communities and societies. The individual's right to hold any belief (or none), to change his/her religion or belief, and to manifest that religion or belief in teaching, practice, worship and observance, without any interference by a state, community or other individual – all of this is protected by the Universal Declaration of Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the UN Declaration on Discrimination based on Religion or Belief, the CSCE texts, etc. However, the right of religious communities to defend their religious identity is far less well protected, and fear of being deprived of religious or ethnic identity (the two types are often synonymous) is the cause of tension in various parts of Europe.

While the countries of western Europe already have legal instruments which allow them to reconcile preservation of national traditions (including religious traditions) with the personal rights and religious choices of individuals, the countries of central and eastern Europe are having to introduce them. Freedom of religion includes freedom to maintain one's own religious identity. Many Christian churches are agreed that a church-member's religious identity should be protected against the efforts of any other church to make him/her switch allegiance. Specifically, this point is emphasized in the Study Document of the Joint Working Group between the Roman Catholic Church and the World Council of Churches (1995).

On the other hand, a traditional religion, which has played a major role in shaping a nation's identity, may not be protected by restricting the freedoms of individuals. The devising of instruments which reconcile the right of individuals to change their religion or belief with their right to preserve their religious traditions and identity (as one aspect of their personal identity) is vital for Europe's development in the 21st century. The time is ripe also for revising the stands towards proselytism.

Third observation
THE CREATION OF NEW EUROPEAN RELIGIOUS REALITY

The disappearance of the "Iron Curtain" has made the religious and cultural divide in Europe more apparent, and has even aggravated it. Europe's two Christian cultures – Western and Eastern – know very little of each other, and this ignorance is a very dangerous obstacle on the path to a united Europe. As Pope John Paul II has repeatedly said, Christian Europe must breathe with both its lungs, eastern and western. Similarly, adherents of the two Christian traditions show little interest in Jewish culture, such an integral part of the European heritage, or in Islamic culture, which is becoming increasingly a part of the European scene.

The attitude of Orthodox believers to Catholics and Protestants is rooted in deep seated prejudice and suspicion, which are nurtured by memories of the

past, decades of isolation and the fear of being absorbed into the mighty ocean of western Christianity and losing their identity. This has been underlined by reaction to Pope John Paul's visits to Greece and Ukraine. Behind these fears lies an even greater problem: each side's ignorance of, and failure to understand, the other. This applies equally to eastern and western Christians, and to the cultures spawned by both traditions.

Outside closed academic circles, Orthodoxy remains little known in western and northern Europe. It gets little media coverage, if any, and so has a negative public image. In the Orthodox countries, on the other hand, Catholicism and Protestantism are still associated with the spirit of the middle Ages, while the considerable financial, organizational and intellectual resources of the western churches give rise to fears that western religions may expand eastward and threaten Orthodox identity. We do hope that the adoption of a Declaration by Pope Benedict XVI and Patriarch Bartholomew I during the Pope visit to Turkey in November 2006 could be the beginning of a genuine dialogue between the two Christian Churches. The real step forward would be the meeting of the Pope with the Russian Patriarch Aleksey. The final document of the International Conference "Dialogue of Cultures and Inter-Faith Cooperation" – Declaration of Volga Forum, held in Nizhniy Novgorod, Russia on 7–9 September 2006, could be a modest incentive for the beginning of this process.

In order to create stability and security, which is the *conditio sine qua non* for the unhampered development of the EU it is necessary to enhance further in Europe the culture of dialogue and of respecting the otherness. Two streams of dialogue, each of them having a great amount of parallel and interwoven flows, should have the priority:

The first stream is mutual understanding and exchange between the three religions – Christian, Jewish and Muslim – which trace their roots to Abraham's heritage. The smaller religions, including the New Religious Movements must be included in the dialogue on equal basis. This problem is particularly marked in those central and east European countries, which made anti-Semitism state policy, denouncing all expressions of Jewish ethnic and religious feeling as "militant

Zionism". Mutual understanding and exchange between these three religions represents a very serious problem of today and future Europe. This problem is particularly marked in those central and east European countries, which made anti-Semitism state policy, denouncing all expressions of Jewish ethnic and religious feeling as "militant Zionism". In addition, the events of 11 September 2001 renewed in certain strata bygone prejudices, gave rise to anti-Muslim sentiments, suspicion and hostility towards Muslims. A meeting of scholars in Brussels, which was held on June 12, 2006 has concluded that frictions between Muslims and non-Muslims in Europe have their roots in prejudices created by social tensions and often uncritically accepted sweeping generalisations.

The second stream represents the dialogue between believers and atheists. In some way the level of interrelations between the faithful and the atheist is a kind of "litmus test" according to which one can judge the level of maturity and preparedness of humankind to search for joint resolutions of urgent problems. For a long time only two colours, white and black, have prevailed in these relations. Dialogue allows the showing of the entire range of colours and giving up fixed ideas and stereotypes. Dialogue will, without doubt; enrich both the faithful and the atheist. It will allow them to get to know each other better, to reject preconceptions, and to improve the general climate. Such relations necessitate compromise. Dialogue is supposed to be a qualitatively more complicated dialectical type of relations between the faithful and the atheist than the previous black and white variant according to which everything which came from opposite side is deliberately warped by means of preconceptions or simply rejected. The religious hierarchy has in principle a reserved behaviour towards civil society initiative concerning religious matters.

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APPENDIX

THE OUTCOME OF THE "MARIBOR INITIATIVE" PROJECT HELD WITHIN THE ISCOMET NETWORK FOR DEMOCRACY, HUMAN RIGHTS AND PROTECTION OF ETHNIC AND RELIGIOUS MINORITIES IN SOUTH – EASTERN EUROPE

CONFERENCES

– "Democracy, Human Rights and Protection of Persons Belonging to Ethnic and Religious Minorities in South-Eastern Europe" held in Bled, Slovenia, 23–25 February 2001.

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– Legal Position of Churches and Religious Communities in South-Eastern Europe – Achievements and Problems, 23-24 May 2003, Maribor, Slovenia

– Promoting Inter-Religious Dialogue as a Means for Reconciliation, Conflict Resolution and Improving Democratic Stability in South – Eastern Europe: the Case of Moldova", held in Chisinau, 4–5 June 2004.

All meetings were held under the auspices of Mr. Walter Schwimmer, the Secretary General of the Council of Europe. The Project in Moldova was sponsored by Council of Europe CBM Programme.

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– Democracy and Religion in Moldova (2005). Selection of papers presented at the Round Table in Chisinau in June 2004 (bilingual publication: in English and Romanian)

APPEALS AND DECLARATIONS

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– Belgrade declaration on the role of religious communities and on religious freedoms in a democratic society, adopted at the Round table: "Contribution of Religious Communities in FR Yugoslavia to Reconciliation, Respect of Diversity, Democracy, Human Rights, Protection of Minorities, Co-operation and Stability in South Eastern Europe", held in Belgrade, FR Yugoslavia, 14-15 December 2001.

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– The Chisinau Declaration on the Role of Religious Communities and of Religious Freedoms in a Democratic Society, adopted at the Round Table "Promoting Inter-Religious Dialogue as a Means for Reconciliation, Conflict Resolution and Improving Democratic Stability in South – Eastern Europe: the Case of Moldova", held in Chisinau, 4-5 June 2004.

OTHER APPEALS AND DECLARATIONS ADOPTED BY ISCOMET (1992 – 2000)

– Statement on the Destruction of Cultural Monuments in Croatia, adopted at the Maribor Conference, February 5, 1992 (sent to different international organisations),

– Appeal to Stop the War and Destruction in Bosnia and Herzegovina – April 9, 1992 (sent to dozens of addresses of international organisations and personalities),

- Appeal to stop and punish the crimes against the people of Bosnia and Herzegovina – May 21, 1992 (sent to dozens of addresses of international organisations and personalities),
- Message to the Director General of UNESCO on the UNESCO's Project Dialogue of Cultures, adopted at the Pohorje Conference, November 27, 1994 (as the answer to the message of the Secretary General of UNESCO Mr. Frederico Mayor to the minorities conference of ISCOMET and ECERS on Pohorje held on 25 – 27 November 1994),
- Statement on Peace and Reconciliation on the Territory of Former Yugoslavia, adopted at Poštarski dom, Pohorje, December 2, 1994 by members of Islam, Catholic Church, the Evangelical Church and the Orthodox Church from Bosnia and Herzegovina, Croatia, FR of Yugoslavia, Slovenia and other European States,
- Appeal for reconciliation and cooperation, adopted on 21 September 1997 in Rogaška Slatina (Slovenia) by participants of the Second International Conference/Round Table "The Contribution of Religious Communities to Peace and the Removal of the Consequences of the War on the Territory of the Former Yugoslavia"
- Statement on the Peaceful Resolution of the Kosovo Crisis, Maribor, May 1999. It represents an expression of the opinions and suggestions that have been voiced by various scholars and experts who are familiar with this part of Europe and who are currently, in one way or another, dealing with international relations issues and especially with topics related to human rights, minorities, inter-ethnic relations, economic development and the protection of cultural heritage and the natural environment
- Declaration on the new democratic system of protection and improvement of the rights of minorities in the FR Yugoslavia, adopted by the participants of The Round Table "Inter-Ethnic Relations and the Status of Minorities in the FR Yugoslavia", held in Niška Banja on November 2–5, 2000.

Contribution of Religious Communities to Conflict Prevention in the Context of the United Nations System

MIROSLAV POLZER

When we talk about the challenges Europe is facing with regard to intercultural and interreligious conflict and about the possible preventive activons Europe can take we have to be aware also of the fact that these challenges are not only European challenges but challenges which have to be met by whole international community – by mankind – in order to prevent serious international conflict and destabilisation.

Therefore in my paper I am going to

1. explain the role of religion related conflict prevention activities in the context of global governance and especially in the context of the UN system and
2. put forward a concept for building a knowledge based conflict prevention system linked with UN System which would build on partnership with religious communities utilising their decentralised communication channels for early-warning and for dissemination of knowledge on good pratice examples regarding conflict prevention

Parts of this paper have been presented by. M. Polzer already at 2004 Annual Conference of Academic Council on United Nations System held in Geneva in June 2004.

Introduction

One of the key issues in Global governance is **"Human Security".**

The concept of *"human security"* used within United Nations system and especially within UNDP, is a very comprehensive and integrative one.

Kofi Annan:

"Human security, in its broadest sense, embraces far more than the absence of violent conflict. It encompasses human rights, good governance, access to education and health care and ensuring that each individual has opportunities and choices to fulfill his or her potential. Every step in this direction is also a steep towards reducing poverty, achieving economic growth and preventing conflict. Freedom from want, freedom from fear, and the freedom of future generations to inherit a healthy natural environment – these are the interrelated building blocks of human – and therefore national – security."[1]

United Nations Development Programme

"Human security can be said to have two main aspects. It means, first, safety from such chronic threats as hunger, disease and repression. And second, it means protection from sudden and hurtful disruptions in the patterns of daily life – whether in homes, in jobs or in communities. Such threats can exist at all levels of national income and development."[2]

1   United Nations Secretary-General Kofi Annan. Millenium Report, Chapter 3, p.43–44., [http://www.un.org/millennium/sg/report/full.htm, 08/22/01]
2   United Nations Development Programme (UNDP). *Human Development Report 1994*. New York: Oxford University Press, 23. [http://www.undp.org/hdro/1994/94.htm; 08/02/01]

"The list of threats to human security is long, but most can be considered under several main categories:

- *Economic security*
- *Food security*
- *Health security*
- *Environmental security*
- *Personal security*
- *Community security*
- *Political security"*[3]

It is evident that such a broad concept of "*human security*" implies that there are many actors involved in providing and safeguarding the social environment needed to achieve such multidimensional human security.

With my paper I would like to start with you a discussion regarding a certain type of actors in the scene of *global governance* who can – in my view – play a key role in conflict prevention and in safeguarding human security.

This actor are **religious communities.**

My rationale for this paper is a s follows:

Most serious conflicts the international community has faced during the last decade (in the Balkans, Ruanda, Chechnya, terrorist attacks of 09/11, etc.) have in common that conflicting parties are divided in addition to ethnic or national characteristics also by religious denomination.

Although the simple explanations provided by Huntingtons theory of 'clash of civilisations' can't be regarded as sufficient explanation of the many existing conflict cleavages of global outreach we see today, – it is a commonplace that

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3   ibid. p. 24–25.

religion has become an increasingly important determinant of international and intranational relations and conflicts.

Due to this obvious importance of religious communities and the relations among them and due to the open-mindedness of UN chief officials like SG Kofi Annan, the issue of religious communities has been put very high on the agenda of United Nations in recent years. One important milestone in this respect has been the Millennium World Peace Summit of Religious and Spiritual Leaders[4], held at United Nations headquarter in New York in August 2000 where about two thousand of the world's pre-eminent religious and spiritual leaders gathered.

Here is a quote from UN Secretary General Kofi Annan's opening address to this meeting :

'. Religion can be a realm of extraordinary power. It can offer solace in troubled times. It can make sense of the seemingly senseless because that's the world we live in. It can give us strength to meet the physical and spiritual challenges of life. Religion helps us find our place in the cosmos; it knits families and communities together; it endows individuals with compassion and morality. Whether one believes without question or wrestles with doubt, whether one is part of a religious community or worships in the privacy of the soul, religious practices and beliefs are among the phenomena that define us as human. For many of us, the axiom could well be: "We pray, therefore, we are." Of course, the practice of religion differs widely. But at heart we are dealing in universal values. To be merciful; to be tolerant; to love thy neighbour; no religion can claim a monopoly on such teachings. There is no mystery here. Such values are deeply ingrained in the human spirit itself. It is little wonder that the same values animate the Charter of the United Nations, and lie at the root of our search for world peace…'[5]

On the other hand there have been important developments in the social teaching of the Roman Catholic Church driven by the full hearted devotion of Pope John Paul II towards peace, inter-religious dialogue and support of the UN system.

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4   For more information see http://www.millenniumpeacesummit.org/mwps_about.html
5   found at: http://global-forum.org/Annan.html

One proof is for instance the Pope's message to the celebration of World day of Peace on January 01 2004 where he said:

'..The activity of national Governments will be greatly encouraged by the realization that the ideals of the United Nations have become widely diffused, particularly through the practical gestures of solidarity and peace made by the many individuals also involved in **Non-Governmental Organizations** and in Movements for human rights.

This represents a significant incentive for a reform which would enable the United Nations Organization to function effectively for the pursuit of its own stated ends, which remain valid: "humanity today is in a new and more difficult phase of its genuine development. It needs a greater degree of international ordering". States must consider this objective as a clear moral and political obligation which calls for prudence and determination. Here I would repeat the words of encouragement which I spoke in 1995: "The United Nations Organization needs to rise more and more above the cold status of an administrative institution and to become a moral centre where all the nations of the world feel at home and develop a shared awareness of being, as it were, a family of nations". (http://www.vatican.va/holy_father/john_paul_ii/messages/peace/documents/hf_jp-ii_mes_20031216_xxxvii-world-day-for-peace_en.html)

In combining these two strong commitments of Pope John Paul II and UN Secretary General Kofi Annan towards co-operation of religious leaders and global governance key players, it is my firm conviction that time is ripe for a global, ecumenical, systematic, long term, scientific and policy oriented scientific project which would provide the basis for appropriate involvement of religious communities in conflict prevention work of UN.

Another proof for time being right to start such an academic research project on involvement of religious communities in global efforts for peace and conflict prevention has been the "day of prayer for peace in the world" which took place in Assisi on January 24th 2002. At this interreligious gathering for peace in the world there have gathered representatives of orthodox churches, ancient churches of the East, churches, ecclesial communities, federations, alliances and organisations of the Western world, representatives of Judaism, Buddhism, Tenrikyo, Shintoism,

Islam, Jainism, Sikhism, Hinduism, Zoroastrianism, traditional African religions, Roman Catholic church, civil authorities and others.

Common care for peace and justice in the world appears to be the main common denominator for joint action of religious communities in the world.

Therefore I am very glad to have the opportunity to present to you the outline of the project **Contribution of Religious Communities to Conflict Prevention in the context of the United Nations System (RelComCP)**, which I have elaborated after consultations with members of the Pontifical Academy of Social Sciences and I hope that our discussions will bring us further in the implementation of the project.

The project RelComCP is still in a very early phase and I can't say for sure that Pontifical Academy of Social Sciences will be project partner but I have had already some promising meetings with a member of this academy – prof. Schasching – and correspondence with the president of the Academy – prof. Mary Ann Glendon.[6]

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6   In February 2007 there have been held also very promising talks with representatives of UN Alliance of Civilisations (an iniatiative launched in 2005 by the Secretary-General of the United Nations and co-sponsored by the Prime Ministers of Spain and Turkey) in New York www.unaoc.org

Main Components of the Project RelComCP

RelComCP – Basic Module

Mapping of excellence
(who and where are the
experts)

Identification and
documentation of
existing literature
worldwide

Mapping of
conflict areas
(in which places
of the earth
conflicts with
religious
conotation
deserve special
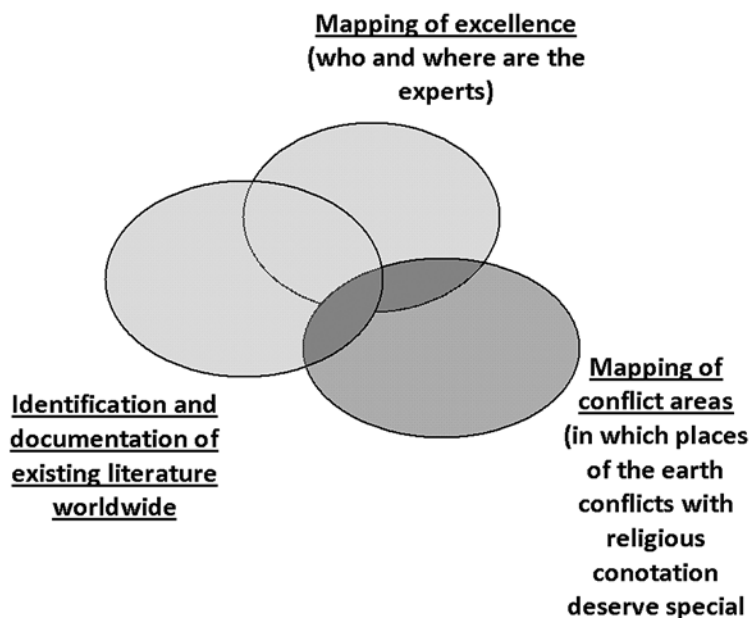
With RelComCP **Basic Module** there should be developed some kind of "**Documentation Centre**" on "Contribution of Religious Communities to Conflict Prevention in the context of the United Nations System". This documentation work shall comprise existing expertise from all countries of the world, all religious communities and in all languages. This ambitious goal can be achieved only in the long run and only with co-operation of several religious communities. Attempts should be made to integrate such a documentation centre in the UN system (which would also guarantee long term financing).

An example of how the results of this module could look like is the "**Information System for Effective and Rapid External Action** (ISFEREA)" of the Joint Research

Centre of European Union. As far as I am informed about this project, the "Digital Map Archive" used in ISFEREA can be used also in other projects – perhaps also by RelComCP.

Even if the documentation centre couldn't be realised in this global and comprehensive way its basic components (Mapping of excellence, Identification and Documentation of Literature and Mapping of Conflict Areas) should be part of any scientific work in this field no matter how narrow its ambitions are.

The second Module of RelComCP project – the **Policy Development Module** is less scientific and more policy and social management oriented. This module shall transfer the knowledge generated or gathered in Basic Module and the consensus achieved through dialogue with religious leaders and policy makers into social institutions which enable religious communities to contribute to conflict prevention in societies they work with.

RelComCP – Policy Development Module

Institutional engineering RelCom
(which are the institutions religious
communities should develop for conflict-
prevention related dialogue with other
religious communities and with UN)

Institutional
engineering UN
(which are the
institutions UN
system should
develop for conflict-
prevention related
dialogue with
religious
communities)

Legal Framework
(Drafting and
negotiating legal
documents which
provide the basis for
functioning of
institutions developed
in the Institutional
engineering RelCom
and Institutional
engineering UN
process)

Since I am Roman Catholic it might be expected that this project aims at increasing influence of Roman Catholic church in Global governance but I do expect the opposite effect – since Roman Catholic church is already now well represented in UN system – the Holy See enjoys observer status with the right to speak, while most other religious communities don´t have well established communication channels to Global governance institutions.

A project coping with actual and potential contribution of religious communities to conflict prevention – like RelComCP – should never be limited to mere administration of power and communication. Instead it should be also always

aware of the theological foundation of involvement of church institutions and individual believers in everyday life.

To bring in this spiritual and theological dimension into RelComCP there is introduced a "central (but assumed as given) theological module", which is central in the sense that all other modules and activities should be based on it but on the other hand for the project RelComCP we regard this module basically as already given or covered by other specialised projects. Within RelComCP we will therefore always have in mind (as "**input**")the 'Theological module' but we will focus our "**output**" on "Basic Module" and "Policy Development Module".

RelComCP – Central (but assumed as given) Theological Module

Biblical foundation for conflict prevention activities of RCC

Social teaching of the RCC

Theological points of contact with other religions
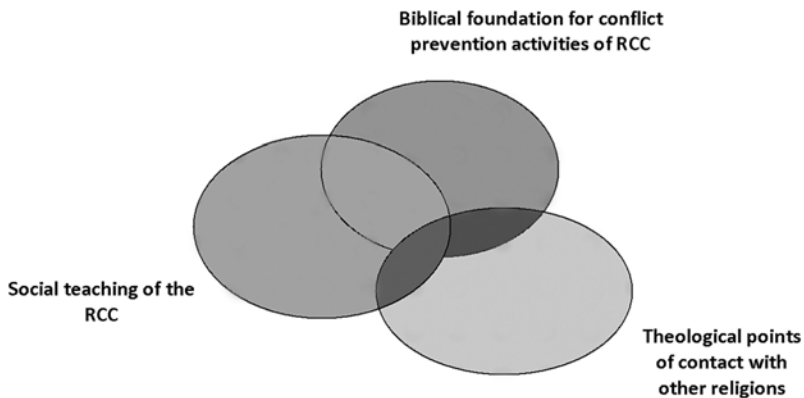
An extraordinary positive example of research and intercultural dialogue regarding theological points of contacts between religions on "Conflict prevention" and regarding "justice in international relations" is the **co-operation of Iranian** (headed by Seyed Abdolmajid Mirdamadi of the Organisation for Islamic Culture & Communication) **and Austrian** (headed by p. Andreas Bsteh from the Steyler missionaries, St. Gabriel) **scientists** which began in 1993 and has lead to several publications in German and in Farsi (Persian) like "Andreas Bsteh – Seyed M. Mirdamadi (Hrsg.)

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Gerechtigkeit in den internationalen und interreligiösen Beziehungen in islamischer und christlicher Perspektive [Justice in international and interreligious relation from islamic and christian perspective], Verlag St. Gabriel, Mödling, 1997".

Limits to the Contribution of Religious Communities to Conflict Prevention related Activities of the UN

There are potentially important social functions fulfilled by religious communities in the sense of contribution to conflict prevention in the system of global governance. UN system therefore has to provide the legal framework and appropriate institutions that allow religious communities to contribute to conflict prevention as partners. Religious communities should be encouraged within such a "structured dialogue" to influence within their communities the values of their adherents towards good inter-ethnic relations, peace, justice and socio-economic development. IN addition to all this religious communities can play an important role in social security and in identifying regions of emerging crisis.

Talking about religious communities and global governance we however must not be naive and think that inclusion of religious communities into conflict prevention related global governance activities has no potentially negative effects. History shows us that religious institutions have often supported undemocratic regimes and human rights violations and thrived within undemocratic political systems and promoted nationalistic and anti-modernistic values (no examples are given here because they would trigger probably intense discussion and detract from the main topic which is *future oriented*).

Where the line has to be drawn between pragmatic integration of religious communities into political affairs on the one hand and restrain of the power of religious communities in the case of anti-modernistic agitation, spuring of inter-ethnic conflict and excessive influence of some religious communities on the work of political actors on the other hand I can't say at this point.

But I am optimistic that the project RelComCP will provide some answers on this.

PROJECT IMPLEMENTATION?

This project outline has been developed by Mr. Miroslav Polzer based on the idea that Pontifical Academy of Social Sciences could play a leading role in this project. In November 2004 the Council of the Academy decided – with reference to limited time resources of the Academy – not to take the lead in this project. So there is much room left for flexibility of project architecture with regard to partners, research foci etc. It is clear and a *conditio sine qua non* that the nature of the project implies the necessity to invite scientific institutions of several religious communities as well as global inter-religious organisations to co-operation (for instance the World Council of Churches would be a first choice project partner or even project leader).

Latest information (spring 2007) on implementation of this concept is that there will be sought synergies with UN Aliance of Civilisations. As preparatory meetings with AoC representatives in February 2007 have shown Project RelComCP can very positively complement the implementation work of AoC's High Level Group's recommendations. Therefore a written "expression of interest" for cooperation with project RelComCP will be tried to be obtained from AoC. Based on this expression of interest there will be sought political support from Slovenian government (which has chosen intercultural dialogue as one of the priorities of its EU Council presidency in first half of 2008) and perhaps also Austrian government to initiatiate a RelComCP "Conflict prevention and crisis management" "Joint Action" in the field of Common Foreign and Security Policy of European Union.[7]

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7   http://ec.europa.eu/comm/external_relations/cfsp/fin/pja.htm

To conclude I would like to repeat the fact that religious aspects can be found in many conflicts international communitiy faces today. Like for any problem solution we need also in these cases a deeper insight into the problem, its elements, the actors and the socio-cultural background of their behaviour.

To learn more about intercultural conflicts and to communicate UN values like peace, justice, tolerance etc. to ordinary people involved in conflicts, we need a "structured dialogue" (perhaps there can be also an exchange of experience with EU, which also works on this issue) between UN system and religious communities. This could help us also to build up an global early warning system for inter-religious conflicts.

With RelComCP I put a concrete project proposal on the table and I am confident that we will find ways to implement it – for the sake of all human being threatened by intercultural and inter-religious conflicts – for the sake of "human security".

INTER-RELIGIOUS DIALOGUE

Solidarity as a Solid Ethical Basis of Living Peacefully Together

ANTON STRES

The *Treaty establishing a Constitution for Europe* considers human dignity a basic political and social value. The dignity of each human being is the basis of our democratic social and political order and its aim as well. The final purpose of all social and political changes which have taken place in the last centuries has been to secure it to an ever increasing degree.

There are two basic texts in the European Constitution where human dignity is stressed as the origin of all other our values. The Second Article of the First Part of the Constitution provides the basic principles of the Union. There it is laid down that "the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail."

The second text is the beginning of the Preamble of the Second Part, which deals with the charter of fundamental rights of the Union. Among the basic principles of our European religious and moral tradition, human dignity is the first one to be listed, too. "Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice."

This emphasis on human dignity is important because it gives a meaning to other moral principles and values and a direction to their understanding. Other values mentioned by the Constitution – like pluralism, tolerance, justice

or freedom – are not just pragmatic principles accepted by the states in order to comply with the wishes and expectations of their citizens and to acquire their political support or in order to avoid conflicts in the society and in the state. They are not just pragmatic and political principles, but moral principles. These moral principles have their origin in the fundamental anthropological and ethical standpoint that every man is a person and as such the bearer of a unique and inalienable dignity.

Therefore it is only in the light of this dignity that the meaning of all other values and principles listed in the *Treaty establishing a Constitution for Europe* can be correctly understood. The dignity of the human person is not only their source, but also their aim and the reason for putting them into effect. Let us take, for example, the principle of freedom. We are not free only because we possess, experience and enjoy this ability. Freedom is not an end in itself. This would be capriciousness. We are free because only as free beings we can fulfil ourselves, only as free beings we are moral subjects responsible for ourselves and for others. The intention of freedom is to secure the dignity of man as a reponsible and moral person fulfilling himself.

The same applies to the presently quite popular principle of tolerance. This principle can be substantiated in a number of quite different ways. For some it can be a consequence of scepticism and relativism. Since objective truth and objective moral values are inaccessible, everybody should think and arrange his life as he likes because generally valid truths and values cannot be attained anyway. This starting point or substantiation, however, is neither correct nor acceptable.

The tolerance claim is based on the principle that every man is the bearer of inalienable dignity. Every man is a person and a moral being, who has the right and the duty to form himself as a moral subject and to carry the load of responsibility for himself and for other people. Therefore he has the right and the duty to freely decide about his happiness or unhappiness. Without freedom there is no moral responsibility, without tolerance and without allowing relatively different value standpoints there is no real freedom. Thus, tolerance is not appropriately justified by moral and value scepticism. It is just the other way around. Scepti-

cism contrasts sharply with the dignity of the human person and thus also with the tolerance claim.

Namely, consistent scepticism denies man the ability to gather a real and well-founded knowledge of what is true and what is right. Thus, it also denies him the ability to responsibly choose what is true and what is right. And thereby it denies him the dignity of a moral subject because man, who does not know what is true and what is right, cannot be responsible for his deeds and the consequences thereof.

Scepticism limits man's knowledge to so-called "instrumental reason". According to this theory man should only be able to know and determine just the means and ways of achieving the aims of his actions in a most successful way. The aims themselves, however, inasmuch as they are connected to the highest values and transcendental realities, cannot be determined by man in a rational manner, he only decides on them irrationally and emotionally. Thereby man's dignity itself would be substantially impaired and damaged because in the most decisive area, that is in the area of the meaning of life and of the highest values, man would be an irresponsible subject, prone to irrational efforts, really a "slave of passions" as man's reason was defined by D. Hume.

Tolerance as one of the leading principles of the modern democratic social and political order has its real basis in man's dignity. As the bearer of this dignity, man is a responsible ethical being, who by his responsible and sound behaviour forms himself and has the right of this self-determination. By his free and responsible decisions man fulfils himself as a moral subject. He determines himself. His freedom is "Selbstbestimmung", self-determination, as freedom is defined by German idealism. Tolerance of views as well as any other tolerance is in the service of this moral self-determination. As I acknowledge the right of the other to be and to remain what he is and to develop and fulfil himself freely and responsibly, I acknowledge his dignity as a moral subject and create conditions that he may maintain this dignity.

Thus, tolerance is certainly not an expression or a consequence of indifference towards the other, but just the other way around: it is an expression of and

a demand for being reponsible for the other and his dignity. Responsibility for the other is also called solidarity. If we understand tolerance as a demand of the dignity of every human person and not as indifference towards him and sceptical indifference towards what is true and what is right, then tolerance certainly does not lead towards indifference but is necessarily complemented by solidarity The same demand for respecting human dignity dictates tolerance and solidarity.

Solidarity is one of the fundamental principle of the Catholic social teaching, whereas tolerance could be connected to the principle of subsidiarity. Namely, solidarity and subsidiarity are two of the most fundamental principles of the Catholic social teaching, which draw from the principle of the dignity of any human person and are the bases on which the Catholic social teaching is built.

Solidarity is also one of the basic values promulgated by the *Treaty establishing a Constitution for Europe*. On the basis of the moral awareness of the duty of solidarity the European model of a welfare state is built, which is in harmony with the values and the views of the Catholic social teaching. Solidarity is a consequence of responsibility for the other, either for the other person as my next neighbour I meet personally or for other members of the national or planetary community with whom I am connected by different political and social ties and structures.

Solidarity can be dealt with as a social and anthropological fact or as a moral duty and task. In the first case solidarity is an established fact, in the second case it is a commanded obligation. A static fact and a dynamic task are not one and the same thing, yet they are mutually connected. In an individualist anthropology based on man as an individual and trying to explain man's social partnership by exclusively pragmatic reasons, it is much more difficult to give reasons for the task of solidarity than in a personalist anthropology, which understands man as essentially connected to other people and depending on them.

It is clear to everbody that we humans need each other, that we do not exist without others, that we are historical and cultural beings who always lean on what has been created by our ancestors and on this basis create something new. Man is created and creates. Biologically, psychologically and culturally he was created by others, he would not exist without them. Man is always a fellow

man. At the same time, however, he is also a creative person, who may depend on others, yet at the same time goes beyond this dependence and actively creates himself and can make something new. This is also emphasized by Hannah Arendt referring to Saint Augustine: "With the creation of man, the principle of beginning came into the world itself, which, of course, is only another way of saying that the principle of freedom was created when man was created but not before. It is in the nature of beginning that something new is started which cannot be expected from whatever may have happened before" (H. Arendt, The Human Condition, 177–178). In this way man creates his new world, he created civilisation and culture which is his environment and which he always transcends and re-creates anew.

Man's union with others is at the same time a sign of his richness and of his poverty. A sign of his poverty because man is a fragmentary being and a sign of his richness because no man can realize his full human potentials. One of the characteristic differences between animal and man is the fact that every animal individual does practically everything another animal individual can do. Since the animal does not make anything new, it does not make anything different. The division of labour among animals is very limited. The situation of man is very different. Nobody realizes everything what he is capable of alone as a concrete individual. Even to a lesser extent man as an individual is capable of realizing everything that is possible for man as a generic being, as humanity. In the realizations and achievements of others we see the common human richness and we need them in order to become aware of what man is and what he is capable of. "… we cannot overcome, nor should we wish to, our dependence on others. It is tempting to suppose that everyone might fully realize his powers and that some at least can become complete exemplars of humanity. But this is impossible. It is a feature of human sociability that we are by ourselves but parts of what we might be. We must look to others to attain the excellences that we must leave aside or lack altogether. The collective activity of society, the many associations and the public life of the largest community that regulates them, sustains our efforts and elicits our contribution. Yet the good attained from the

common culture far exceeds our work in the sense that we cease to be mere fragments: that part of ourselves that we directly realize is joined to a wider and just arrangement the aims of which we affirm. The division of labour is overcome not by each becoming complete in himself, but by willing and meaningful work within a just social union of social unions in which all can freely participate as they so incline" (J. Rawls, A Theory of Justice, 529).

Thus, the anthropological fact of our union has to be considered as something positive, as an expression of human richness, which is so large that it cannot be realized by a single human existence. Therefore this is a value and every value is dynamic and requires realization. This is also the anthropological basis of solidarity in the everyday political, economic and moral meaning of the word.

It is known that the expression "solidarity" was first used in the middle of the 19th century by French socialists. The ideological background of this use is the religion of humanity advocated by Saint-Simon. The principle of solidarity as the basic social and political principle was expecially emphasized by Pierre Laroux (1797–1871), who expressly stated that he wanted the philosophical term of solidarity to replace the Christian term of brotherly love. The two terms are related, but they do not overlap.

Solidarity generally means support for another person or for others. This support can be only emotional, but it can also be practical and active. In a narrower sense, solidarity is support for another's aims and justified interests, which are not necessarily my aims too. I identify with another's aims and support them because I believe that the other is entitled to them. Thus, I am in solidarity with a people fighting for their freedom and independence though I already enjoy freedom and independence. In this case the aims of others are not my aims, but I try to achieve them as if they were mine. So, for example, I do not suffer from racial discrimination, but I am in solidarity with those who suffer from it. I consider their aims justified from a value standpoint. Thus, solidarity presupposes a unity of values. Who practises solidarity, supports endangered values of others and helps them in their fight for good. As a Christian I can be in solidarity with the fight for religious freedom of orthodox and islamic believers. Though I do not

share their beliefs, I am in solidarity with their fight for their religious freedom because I consider their endeavours legitimate and justified. This is solidarity in the narrower and strict sense of the word.

In a broader sense of the word, solidarity can also mean a joint support of the members of a group for joint aims. Solidarity has also been defined as "political-social fraternity". This meaning of solidarity principle is most vividly expressed by the well-known motto: "All for one, one for all."

Irrespective of whether we are speaking of solidarity in the narrower sense of the word as support for justified interests and rights of other people or of solidarity in the broader sense of the word as endeavour for joint rights and aims, solidarity is an expression of human union and interdependence. We are speaking about a community of values. We cannot realize our dignity if we cannot enjoy some assets like life, freedom, education, security and so on. Human dignity we all bear is the fundamental common value of all of us and it unites us in a common endeavour to realize it in the life of everyone. And I cannot be indifferent as to the others enjoying it or not.

Though solidarity is close to responsibility, they are not identical. I cannot be in solidarity with the future generations entitled to a natural environment in which it will be possible to live, but I am responsible for them. Solidarity connects me with my contemporaries, responsibility also extends to future generations.

Since the basis of solidarity is the unity of values and especially the fundamental one, namely human dignity, solidarity and tolerance complement and do not exclude each other. I have already stressed that tolerance does not mean indifference, but respect for the human dignity in the other person. This same dignity also dictates taking care of this dignity and being responsible for it. The idea and value of the dignity of any human person is at the same time the basis of the duty of tolerance as well as the ideological and value basis of the duty of solidarity. This is also indicated by the expression "political-social fraternity".

The family who gives rise to the expressions of fraternity and sorority is the most basic and original form of human solidarity. Before other forms of social solidarity developed, the solidary care for sick and old relatives was borne by the

family or the clan, which is still the most desired form of solidarity. Thus, social solidarity presupposes the awarenes that we people are brothers and sisters and are therefore responsible for and have to take care of all members of our communities. The narrowest community is the family, the broadest community is the humanity. The tie uniting and connecting us and imposing upon us the duty of solidarity with everybody is the equal dignity of any man. Beyond all ethnic, cultural, political, social, ideological and religious differences there exists something that is common and more important and deeper than all these differences. This community is a community of human persons who have the right to live a decent life. If the demands for the realization of this dignity are not complied with, this causes conflicts and wars, if they are realized, this gives a solid and lasting basis of a peaceful living together.

Islamic Dimension of Inter-religious Dialogue in South Eastern Europe

DARKO TANASKOVIĆ

Summary

In this essay the author analyzes the problem of the Muslim component in the inter-religious dialogue in Europe. He states that there are many serious substantial obstacles for setting up a successful dialogue. Both Muslim communities in Europe, as well as Europe itself, are facing serious identity crisis. The fear of Islam and of the aggressiveness of the islamistic extremism in Europe is caused, to a great extent, by the awareness of the crisis of the own system of values and the model of society and state organization. In front of the impossibility of harmonious integration into European social milieu, some European Muslims start thinking about the need to transform their traditional value system and behavioral patterns in some sort of "Euroislam" that finds support in the secularized European circles. So far, on the contrary, the Euroislam has proven to be a mere theoretical, unfeasible concept and a social utopia. In such a situation of impasse in a real Christian-Muslim dialogue in Europe, the author invites you to take into consideration the historical experience and the actual achievement of the cohabitation between Christians and Muslims in the South Eastern Europe. In the most recent literature and discussions on this issue, widely diffused practice to ignore the ages long existence of proportionally numerous Muslim communities in the Balkans while treating as "European Muslims" only young immigration communities in Western Europe, is neither logical nor justified.

I would first like to express my warmest heartfelt thanks to the Organizers of this symposium for the opportunity they have most kindly given to me. Besides my great honor and pleasure to be able to address the distinguished participants of this gathering, during the preparation of my talk I have realized that this scientific event was particularly stimulating and even challenging. Namely, I have learnt that some participants and organizers were doubtful about my capability to consider without prejudice the "Islamic dimension of inter-religious dialogue in South-Eastern Europe". As far as I understood the suspicion was evoked by the fact that I am not Muslim and it was suggested that it would be advisable to have a Muslim expert or, perhaps more precisely, a Muslim representative talk about the "Islamic dimension of inter-religious dialogue". Needless to say, I deem totally groundless and improper arbitrary misgivings about my, or anybody else's, scientific objectivity and I am glad that the Organizers of such an important symposium have not surrendered to them. On the other hand, the fact that doubts are groundless and unacceptable doesn't make them less interesting and relevant, especially from the perspective of the general topic of our discussion today. I think that previous categorization of participants as "impartial" / "partial", based on non-scientific criteria of religious, cultural or any other affiliation, represents a phenomenon that should attract critical attention and become a matter of a serious analytical study.

Would, however, the discussion about the "inter-religious dialogue" and the dialogue in general make sense and would it be productive should we believe that about Islam only Muslims can talk (and possibly also make judgments) legitimately, about the Catholicism only Catholics, Orthodox about the Orthodoxy, probably Buddhists about the Buddhism and so on? Wouldn't we then remain on the ground of futile, parallel, often opposed, polemical monologues or, in the best case, simulated dialogues? This, unfortunately very diffused, ritualistic practice leads towards isolationism and greater gap, which should not be the meaning and the aim of (inter-religious) dialogue. "Politically correct" mind, that has been raging over European/Western spiritual space, systematically manipulates principled and morally true messages like: every person should first "gets

his/her own house in order" "perform self-criticism" "have a look into the mirror" and only then judge the others. If these moral principles are absolutized and exclusively practiced, accompanied by a certain amount of hypocrisy and double standards, they become sterile stereotyped phrases that characterize the situation of non existing dialogue, as well as the unreadiness and the inability for open and responsible exchange of ideas.

In the context of the unfounded arbitrary speculations about somebody's (non)objectivity on the basis of his/her religious, cultural, national or whatever affiliation, it is worth asking what is then the real meaning of dialogue. Most probably there is a belief that, my theme, the "Islamic *dimension* of inter-religious dialogue", intends the description and the analysis of only Muslim attitude towards the dialogue with non-Muslims in the South-Eastern Europe. Along these lines speculate only those who do not take the dialogue for real, dynamical interaction, but for given, ritualistic simulation that is expected from civilized and democratic people. If, instead, the dialogue is something that happens between Me and You, as Martin Buber suggests, then every *dimension* of the space between these vibrating two-ways is necessarily reciprocal. Specifically, by considering the Muslim *dimension* the same importance is given to Muslim part/component in inter-religious dialogue and to the non-Muslim one, in this case, to Christian part/component and its attitude. Without the perception of interaction and reciprocity it is absolutely impossible to objectively point to the actual moment and to the problematic of inter-religious dialogue. What does this moment between Muslims and Christians look like in the South Eastern Europe today? What could we say about it when the time for lecture is strictly limited? Certainly not much, and what could be exposed is unavoidably burdened by a high degree of generalizing statements so as, *ipso facto*, like all generalizations about the complex phenomena, it has been already greatly and even incorrectly simplified. Hence, I would just like to bring to your attention some general epistemological and methodological indications that I deem relevant to direct the consideration of the selected theme. However, these bring in more questions than answers.

In first place, I think that the discussion about Muslim dimension of inter-religious dialogue in South Eastern Europe seems right and could offer an enduring insightful and practical benefit, only if we methodologically look at it within general European context. No one serious will doubt about European historical and cultural affiliation of people and countries in South Eastern Europe. The ongoing process of economical and political inclusion of all South-East European countries into the European Union represents the official declared politics of both SEE Countries and the EU. Although for some countries it will be a long way and they will be exposed to many challenges, as well as the EU itself, it is logical to believe that, even when the last one will be included, it will be done within the period of time that, in the long run, will be irrelevant if compared with the historical process of defining Europe and her recognized civilization identity. Hence, if Europe in general is facing something that, conditionally speaking, could be identified as Islamic problem, Islamic challenge, or more precisely, a new reality of the Muslim phenomenon in the whole Europe and in European minds, and while the confrontation exists indeed, then this problematic should be seen as a whole. Has this been done so far? Not really, no.

Over last 10–15 years the issue of "Islam/Muslims in Europe" has been gradually attracting more and more scholars, publicists, journalists and politicians, and lately, in significant measure, the largest public opinion too. Recently, always more often, we come across the attempts to systematically and synthetically present various aspects of the Muslim presence, action and organization in Europe. Tens of books on this question have already been published in different European languages. In spite of their variety and conceptual and qualitative diversity, all those books are unexceptionally linked by one unique characteristic, namely they all treat the Muslim communities in Western Europe only, i.e. in the countries of the European Union. Numerous Muslim populations in the South Eastern European countries are not considered as "European Muslims" in those studies! Does this mean that they are not Muslims, or that people of South Eastern Europe are not Europeans? These questions are not rhetoric at all, quite the opposite, they are

essentially relevant for our discussion. I would try to give just a few reasons that support my statement.

For quite a while in Europe there has been debates about the need to have some sort of "European Islam". It is normally intended as hypothetical, projected Muslim population harmonically integrated into social and cultural context of the predominating model of secular, democratic European society and the legal state based on certain values such as the respect of human being, individual freedom, including the freedom of religion and its sovereign choice, the equality independently from race, religion, national affiliation or sex etc. Well known German scholar of Islam, originally from Syria, Professor Bassam Tibi, who after four decades of life and successful University carrier in Germany, melancholically confesses: "I am still Syrian with the German passport", in the nineties was the first one who introduced and theoretically developed the concept of "European Islam", i.e. of "Euro-Islam" , as he suggests. According to Bassam Tibi, for the Muslims who permanently reside in Europe, the "Euro-Islam" would be the only way out from the blind road of incomplete integration in the social and cultural environment as well as the way to overcome all the conflicting situations that have been arising because of the growing contradictories between always more numerous, introverted and self-confident Muslims and the Christian majority who feels endangered in its own house. Tibi puts the European Muslim in front of a drastic alternative: the choice is between being a *mujahedin* (warrior of *Jihad*) or a *citizen*. If a Muslim chooses to be a citizen then he/she must opt for "Euro-Islam". That "European Islam" means a radical internal (r)evolution and not just mimicry or cosmetic adaptation. According to Tibi's most optimistic expectations "Euro-Islam" could even urge similar tendencies in the Islamic world (cf. B.Tibi,*Euroislam*, Venezia,2003). Indeed the vision of "European Islam" looks attractive, and also logical, as a result of the action of all the mechanisms of living interaction between Muslims and European milieu where they socially accomplish as citizens. The only problem with "European Islam", so far insurmountable, is that majority of Muslims do not consider it as reasonable adaptation of Islam to the European reality, but as a form of its betrayal and rejection. "In order to become accepted Muslims in the eyes of

Europe it is expected from us to give up being Muslims". So commented a young Moroccan when the Italian Minister of the Interior Giuseppe Pisanu recently announced the institutional working on the formation of "Italian Islam". Certainly the realization of the concept of "European Islam" or "European Islams" (from one state to another) will not be smooth. The introduction of "Euro-Islam" is not the same as the introduction of *Euro*, and even with Euro things are not simple. Something, however, must be done, otherwise the gap will be always greater and tensions more evident. We cannot keep our eyes shut in front of the crushing reality: the existence of Christian-Muslim intraeuropean frictions and drifting apart(when, for instance, some Muslims, apparently to protect the secular characteristics of the public institutions, request the Crucifix be removed from the classrooms in Italy, and, right in the middle of Europe, want their children to be educated only in Arabic, or, else, when in the Mosques they recruit "Al-Qaeda" terrorists, while on the other side, the legitimate requests to build Mosques in European cities instigate the same protests among citizens as those against the construction of garbage deposits…) Eventually, we must face the truth.

While Europe in vain struggles with difficulties related to the integration of the Muslim immigrant communities, with the evident growing inter-religious mistrust and hostility, where the phenomenon of international Islamistic terrorism presents a particularly powerful generator, the centuries-old existence of one unique real "European Islam" in the Balkans i.e. in the South Eastern Europe has been neglected, as I mentioned before. Although there are many historical and contemporary reasons for this, it is, however, symptomatic that from European Union the most distant Christian countries are those in South Eastern Europe with the proportionally greatest Muslim population. At the same time, the negotiations have started about the admission of almost 100% Muslim, non-European, Turkey, giving her a significant "discount" regarding the EU request to Ankara to first recognize European Cyprus! Indeed, too many incoherent, double standards present in a rather "politically correct" European relation to Islam and Muslims in Europe, do not allow any consistent approach towards a dialogue and cohabitation on a truly representative level and to a socially relevant extent. Similarly, but for different

reasons, unprepared for this are both European Muslims and European Christians (where I include the laics since, traditionally and culturally, they are Christians too). This strong and negative statement, atypical for phylo-dialogical rhetoric, represents a prerequisite and a solid starting point to examine the question of Islamic dimension of inter-religious dialogue in (South Eastern) Europe.

If we leave aside specialized, theological inter-religious dialogue, that, more formally than essentially, has been carefully and regularly conducted between the selected Christian and Muslim theologians, the aim of the Christian-Muslim dialogue in everyday life and multi-religious societies should be the creation of harmonic cohabitating conditions. Italian historian Andrea Riccardi is absolutely right in stating that "il convivere sarà uno dei principali problemi dei prossimi decenni" ("the cohabitation will be one of the main problems of the next decades") or that " il vero problema è se il convivere sarà fonte inesauribile di conflitti e tensioni oppure se si potrà arrivare a una civiltà del convivere a livello locale e a livello planetario" ("the real problem is if the cohabitation would be an inexhaustible source of conflicts and tensions, or, a civilization of cohabitation could be achieved at both local and planetary level") ("La civiltà del convivere",in *Islam e Occidente, Riflessioni per la convivenza, Bari, 2002, 52,49)*. Since the globalization of all the aspects of social life , followed by an incredible mobility of people, merged with, only to some extent stabilized, effects of historical, epochal processes of colonization and decolonization, people of different nations, religions and cultures have been forced to cohabit the way that previously was unknown and hard to imagine. The passive co-existence, the parallel living without any contact or interaction, have become difficult to endure at the individual or collective level. Europeans found themselves stunned by facing a challenge of living together with the Muslim co-citizens and neighbors who always more radically have been expressing their own group self-consciousness and offering resistance to the life within the prevailing social and legal order. As a rule, the diversity causes reciprocal mistrust and denial, refusal generates retreat and fear that logically lead to aggressiveness and violence. Depending on the concrete circumstances under which a certain country or a region are, the relation between Christians

and Muslims in Europe today is on some of the scales of the causal-resultant vi-
cious antagonistic circle. What causes this European fear of always more evident
expression of Muslim self-consciousness that is manifested in the request of
European Muslims to set up some important aspects of Islamic religious, moral,
traditional and cultural code within the coordinates of the European society?
The fear of what is usually called Islamic fundamentalism. Conversely, how come
the second or the third Muslim immigrant generation has been more and more
fervently inclined to the fundamentalist radicalization?

The answer to above questions and a general explanation of the genesis
and the nature of those two reciprocally related and subordinately dependent
phenomena at the individual and collective psychological level would require
a lot of time and space. In Europe the academic, political and public opinion
have been considering this issue to always greater extent.Many interesting and
convincing thesis have been exposed, and I would like to mention just one,
rather original, but proportionally less known. In the book *"A Fundamental Fear.
Eurocentrism and the Emergence of Islamism"* (Malta, 1997, second edition 2003)
British Professor S. Sayyid recognizes that the fear of the Islamism (better term
than "Fundamentalism") all over Europe primarily has its roots in the humus of the
crisis of the European identity, and, only secondary, in the understandable and
absolutely genuine fright from expanding terrorist wave. »The fear and anxiety
aroused by the so-called Islamic threat is not a myth, nor is it simply a consequence
of terrorism or fundamentalism. The emergence of Islamism signals the end of
the uncontested notion that 'West is best'…Islamism means having to rethink
Western identity and its place in the world, having to come to terms with the
idea that the West is just another civilization among many«, said Sayyid and adds
»that the emergence of Islamism marks an erosion of eurocentrism«, and that
» the provincialization of Europe refers to the result of the hegemonic struggle
whereby Europe became increasingly less exceptional«. Unpleasant diagnostics,
but somewhat certainly correct thus useful!

The era of merciless globalization and planetary game, which rules are yet to
be set, Europe has entered torn between being loyal to those basic values that

historically formed her and the creation of a "New Europe" with democracy and culture of openness to new and different, under the flag of human rights. For the sake of universalization of the new model of open democratic society there are those who hurried to show their willingness to deny even some unquestionable basic constituents of their own civilization identity. The negotiations in the process of drafting the text that should be a Constitution of "New Europe" have been pretty painful. These debates as well as the final version of that document, and apparently its destiny too, are the most truthful illustration of the confusion in which Europe searches for herself. In addition to the linear progress (it's so nice and attractive to believe in its irreversibility… while it lasts!), we know that the dynamics of world processes and the historical movement of humanity are also characterized by cyclic phases. Although, so far, in the average life of Europeans a relative wealth with no tectonic upheavals is still prevailing, there are new indications about dark assessments and feelings that things have gone irrevocably wrong. Europe is taking defensive position! Lacerated by vital doubts and with shaken identity, but, for the sake of self-defense, impeded by virtues of her democratic and laic principles and institutions, Europe still succeeds in attracting and keeping non-Europeans, including the Muslims. For the latter, however, the reasons of their "Europeism" are mainly in the sphere of material interests, living standards and generally greater possibilities that may guarantee decent existence. Muslims in Europe are always less attracted by the system of fundamental European principles, exactly those that enable them to make the most of it as European citizens. Quite the reverse, they deem the system "decadent" and, from the Islamic point of view, unacceptable and so Muslim opposition, both individual and collective, is increasingly active and organized. At the same time, it seems that paradoxically, whereas absolutely rationally, the arguments they use are those categorial and legal means that the system itself puts at their disposal, but which postulates they refuse to comply with. Europeans, majority still Christians, helpless in front of such a strategy, become nervous and try to work out mechanisms that would pragmatically reconcile the respect of the democratic order and human rights and the efficiency in opposing so-called Islamic threat,

which is not some sort of chimera or a result of an irrational xenophobia. After all, in order to direct human action, the perception of reality is sometimes more important than the reality itself.

Europe, at the stage of disintegrated spiritual space and chaos in value system, that lead some observes to label it "post-Christian", has come face to face with phenomenon of growing and more determined expression of Islamic self-consciousness. The traditional system has been disturbed, and the formation of a new one has started under big uncertainty. Actually, among some European Muslims the process is going in opposite direction. Although pretty secularized in many aspects of their life, they have started to revert to Islam and its rules, as basics of their identity and their diversity in an environment always less appreciated. "Post-Christian" European society fails to respond adequately to this so-called "Muslim Re-islamisation". Who does not believe in anything, but is ready to believe in everything, has tough time with the devotees of only one, absolute, unchangeable Truth. Hence, neither productive dialogue nor cohabitation at the rational, compromising level, are feasible. In such an atmosphere it is not surprising people incline towards expression of extreme positions and radical revision of the understanding of secularity and tolerance. While a million copies of Oriana Fallacci's acute and killing anti-Islamic pamphlets are sold, the antagonists take her to court with the charge of spreading racial and religious hate. No matter how her and similar expressions are considered it is true that these satisfy always greater needs and expectations of always larger social layers of disoriented and frightened Westerners. More often the Church feels called to support and reassure her flock, to make her voice heard in the society and to reaffirm Christian moral values by pointing at the limits that should not be exceeded. Without questioning secular character of the state and its institutions, the Church warns about dangerous tendencies to "absolutize the relative" including human freedom to decide about everything by some random criteria. More frequent are requests for mutual reciprocity in freedoms and rights as a prerequisite for dialogue with Muslims. Why non-Muslim women in Tehran would be obliged to wear a scarf to cover the head, whereas Muslim women in Europe wouldn't be obliged to

take it off, at least where its wearing is forbidden? Why to allow the construction of Mosques in European cities if in some Islamic countries the Christianity itself is practically illegal? Such questions are many but convincing answers are very few or none. Even hypothesis about the creation of a "postsecular" Europe as counterpoint to a "post-Christian" one has emerged recently. The real struggle is yet to be. Primarily it does not mean confrontation with Muslims, but an intraeuropean "clash of civilizations". On the outcome of this clash will depend also the prospective of the dialogue and the co-existence with the others, in first place with Muslims. Co-existence is unavoidable, but it is early to foresee weather both sides will make an effort to achieve a qualitative civilization cohabitation. It is certain that such a cohabitation is not hopelessly impossible, as we are often told. And the consideration of the Islamic dimension of inter-religious dialogue in South Eastern Europe truly points to that.

While Europe is trying to find the formula for "Euro-Islam", it is forgotten that in South Eastern Europe, that is to say, in the Balkans, if not "Euro-Islam", certainly European Islam and Muslims have been cohabiting with non-Muslims over centuries. The cohabitation has not been idyllic at all, on the contrary, for long times it has been extremely conflictual, but, in its complex dialectic, humanly real. The reciprocity has been much more substantial than in some multi-religious and multi-cultural, democratic societies of modern Europe. Terrible and tragic conflicts of the ninth decade of the last century on the territory of ex Yugoslavia should not obfuscate the fact that the cohabitation of Christians and Muslims in those lands had lasted for ages. There has been enviable harmonic times and even today, after war conflagration, the cohabitation is more intensive than anywhere else in Europe. The emphasizing of existence of moderate and secularized Muslims in Bosnia and Herzegovina, but also in Kosovo and Metohija, is a common place in European discourse about the Yugoslav issue. It's a pity, however, that Europe and so-called "international community" remembered those moderate, indeed European Muslims, as well as all the other Yugoslav Europeans or European Yugoslavs, only when cruel process of disintegration of their common, European country and the fratricidal civil war already started. Paradoxically, Europe and the

West started to be interested in and to back moderate Balkan Muslims, both for compensatory reasons and because hit by pangs of conscience, exactly when the symptoms of radicalization and fundamentalism aroused among their protégés! And nowadays, after all wars that lead to certain, potentially far-reaching metamorphosis in spiritual and social entity of Muslim (and non-Muslim) communities in the Balkans, during ambiguous period of post-communist transition, Europe again ignores its only truly European Muslims. Contrary to immigrant population in the very heart of the West, they still gravitate toward integration into Europe and are ready to accept the system of European values. This is why I think that the Islamic dimension of inter-religious dialogue in South Eastern Europe should become particularly serious issue for all those who engage in trying to find a *modus vivendi* between Christians and Muslims in Europe.

Recently, from Novi Pazar, town in the area of Sandžak in Serbia, reis-ul-ulema Mustafa Cerić, the leader of Muslims in Bosnia and Herzegovina (recently reelected) sent a message to Europe that we should carefully listen to: "This is why Europe should not push us to seek national or Islamic state. We do not want neither national nor Islamic state in the Balkans, but we want to live in Europe, to be full and equal citizens …" Then he gave his diagnostics about the contemporary Muslim situation by underlining the principal Muslim and Islamic problem: how to return to historic scene after 200 years of stagnation. One of the ways, as M. Cerić reminded, was the secularism that many Muslims were eventually disappointed in. "Today we are in a position where Muslims refuse the secularism and temporal western model of democracy and they go toward the islamisation of Muslims. This process is on-going and no one can predict its outcome". M.Cerić then pointed to two extreme exclusive approaches:" Some consider that the return of Muslims to historic scene is through isolation and creation of totally pure Islamic territories, without any contact with the West, and this is the concept of self-sufficiency. The other, absolutely negative, approach is the assimilation. By keeping a Muslim name they completely assimilate in the Western milieu. A reply to both concepts is the integration and the cooperation in Europe by maintaining own national and religious identity" (*Večernje novosti*, 1/8/2005). Hence, neither

Jihad nor "Euro-Islam"! There is a strong symbolic meaning in the fact that M. Cerić spoke right from Sandžak, populated by Serbs and Bosniaks, a place around which war blazed, but it succeeded in maintaining peace and cohabitation through all tense atmospheres. Commendable are both Muslims and Christians.

To integrate into Europe by preserving own national and religious identity is much easier to say than to achieve, but for one Muslim it is not easy to say either, so it is essentially important what was pronounced from such a high spiritual position. Under present circumstances, harmonic integration of Muslim communities into European society remains a true "quadrature of the circle". Presently, for different reasons, neither Christians nor Muslims in Europe, on the whole, are ready for a productive dialogue. Europeans should stabilize their shaken identity, should give up always more extensive relativism, should know what they want, and Muslims should relativize to some extent their consideration of Islam as the only Truth and the only road sign of all directions under all circumstances, and prepare themselves for a real pluralism. Challenges are many and a walk is long. For centuries already in South Eastern Europe we have been walking and stumbling together, but we have never stopped. In the field of inter-religious dialogue Europe could considerably benefit from the experience and the life practice of South Eastern Europe, its integral, but still underestimated part.

Religion and Supra-National Identities in the Context of Peace-Building Efforts of Post-War Bosnia-Herzegovina[1]

STEPHEN R. GOODWIN

Keywords: Nationalism, Peace-Building, Ethnic Violence, Social Restoration

Summary

The author draws upon primary research conducted in Bosnia-Herzegovina to make the case that religion, while ambiguous in relation to violence and peace, embodies the potential for social restoration. The author explores the degree to which the supra-national aspects of religious faith as practised by smaller sodalities transforms individual and communal identity to transcend mythicised national historiographies and contribute to peace-building.

1. Introduction

More than a decade after the implementation of the Dayton Peace Accord, which was meant to end the violence *and* restore social harmony in Bosnia-Herzegovina, it is manifestly clear that external forces alone cannot resolve the difficulties intrinsic in the conflict that so devastated this land and its peoples. Today

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1   This chapter draws upon primary research conducted by the author in Bosnia-Herzegovina in 2002–2004, and is available in his book, *Fractured Land, Healing Nations* published by Peter Lang Verlag, Hamburg (2006). The author greatly acknowledges permission of the publisher for use of this material. In text citations with no correspondent reference in the bibliography are primary interview data.

Bosnia-Herzegovina remains a deeply divided society, and the peace-building effort within the nexus of a flawed political apparatus and maintained by *force majeure* has proved a dubious foundation for sustainable peace. Dayton's ability to end the violence remains the singular outstanding achievement, but successes towards civil restoration are decidedly more modest. The current situation suggests that structural efforts of peace-building need to be complemented with informal social and cultural initiatives that involve the moral and ethical will of individuals and communities alike. For this reason, religion – with all its known difficulties in the Balkans – can play an integrally positive role.

External actors view democratisation, market reform and open society values as the panacea for the ills of the Balkans. Gotovska-Popova (1993: 183) typifies a common response, suggesting that the challenges of nationalism are best addressed by creating a sense of identity in a group larger than the nation, an idea embodied in the very concept of Yugoslavism but which ultimately failed. She suggests that today the proper identity is in humanity in general and in Europe specifically because the European Union offers both an ability to shape a supra-national identity and economic stability for the emerging nations of the former Yugoslavia.

Other scholars are more sceptical. Anthony D. Smith raises serious concerns regarding the ability of Europe – either as an entity or as an idea – can be expected to transcend nations and supersede nationalism, arguing that "nationalisms, and nations, are likely to be recurrent phenomena in the future, as they were in past epochs" (1999: 19). In the absence of sustaining myths, symbols and traditions, Smith questions whether Europe is able to create a coherent identity that is sufficiently capable of addressing the challenges of ethnic nationalism. 'The ambiguous and nebulous character of European cultural identity' (:19) contrasts sharply with powerful memories, myths and symbols of individual nations.[2]

2   Smith points out, for example, "there is no European analogue to Bastille or Armistice Day, no European ceremony for the European fallen in battle, no European shrine of kings and saints" (1999: 245).

Other scholars argue that the resolution to the social malaise in Bosnia-Herzegovina is potentially closer to hand. Stephen Hays contends that local religious communities are able to construct an identity that transcends nationality, but that both Marxist and Western historians too readily discount this factor (1999: 198). Rusmir Mahmutćehajić, professor at Sarajevo University and former Vice Premier of the government of Bosnian-Herzegovina in 1991–92, agrees, stating, "the natural remedy would be for the various Balkan nationalisms to resolve their differences with the help of supra-national concepts: religion above all" (2000: 14). He admits, however, that this remedy, is hampered by the fact that many religious leaders have capitulated to nationalist interests. "The forms of supranationalism present in the Balkans," states Mahmutćehajić, "are themselves in bitter conflict over issues of national borders", and "each supports its own favoured nationalism, to which it is linked by tradition" (2000: 14). By virtue of their beliefs and long historical presence in the Balkans, the religious communities could be agents of supra-nationality and advocates for peace, but the widespread support by religious actors of nationalist causes has created a credibility gap so large as to preclude the major religious bodies acting as advocates of social restoration.

In the course of this chapter I examine the possibility that religion, while ambiguous in relation to violence and peace in Bosnia-Herzegovina, embodies the potential for peace-building and social restoration in both individual and social dimensions that demonstratively eludes the secular, modernist approach of the international community. I explore the degree to which the supra-national aspects of religious faith as practiced by smaller sodalities are able to transcend the conflict and contribute to peace-building and social restoration. I first introduce the concept of the religious faith sodality and give examples of these organisations in Bosnia-Herzegovina. I then examine what differentiates them from their institutional counterparts by presenting their claims to authentic religious faith. Second, I explore the legacy of national myths and the ability of religious faith sodalities to counter the exclusivist narratives of nationalism with an alternative supra-national meta-narrative that embraces a message of inclusion and social

restoration. Finally, I examine the vital question of identity transformation within the religious faith sodality that enables peace-building and social restoration.

1.1. The Nature of the Religious Faith Sodalities

Genuine manifestations of peace may be found in the authentic religious communities that promote care of all persons regardless of national identity. The authentic community is a sodality, best expressed in the local language(s) as a *zajednica* or *zbor*. The sodalities are small communities that consist of individuals who make a conscious choice to participate in an alternative communal experience. No one in a *zajednica* or *zbor* is there by default or birth; belonging is by choice. The existence of religious faith sodalities is imperative to the post-war development because the "established religious communities of Southeastern and Eastern Europe, at this time, are not capable of nurturing sincere and open dialogue" (Oršolić 1998: 263). Sodalities operate with varying degrees of autonomy from larger institutional bodies, and challenge the maxims of nationalist elites who manipulate religious bodies. Sodalities thus provide alternative platforms of peace and co-operation that demonstrate remarkable results.

The power of personal narrative openly risked in the authentic community provided by the sodality where sanctuary is offered proves stronger than national myths of the 'imagined community'[3] where security is an illusion. The return to authentic religious expressions can have positive results in confronting the ideological challenges and moving people towards peace-building, co-existence and reconciliation.

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3   The term 'imagined community' is used by Benedict Anderson to mean nations as political communities that have a common relational bond. To describe a community as 'imagined' is not to indicate that it is 'imaginary' or 'not real'. The community is 'imagined' in that the members will not know or meet most of the fellow-members, "yet in the minds of each lives the image of their communion" (1991: 6).

On the personal level, authentic spiritual communities provide a safe place where people can participate in *narrative exchange* (Šaje 2002). *Dialogue*, a frequently-cited means of conflict resolution, is most often organised through formal channels in higher political echelons and seeks to find means of co-operation, but ultimately maintains protective boundaries of identity. By contrast, narrative exchange transpires at the grassroots level and engages affected persons in the simple task of sharing their experience and perspective (Steele 1998: 246–253). Narrative exchange anticipates a variety of interpretations of events and reveals the great loss and pain experienced by people on all sides. People express rage and anger, hatred and fear. By listening to each other's personal narratives and participating in role reversal exercises, people find common narratives of suffering, dispossession and violation. Hatred and fear are gradually shifted and replaced by sympathy, understanding and growing trust. In the authentic spiritual communities people begin to understand themselves in relation to God, their world, and to others, especially those once perceived to be hostile. Significantly, authentic religious communities are sanctuaries of help, hope and healing. They are the altars where hatreds and fears are given away, and forgiveness is received. Not uncommonly, genuine peace and reconciliation are manifested in this sacred space.

1.2. Examples of Peacebuilding through Religious Sodalities

During the war Franciscan Friar Ivo Marković lost nine family members and was held captive by Serb militia. Today opposition comes from Croat nationalists who despise his reconciliation efforts and threaten his life for what they perceive to be a betrayal of nation and faith. Marković founded a reconciliation-minded NGO, *Oči u Oči* (*Face to Face*), and a choir, *Pantonima*, that performs music from three religious traditions. The choir invites persons of all religious backgrounds to be enriched through the encounter with others, and seeks to create a vision of the future in Bosnia-Herzegovina.

The city of Mostar is the coveted jewel of the secessionist-minded Croatian stronghold of Herzeg-Bosna and remains just as divided today as it was during the war. In a symbolic gesture clearly meant to assert territorial and religious domination, a forty metre high Latin cross has replaced the military bunkers atop one mountain where artillery once indiscriminately rained mortar shells down upon the city. Nevertheless, in this fractured city where tensions remain high and religion and politics fuse to perpetuate division, Croat, Bošniak and Serb women gather weekly in a local West side Protestant church. Here they do needlepoint, participate in a bible study, share their losses from the war and learn to love and care for one another through the new-found presence of Christ in their lives. A Serb grandmother who lost her own son to a mortar fired from Serb artillery placements started the group. Her own loss awakened her to the physical, emotional, and spiritual needs of those on all sides of the conflict, and motivated her to work on behalf of women suffering similar losses. The church fellowship regularly sees Croats, Bošniaks and Serbs worshipping side by side in a model where a genuine expression of forgiveness, love for one another and reconciliation are the norm.

1.3.   The Nature and Role of the Leader (Pravednik)

The leader of the *zajednica* or *zbor* is a local religious leader who has articulated new vision and created opportunity for social restoration and healing. They are public figures who speak against social injustice and often establish non-profit organisations that provide a platform for their message. Commonly the leader has faced significant opposition, yet continues to reach across national barriers to the disenfranchised other. This person is a *pravednik*,[4] or 'righteous person' who acts from a moral basis to assist others, bringing him or her into direct conflict

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4   The root of the word is '*prav*', meaning 'straight'. In the legal sphere it has the meaning of '*innocent*' and is the basis for the words, '*pravda*', meaning 'justice, right' and '*pravi*' meaning

with institutional power elites. The *pravednik* is a prophetic voice on behalf of the dispossessed and powerless. Their actions are not politically calculated, but righteously administered.

Today's heroes in the former Yugoslav republics remain ultra-nationalists such as Tudjman, Karadžić, Mladić, and Arkan. In this environment the *pravednik* is an anti-hero who stands against corrupt regimes. S/he acts and speaks prophetically, brings conviction into the zone of ideological and military conflict, and challenges others to act justly. The presence of the *pravednik* and *zajednica* does not end the conflict, but changes its focus. Ideological rhetoric loses its potency in the *zajednica*. The *Pravednik* fights against ideology not with guns, but with arguments and non-violent resources (Oršolić 2003).

1.4.   Claims to Authentic Religious Faith

Frequent adherents of the sodalities make a distinction between authentic and inauthentic religious faith. The common thought expressed in the interviews is that people of 'real' or 'authentic' religion (faith)[5] could not have committed the kind of atrocities witnessed during the war, and that persons who committed these offences acted out of the fervour of ideologically-based nationalism. Interviewees recognised that persons of faith – be they Christian or Muslim – cannot commit these crimes and remain true to the core tenets of their respective confession. Religious persons thus made a clear assessment about faith based on observed practice.

'real, actual, genuine' and 'appropriate, right'. Marković remarks that the *pravednik* is one who "is persecuted in their own group" for the righteous acts they do (Marković 2002).

5   Although there are separate terms for religion (*religija*) and faith (*vera* [Serbian] or *vjera* [Croatian]), the terms are frequently used interchangeably. When asked to distinguish between the two terms, religion was related to the institutions and forms of the confession, and faith was related to a personal belief or conviction related to the message, doctrines, and ethics of the confession.

Franciscan Marko Oršolić, for example, says that "nationalistic ideology is a real enemy of true faith, because it is a false god, which tries to abuse faith itself. True faith in its essence is anti-nationalistic; it is universally globalistic" (Oršolić 2003). Orthodox deacon Vladislav Radujković marched on the streets of Belgrade in protest to the Milošević regime at a time when the SOC claimed that the true embodiment of Serbian identity rested not with the cadre of political nationalists in Belgrade, but with the Church (Radujković 2004). He asserts that someone who sincerely believes in God could not commit the atrocities so common in the war. His assessment is that "people who were hiding behind religion led this war and didn't know the basic things about their religion" (Radujković 2002). Such persons of all nationalities and faiths call themselves believers, but "are not what they think they are" and "live in a constant lie to themselves and others" (Radujković 2002).

However, the appeal to authentic faith transcends the heated political arena. Religious persons call for something both spiritually different and deeper; something 'other' in both kind and degree. Interviewees draw distinctions between an 'inherited' or 'traditional' religious identity and the personal and spiritual experience of inner renewal (Šiljak 2002; Radujković 2002; Nikolinović 2002; Rakić 2002; Kundačina 2002; Kovać 2002). They perceive traditional religious identity as a cultural confession that is marked by nominal religious practice and a general ignorance of the tenets of the confession (Radujković 2002; Šiljak 2002; Kurjak 2002). By contrast interviewees testify to a meaningful and personal encounter with God that is marked by a memorable act or moment in their spiritual life. They point to a departure from a former way of living to a new orientation that includes regular worship or prayer, and a growing knowledge of the tenets and practices of their respective confession (Delalić 2002; Kurjak 2002; Rakić 2002; Kundačina 2002; Šiljak 2002; Mikulić 2002; Nikolinović 2002; Omerović 2002). Moreover, the interviewees acknowledge incongruence between their own spirituality and that which they see practised in the name of institutional religion. For those who hold to a strong personal faith, *right practise* (orthopraxis) is the expression of *right belief* (orthodoxy).

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Interviewees cited ignorance or manipulation as the basis for inauthentic faith. The former is characterised by lack of knowledge of the religious tenets of the respective confession, owing to the marginalisation of religion during the socialist era. The education of many of the religious leaders, for example, is so rudimentary that they do not recognise the incongruity of militant nationalism and authentic Christianity. Because most people in Bosnia-Herzegovina maintained only a cultural religious affiliation, they were easy converts to religious nationalism in return for the promise of greater security in a time of economic, social and military turmoil.

However, the expression of 'inauthentic faith' also may refer to wilful manipulation. Many religious leaders consciously misused their position and office and, in some cases, were literally bought off by nationalist parties (Marković 2002). They were so interested to regain a position of recognition and authority in society that they colluded with political leaders who saw advantage in having the Church sanction their activities. The integration of religious symbolism and national mythologies distorted the *kerygma* so essentially that the Gospel (*evangelion*) was lost (Marković 2002).

In each tradition the same perception exists, namely, that which they consider propositionally and practically to be right and true can be misinformed, counterfeited or manipulated. Interviewees are critical especially of manipulative religious leaders, and they consciously move to distance themselves from institutional religious leadership. This cognisance of authentic faith directly influences their ability to appraise nationalist mythical constructions.

2.   Overcoming the Legacy of the Mythicised Past

As the West steered a course of disenchantment and developed the tools for demythologisation and deconstructionism during the twentieth century, some Yugoslav nationalist leaders took their people on a course towards re-enchantment by meticulously constructing national myths, the full effects of which

would remain latent until the collapse of socialism. The disparate historiographies and their correspondent ethno-religious mythologies remain a present-day conundrum in Bosnia-Herzegovina. National myths thrive in emotionally charged situations where perceived threat to self and community are present, and have an ideological function that motivates, defends, and justifies. Construction of exclusivist mythologies is antithetical to the vision of a united Yugoslavia and preceded the state's eventual demise. The invocation of past conflicts and appeal to religious confession serve to highlight the apophatic nature of the carefully crafted identities, emphasising more what they are not than what they are.[6] Thus, past conflicts on Balkan territory are mythologised and serve as supertemporal and territorial markers of identity. As Alcock argues, "the symbolic freight of space (that which is actually signified by referenced to space in their relation to national identity) is intimately interwoven with a people's consciousness of history" (2000: 338). An understanding of the close connection between mythicised history and self-identity is, then, of paramount importance for social restoration.

2.1. Re-Reading Myth as Meta-Narrative

Some societies in southeastern Europe maintain a synchronic expression of time,[7] in which historical and current events are lived parallel to each other. This in turn gives rise to myth-making, which assists in the building of national identity. By

6   Both Croatian and Serbian identities exhibit Christoslavic mythological inclinations (Sells 1996: 28–31), but emphasise discontinuity through discrete church history and theology, rather than continuity in Christ.
7   See also the extended discussion by Stoianovich on the space-time orientation of the Balkan peoples and their historical links to religion. He identifies the Balkan peoples as space-dominated (*Raumvolk* or *narod prostora)* in contrast to time-dominated (*Zeitvolk,* or *narod vremena*). Also, following Lévi-Strauss, he categorises societies as 'cold' or 'hot'. The former ignore or "annul history as an agent of change" whereas the latter, to which he ascribes the Balkan peoples, "internalize historical experience in order to mobilize and bring it to their aid whenever the need may arise" (1994: 247–260).

employing myth – an essentially extra-chronological phenomenon with a supra-chronological function – historical events can be viewed synchronically.

A synchronic worldview of time enormously complicates issues of social restoration because entire histories of the nations – with their correspondent mythologies, vendettas and territorial claims – are in conflict. Latent in the mistrust of recent events are the sins of the past, which, through myth-making, are recapitulated, contemporised and made relevant for the present. Myth-making is less concerned with brute facts and more with altering perceptions of its constituency. For this reason it is important to recognise national mythologies for the social and cultural tapestries that they are, providing the basis for a communal memory in times of identity crisis and transformation.[8] Thus, a nuanced approach to national myths unravels their concealed intentions (Kearny 1988: 17) and reveals the values and mores of a society's self-understanding. Self-disclosure within that perception is the starting point towards social restoration. It is thus necessary to find a *via media* between the polarities of perpetuating exclusivist mythologies and the wholesale ambition to reduce them to fictional non-meaning through the imposition of modernist interpretations. National myths are better seen as *grand-* or *meta-narratives* that describe origins, provide identity, focus motives, defend actions and define community. They are both useful and meaningful towards understanding the context and working towards restoration.

8   See the discussion by Slovene Mitja Velikonja who recognises the centrality of myth-making to the conflicts of the former Yugoslavia: "Myths remain very important and persuasive elements in the construction of reality in contemporary complex societies, self defined as 'disenchanted' or 'enlightened.'" He considers mythology a "dynamic internally cohesive, but continually changing system of individual myths that has some very practical functions and goals to achieve in society" (2003: 6, 7).

2.2.   Return to the Narratives, Grand and Personal

A return to authentic religious expression can have positive effects for peace-building and social restoration. Just as a puzzle piece is part of a larger picture, so persons in religious faith sodalities are finding that their personal narrative 'fits' into the grand religious narrative of the Christian and Muslim communities. These grand narratives offer cogent and credible worldviews that enable persons to come to terms with their personal loss, find self-worth, and recover a sense of sacredness of life for all humanity. Their discovery begins a clear shift in identity and belonging away from both the communist ideology, which denigrated religion and marginalised its adherents, and nationalism, which instrumentalised religion and co-opted its adherents.

3.   Identity Transformation in the Religious Faith Sodality

The link between religion and communal identity is acutely felt in Bosnia-Herzegovina where the usual linguistic determinants of identity are largely absent. Religious confession is the primary tool of differentiation and therefore intrinsic to identity formation. As such, religion is intrinsic to the problem itself. The question this situation poses, then, is 'might religion also be intrinsic to the solution?'[9]

By contrast to national identity, which is formed through revisionist history and political will, the religious faith sodalities are able to shape communal identity in ways that do not marginalise persons from other nations. The foundation for

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9   I am not positing the argument that because religion is part of the problem it must be *ipso facto* part of the solution. This is by no means axiomatic and is not an assumption of this research. Rather, I proceed from an empirical basis, posing the question hypothetically. However, because religion is the primary factor of identity and therefore intrinsic to the problem, its profile as a factor for social restoration ought to be raised in the consciousness of peace-builders.

new identity shaped through religious faith may be formulated from a variety of sources.

3.1. National Identity Defined by Religious Tradition

Radujković addresses the contemporary issues of identity for Serbs. Throughout the centuries 'Serbian' and 'Orthodox' were virtually synonymous terms, but in the last sixty years there has been a division in meaning, so that there are now 'non-Orthodox Serbs' who have separated themselves from the faith. These persons Radujković likens to trees without roots. Today he heads a restoration and renewal movement in Banja Luka named after the venerated founder of the Serbian Orthodox Church, *St Sava Youth Fellowship* (*Svetosavska Omladinska Zajednica*). Radujković seek to introduce young persons who grew up under socialist atheism to the history and tenets of Serbian Orthodoxy through at-tractive and contemporary means, and revive the positive elements of Serbian national identity. Importantly, he does this without denigrating those of other national origins.

3.2. Identity Defined by God in Creation

Professor Nedžad Grabus of the *Faculty of Islamic Studies* in Sarajevo participates in a weekly inter-religious radio programme with Orthodox and Catholic priests. He grounds identity first in relationship to God, and then in shared relationship with other humanity. As creations of God, Muslims and Christians alike have a responsibility to show love and respect, a duty which he feels is often forgotten in Bosnia-Herzegovina. Grabus believes that afflicting harm on another human being is a greater sin than destroying the Ka'ba, because human hands created the Ka'ba, but God alone creates originals. Grabus therefore identifies inter-religious tolerance as one of the key characteristics of the new expression of religious

identity. Remaining true to one's own religious identity while also recognising the validity of other religious groups can be done through a return to the holy books "in order to understand what God wants to say to people" (Grabus 2002). Those who perpetuate the bloodshed of historical conflicts belong to the past, whereas people of the future will discover through the holy books the true intentions of God (Grabus 2002).

Oršolić argues a similar case. Oršolić is a tireless worker for peace and the restoration of a multi-religious, multi-cultural civil society in Bosnia-Herzegovina. Before the war he founded the International Multireligious Interculture Center (IMIC), also known as *Zajedno* ('Together'), a faith-based NGO that aims to help overcome division through inter-religious dialogue and social activism. During the war he assisted thousands of Muslims to escape certain death. He also was forced to live as a refugee for a time in Germany, where he continued to be an outspoken critic of injustice and intolerance, whether in the political or religious sphere. Not infrequently he challenges leadership within all three religious traditions, and wants to see increased communication between them, as is related with the following:

> I am convinced that a dialogue among the nations in our country cannot be established without a dialogue among religions, because religions so fatally correspond to nations here (AIM 1993: np).

He draws a clear distinction between the essential identity of humans and artificially constructed identities. His point of reference is creation in which God created both male and female, and that humanity's true identity (*pravi identitet čovjeka*) is found in this primordial event. "Other kinds of identities, including the national one," says Oršolić, "are historical products" (Oršolić 2002). Finding one's true identity requires the (re)cognition that "we are all God's children" which will have significant meaning for how we treat one another, and for human rights (Oršolić 2002).

3.3.   Identity Shaped by the Imago Dei in Created Humanity

Some Christians find still a further source of identity that binds them together with all humanity. Protestant leader Peter Kuzmić says that "All of us share *Imago Dei*, and all of us have a common original parent in God" (Kuzmić 2003). Similarly, Radujković finds the locus of humanity's true self in the divine image that God invests in every human creature (Radujković 2002). Liturgical renewal is important, then, to bring Christians back to a proper understanding of themselves in relationship to God and his ordered cosmology. It creates unity through communion with Christ for all who bear the divine image, and safeguards against the possibility of becoming a lightning rod for chauvinistic nationalists.

3.4.   Identity Defined through New Citizenship

Karmelo Krešonja is the current president of the Evangelical Church *sabor* (governing council) and pastor of the West Mostar church where typically Croats, Bošnjaks and Serbs gather for worship and friendship. He links the identity crisis after the demise of socialist Yugoslavia with those who "found trust in the Lord in a completely different way" (Krešonja 2002). They retain their cultural heritage, but it is no longer the defining factor of identity. Krešonja relates the new identity to the biblical concept of 'new citizenship'[10] and the transitions the republics of former Yugoslavia are now undergoing. Citizenship provides both identity and freedoms. "Our people in the church," says Krešonja, "look at their identity as new creatures in Christ" (Krešonja 2002). This new creation identity has both transcendent and immanent manifestations and shapes an entire worldview that relates the local church to ethno-political realities of Bosnia-Herzegovina:

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10   The reference is to Philippians 3:20, 21: "But our citizenship is in heaven, and it is from there that we are expecting a Saviour, the Lord Jesus Christ" [New Revised Standard Version].

> [W]e will not see barriers between the people and we will not be look-
> ing on their social income or something like that, but we will be looking
> at their identity in what they really are (Krešonja 2002).

Some commonalities from these religious leaders may be discerned. First, several religious leaders from both Muslim and Christian perspectives point out that the factors of identity as defined by nationhood are artificial and human constructs. While these are important in forming a communal identity, they remain second-ary to a deeper, primordial identity. Second, primary identity is found in relation to God, especially in his creative act. Third, proper relationship to God and his precepts gives new understanding and orientation that is supra-national. It motivates persons to self-examination, the first necessary dynamic for individual and communal change. Fourth, rightly relating to God is a sufficient cause for properly relating to others in ways that lead to social restoration and peace-build-ing. By drawing upon the religious meta-narratives, the religious faith sodalities are challenging the status quo and creating supra-national identities which are contributing to social restoration.

4.   Conclusion

The religious faith sodality embodies authentic faith exercised in context. It cre-ates a place of acceptance and develops both an internal and communal peace. In this sanctuary persons of faith learn that the nationalist conflicts are real, but that they need not be an insurmountable barrier to social restoration and peace. Persons living with a sense of sacred space do not cling to territorial holy sites and religio-national icons. Rather, they view the whole created order – including fellow humanity – as sacred, and thus potentially communal. The lines of inclusion become enlarged and perforated, permitting social interaction and restoration.

In each of these representative cases religious persons employ authentic reli-gious narratives to construct meaningful models of peace-building and restora-

tion. Within the sacred space of religious faith sodalities Muslims a model justice ('*adel*) that is guided by the Qur'ān. A Serbian Orthodox sodality in Banja Luka narrates a revivalist model, attempting to return to the roots of Serbian Orthodoxy and Serbian identity abstracted from ideological accretions. Roman Catholic Franciscans narrate a model of pluralism that recognises the legitimacy of all confessions, finding solidarity in the sacredness of humanity and a shared predicament. The Protestant communities narrate a model of redemption that finds the locus for forgiveness and unity through a supra-national identity in Christ.

Three significant shifts occur in each of these illustrative cases. The first is from an 'imagined community' to an 'authentic community'. The imagined community, iconically portrayed by nationalists, promised security but brought armed conflict. The authentic community, a religious faith sodality, provides a sacred space that, despite the conflict, brings inner peace and meaning.

The second significant shift is from *mythos* to *logos*, not in the classic exchange of 'story' for 'rationalism', but in the exchange of myth as 'ideology in narrative form' (Lincoln 1999: xii) for a personal narrative. This in turn finds meaningful expression in the authentic religious meta-narratives guided by the corresponding religious texts. In the religious faith sodalities a sacred space is created for the dissemination of the *logos*, for the development of unity among diversity, for the exchange of forgiveness, and for the offer of social restoration.

The third significant shift is in the nature of the conflict itself. While the religious faith sodalities bring peace in one arena, they create a tension between the leaders of the sodality and the leaders of the religious establishment. Regularly the sodality leaders are ostracised by their own institutional leadership and face derision and defamation. The dynamic in play is one in which the authentic religious voice of the sodality leader effectively counters the rhetoric of nationalist religious ideologues. Although currently small and weak, the prophetic message is recovering its voice, speaking into the ideological marketplace with authority and authenticity backed by the demonstrable evidence of the new communities. They in turn appropriate the grand narratives of Christianity and Islam, and provide people with a framework for understanding themselves in relation to God and to others, especially those who

are perceived to be hostile. The authentic religious meta-narratives present credible worldviews that equip persons in the theatre of conflict to come to terms with their own loss and apprehend meaningful expressions of identity and alterity.

Seen in contradistinction to the nationalist meta-narratives – which have brought turmoil, conflict, loss and impoverishment – the authentic religious narratives offer a legitimate means of understanding and engaging the 'other' in the discourse of life. In a fractured land where division and strife are the order of the day, ordinary persons are creating sanctuaries of dignity and trust, and are restoring wholeness of being to persons. They are extending forgiveness, experiencing healing, building peace, and shaping a new future of hope in Bosnia-Herzegovina.

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Albanian Catholic and Muslim communities in Kosovo and Macedonia

ISA BLUMI

Summary

One of the major impediments seen to fully resolving the issues pertaining to Kosovo are outside states patronizing one "religious" community at the expense of others. Sadly, seeing it in simple terms of Albanian Muslims vs. Serb Christians only distorts the dynamics of intra-communal politics, especially among Albanians, who until the 1950s, were far more religiously diverse in Kosovo. While today more than 95% of Kosovo's Albanians are "Muslims," the history of Albanian Kosovo must not erase the rich history of its Catholic population, who consisted up to 35% of Kosovo's non-Slav population as late as 1925. What would eventually happen to Kosovo's Catholic "minority" population in the post-World War II period is introduced into the conversation about Kosovo's future, shedding light onto what is slowly happening to Kosovo's Albanian Muslim population.

Introduction

Religion in the Balkans has been persistently evoked by historians and social scientists in order to explain the foundations of conflicts seemingly ubiquitous to the region. The crude assumption about religion being the primary animating factor in regional conflicts carries a particularly powerful logical pull in these studies. This provincial way of thinking about how people interact is especially

prominent in discussions on Kosovo, which is currently undergoing negotiations about its "final status". Sadly, the political motivations behind the rhetoric of permanent religious tension between peoples living in the region have remained embedded in the minds of most outside observers. The fact that civilians hold on to this image of perpetual sectarian animosity in the Balkans has not only led to a whole generation of sensationalist scholarship, but , has permeated how diplomats conduct their affairs as well.

As a result of long-standing stereotypes of Balkan communal relations, the successful resolution of local conflicts in places like Kosovo or Macedonia has been undermined. In the context of the political machinations of war and the abuse of religion by nationalist politicians is the intervention of the international community, which often approached conflict in the region with much of the same understanding of religion's role in war. In the end, United Nations (UN) and European Union (EU) operations in a region actually mobilize a person's religion to reinforce, rather than break down, the doctrinal frontiers erected by those who have abused cultural diversity in the region for their own political ambitions.

For the purposes of this collection, it is necessary to retrace how religion was used as a tool of state in order to understand the region's past and how such practices have infiltrated the state administrative bodies and communities alike in the post-Yugoslav period. The use of cultural diversity, institutional favoritism and violence to undermine the integrated nature of Kosovar religious life, in particular, has proven to be a resilient by-product of thinking about the world throughout the twentieth century that needs to be part of any analysis of religion in the Balkans today. Beyond simply studying demographic or institutional shifts, however, any meaningful discussion of how we may better appreciate both the destructive and constructive potential of religious traditions in Kosovo, Macedonia and Serbia requires a determined effort to disengage stereotypes and overly simplistic categorizations of those living in the regions discussed here.

In discussing briefly the historical legacy of Yugoslav state policy (and here the focus is on the period of Alexander Ranković, 1945–1966), such a study is not simply a matter of contextualizing a long standing process of state persecution

of religious "minorities," but serves as a method of appreciating the kinds of institutional limitations facing diverse societies desperately in need of reconciliation and bridge-building.

In order to adopt this historical approach, it is necessary to begin with recognizing Kosovo's Christian heritage, one that predates the emergence of a medieval Serbian kingdom. Kosovo's long history of political, economic and finally cultural links a firstly located in Rome, which predate by hundreds of years any relationship with the Lazar kingdom. Perhaps more relevant to this recognition of the region's long history of Christianity is the role played by Roman Catholics who preserved for centuries in Kosovo this increasingly contested link. According to census data gathered in 1917, these Catholics constituted a staggering 28% of the Albanian-speaking population. To put this into more important relief, it may be determined that perhaps a fifth of the Albanian-speaking population in southern Yugoslavia by the Second World War were not Muslim.

That today, Catholic Albanians consist of less than 5% of the Kosovar Albanian population is a striking indictment of the systematic persecution of selected religious communities from 1948 to 1966. The importance of this factor takes on even greater importance when recognizing the growing sense of responsibility the remaining members of the resident Catholic Albanians in Kosovo share in avoiding a similar fate of persecution, desecration and exile with Catholics in Albania itself. The persecution of Albanian Catholics in the Balkans created a diaspora since the Second World War that has become a central animating force to the post-Milošević era in Kosovo (while less animated in Albania), one that is largely ignored by outside observers but will increasingly prove important to appreciating both the potential for religion to serve as a soothing medicine for the past as well as a volatile mirror that could easily be turned against some of the participants in current discussions on Kosovo's final status.

The fact that a massive, economically powerful but politically comatose Catholic Albanian diaspora, with its champions in the form of Bishops Dom Lush Gjergji, Don Shan Zefi and the late Mark Sopi lends new meaning to activism and contentious politics. The secular leadership of Kosovo's Albanian population is increas-

ingly proving to be incapable of mustering a viable challenge to the demeaning and increasingly threatening conditions under which many Kosovars are being submitted. In the place of ineffective, corrupt or inept political leaders will emerge articulate and largely disengaged religio-political leaders like the Bishops to possibly turn the channels of political expediency in Kosovo into a vocal challenge to the establishment neglected for six years by the EU and international community. At stake is the possibility of any reconciliation and the implementation of an ethos of co-existence. The early examples of reaching out to the religious adversaries of Albanians, in the form of US funded Inter-Faith Cooperatives have largely failed due to Orthodox Church boycotts. Interestingly, beside this frustrating challenge to a rhetoric of interaction is a growing schism that threatens the potency of the language of reconciliation among Albanians themselves.

Aside from the deceptively important role Bishops such as Lush Gjergji will play in the future discussions of Kosovo is the other legacy of Yugoslav rule in Kosovo's Albanian population: a fragmented Muslim *umma* (community). From the 1950s, Yugoslav Minter of the Interior Ranković's strategies to centralize and indoctrinate Kosovo's population represented a crude attempt to both dilute local religious leaders' effectiveness as leaders as well as induce migration to Albania and Turkey. To succeed in harnessing Islam, Belgrade started to send large numbers of Sarajevo, Damascus, and Cairo trained Imams to Kosovo, Macedonia and Montenegro in order to educate a new generation of Kosovar Albanian subject. Part of the eventual cultivation and erection of a local branch of the *Islamika Zajednica* – the *Bashkesise Islami* [henceforth BIK] in Kosovo – has created an undercurrent of spiritual training largely in the Salafi (fundamentalist) traditions that have since 1999, become the principal antagonist for Kosovo's indigenous Muslim communities.

Recent public confrontations between Saudi educated imams like Dr. Shefqet Krasniqi, imam of the Grand Mosque of Prishtina suggest a division within the mainstream, Sunni community in Kosovo. On the other side is the byproduct of decades of Yugoslav state-making, the *Bashkimi Islami*, today led by Sabri Bajgora, who has publicly engaged (and challenged) his conservative counter-parts in

an effort to win back control of Sunni Muslim Albanians in Kosovo. The fascinating debates taking place in the Prishtina-based monthly *Java* reveals a strident, confused and growing conflict of ideological ascendancy, mirroring the larger Islamic/religious world's struggle between fundamentalism and old traditions of spiritual malleability and tolerance.

One of the issues that has recently surfaced, pits a moderate and tempered Catholic and Sufi leadership in regards to the need to keep religion out of schools, and the move by the Sunni rivals – Krasniqi and Bajgora – advocating separating children along the lines of their faith. However, many in Kosovo – including Muslims – are uneasy about these suggestions. They fear the traditionally liberal, heterogeneous values of the province will be radicalized if the Qur'an starts being taught in the classroom. Islam Hasani, a professor of sociology at the University of Prishtina told me: "I have read the curriculum that was prepared by the Islamic community and in addition to teaching students about Islam, they will also be asked to perform Islamic rituals in school." (Private conversations, 2003) Hasani's concerns were echoed by leaders of Kosovo's Catholic community. Don Nosh Gjolaj, a priest and psychologist based in Prishtina, said, "If we separate young students in different groups to learn different religions, you cannot expect religious tolerance in the future". The head of the Catholic Church in Kosovo at the time, the late Mark Sopi, added that it was not the business of schools to teach faith, "Islamic or Catholic religion can be taught in religious institutions, churches or mosques" (Private Conversations, 2002). Bajgora, who concedes that Catholic leaders have yet to give the campaign their backing, believes early religious guidance is needed now more than ever before, as drugs, alcohol and cults compete for the attention of Kosovar youth. Hasani dismisses these arguments, saying that religion should not be the only mechanism for safeguarding morality. It is all the more interesting that Kransniqi and Bajgora are at odds over the direction of religion in public institutions.

The Krasniqi and Bajgora debate is representative of Kosovar Albanians growing sense of political and cultural blindness. Lost amid all of this are the Islamic traditions so central to the distinctive Balkan Islamic traditions that provided the

foundation for Ottoman rule of this multi-ethnic, multi-faith space for hundreds of years: the Sufi orders that now only remain in rural Kosovo and Prizren. These largely indigenous traditions, linked by name to Sufi orders spread throughout the world over the last thousand years has been decimated by decades of state persecution and were especially targeted during the 1998–1999 war. Not surprisingly, they are seen by outsiders, Bishop Sopi and specialists on Balkan Islam as the quintessential Kosovar cultural/spiritual spaces out of which a viable and productive process of reconciliation based on mutual respect and assured Albanian identity can come forth. What Krasniqi and Bajgora are struggling over is the role to further undermine the rural and traditional expressions of Balkan spirituality, both extensions of outside state agendas – Saudi and the former Yugoslav respectively – that ultimately does not serve the purpose of securing inter-communal harmony.

Origins of the Doctrinal Divides in Kosovar Islam

Despite being the beneficiary of hundreds of thousands of aid dollars, much of which went to rebuild devastated buildings of the Islamic Community of Kosovo (BIK), Kosovo's Mufti wants "the Arabs" out. Such public distrust and even anger vented towards the Salafi (purist) practices of mostly Saudi citizens working in Kosovo is coming from a man who received his master's and doctoral degrees in Saudi Arabian universities. Appreciating what is going on here may help address some of the long-term threats to regional stability and better highlight the fundamental mistakes committed by the international community (IC) over the last three and half years in Kosovo.

The following will expose the sources of such tensions that originate not so much from the doctrinal principles that are being evoked by both local Muslims and the ultra-orthodox Saudi and Gulf Arab NGOs, but the questionable manner in which Western powers have compartmentalized their priorities in the region. The narrow-minded approach to Kosovo's Islamic cultural heritage has left the

essential spiritual facet to a human beings' life unaddressed by the Western-dominated administration ruling over Kosovo today. As a result of this neglect, UNMIK and their patron states have permitted Saudi-based humanitarian agencies, operating under the umbrella of the *Saudi Joint Committee for the Relief of Kosovo and Chechnya* (SJCRKC), to fill-in the vacuum.

The activities of Saudi relief agencies are not new to the West. A recent report to the Pentagon by a Rand Corporation researcher suggested that the biggest single threat to American interests and long-term security came from within the Kingdom of Saudi Arabia. The conclusion, while sensationalist in its final recommendations, based its core argument around the activities of Saudi based and often Saudi funded missionary/humanitarian aid organizations that have spread around the world since the fall of the Soviet Union. It has taken many years, but the Qur'an schools in Pakistan that produced the radical Taliban movement have finally attracted the attention of outsiders (Esposito, J. L., 1984, 212). In face of this exposure, it is therefore remarkable that nothing has been done to keep such schools from being established in Kosovo. While confused ideas of Islam among those who took over the administration of Kosovo in 1999 may have led to their deferring some tasks to faith-based organizations, the growing popular knowledge of how "radical Islam" emerged in such previously tolerant societies as Afghanistan's in the last twenty years should have immediately caused UNMIK officials to think again about the role the SJCRKC should play in Kosovo.

At issue is not necessarily "Islam," therefore, but how Western policies of "conflict resolution" have left "ethno-religious" communities (i.e. Muslims, Orthodox Christians and Catholics) at the mercy of international, "faith-based" organizations that claim to represent their best interests. It is these organizations that have shamelessly exploited the poverty and fragmented social conditions of, in our case here, rural Kosovar Albanians to effect a level of cultural hegemony over targeted communities. As a result of Western policies in Kosovo that have basically deferred addressing rural Kosovo's post 1998–1999 war social and economic needs to organizations whose basic modus operandi is the religious indoctrination of the population, much of Kosovo's rural society is being isolated from their fellow

country men and the world at large. As a result of such isolation, Kosovo's rural Muslims are increasingly vulnerable to the subsequent hostility emanating from those very Western governments who neglected to address their initial needs. Ironically, as self-proclaimed Western societies cower before the "the rise of Islamic fundamentalism," its discriminatory policies towards Kosovo's rural "Muslim" population may prove to be directly responsible for the production of Europe's own "Taliban" which in the future may indeed prove hostile to "western values and interests" (Blumi 2003c).

Throughout the Tito era, rural Kosovar Albanian Muslims resisted the centralizing efforts of Sarajevo and Sufi orders subsequently thrived. In the urban areas, on the other hand, police control and strict enforcement of "licenses" helped shut down unsanctioned mosques and medreses. In response to this persecution from Sarajevo, the orders that survived in rural Kosovo became increasingly active in addressing the centralizing efforts of Sarajevo, eventually attracting many adherents from the urban areas as well (Popović, 1985, p. 247). Informants suggest there were secret organizations that mobilized communities to help finance and protect many of these lodges over the decades. The very fact that these communities were able to survive through the Rankovic period is a suggestion of a great deal of collaboration between the institutions and their constituents. This level of rural community activism also reflects the central role these Sufi orders played in the daily lives of most of Kosovo's Albanians, a role Belgrade was desperate to eliminate. Among the many examples throughout the twentieth century, some Serb journalists were particularly disgusted by the policy and reported to their readers in Serbia what was actually happening in Kosovo after 1912 as revealed in a report provided by a Serb journalist who explored a particularly bloody episode of repression by Belgrade (Bulatović, 1988, pp. 91–93).

With the shifts of political power in Yugoslavia during the last constitutional phase in 1974, these underground networks surfaced as the association of Sufi (Dervish) orders (*Bashkësia e Rradhëve Dervishe Islame Alijje*, henceforth BRDIA) which was headed by Shaykh Xhemali Shehu of the Rufai tekke based in Prizren. The BRDIA, vilified by the Islamic leaders based in Sarajevo, quickly became a

cultural force in Kosovo's public life as locals flocked to these Albanian institutions. BRDIA's publication, *Buletin HU,* an invaluable source for the organization's many efforts to untangle the disastrous and largely divisive practices of the previous twenty-five years, also helped spread the message to tens of thousands of readers in urban Kosovo. By 1984, 126 Sufi lodges throughout Kosovo joined BRDIA, representing 50,000 dervishes, which in 1998, according to a Serb sociologist based in Prishtina until 1999, reached, according to some researchers, an unlikely membership of 100,000 (Djurić, 1998, p. 107). These numbers, while speculative, nevertheless give us a sense of the vastness of this phenomenon and the richness of pre-1998–1999 Kosovar Islamic life. Indicative of the concerns held by the state, among the orders that operated in Kosovo until the mid-1990s – the Rufai, Kaderi, Halveti, Sadi, Bektashi, Nakshibendi, Sinani, Mevlevi and Shazili – all were deemed "unIslamic" by Sarajevo.[1]

Again, the influence of these orders on local communities was large and thus feared by Belgrade and Sarajevo. Importantly, this influence was also seen as a threat by the now Kosovo-based BIK that was created in the 1960s to serve as an extension of Sarajevo. Throughout the 1970s and 1980s, members of the BIK, including Sharifi Ahmeti openly accused local Sufi *shaykhs* of "stealing" the faithful away from Sunni orthodox mosques and aggressively stigmatized the tekkes in the mainstream press as venues of mysticism and primitivism (*Glasnik Vrhovnog Islamskog Starjesinstva*, 1979, pp. 283–287). Importantly, the efforts to dilute the influence of the Sufi orders had political consequences both inside and outside of Kosovo. It was clear throughout the post World War II period that Sarajevo's central function was to sanitize the Kosovar Albanian population, which as a whole was seen as a threat by Belgrade (Bataković, 1992). Sarajevo thus openly condemned Kosovo's Sufi *shaykhs* as threats to "harmony" as well as to Islamic good practices (*Glasnik Vrhovnog Islamskog Starjesinstva*, 1975, p. 296). By March 1979, when the Islamic Community organized a meeting to deal with the "problem," even openly

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1   *Buletin* HU (1978) vol. 2, 6.

nationalist Serb journalists got into the act of attacking Albanian Sufi orders by making accusations of drunkenness, thievery, "unpatriotic behavior," primitiveness and other slurs. In fact, the entire meeting and its contents are covered in the special issue of *Glasnik Vrhovnog Islamskog Starjesinstva*, (no. 3, 1979). The subsequent campaign in Serbia's media to stigmatize Albanian Sufi's as the primary problem to the region, clearly linked the long history of Sarajevo's attempt to eliminate Kosovo's religious diversity to the lingering nationalist concerns of many in Belgrade.

Again, the source of the fear was the Sufi orders' organizing role in rural Kosovar society. Sufi *shaykhs* traditionally played the roles of intermediaries in rural communities whenever a dispute arose. Their central spiritual role extended, in other words, to a socio-political one that was deemed essential for the functioning of rural Kosovar society, largely isolated from the rest of Yugoslavia. This role posed a long-term threat to Belgrade's attempts to assert more control over rural Kosovo. Here lies the crux of Kosovo's long history of local governance and self-reliance. It did not only reside in the structures claimed by the LDK, but in the spiritual networks maintained by the Sufi orders (Djurić 1998, p. 109).

It was for the noted influence of Sufi *shaykhs* and their tekkes on rural society that the war of 1998–1999 took on the "anti-Islamic" undertones that it did. Sufi orders that had for centuries constituted the foundation for Kosovar-Albanian society that was specifically targeted. At the height of the 1998–1999 Serb sweep of Kosovo, it was the Sufi orders, their hundreds of years' old mosques, medreses and even the *shaykhs* themselves who were eliminated. It was clear that Milosevic, Šešlj and the Serbian nationalist elite were keen on forever eliminating the Sufi communities in Kosovo as it was they who helped maintain rural Kosovar society. At the very beginning of the offensive in July 1998, for example, Belgrade's primary targets were the leaders of the Sufi orders. Shaykh Mujedin, an important leader of the Dervish community and *shaykh* of the Halveti tekke in Rahovac was murdered by Serb police while praying. Mujedin's death marked the beginning of the end of the Sufi's six hundred year history in Kosovo, and like so much else

of the Albanian heritage, the postwar realities has all but assured that they will never come back (Amnesty International 1998, pp. 4–6).

This eradication of such a fundamental element of rural Kosovo is a possible source for the instability in Kosovo's rural communities today. The "religious establishment" of Kosovo since the war is largely distorted by the physical elimination of much of rural Kosovo's historical spiritual base. That this spiritual tradition was far more tolerant of cultural diversity and shared many notions of inter-sectarian cohabitation than the Islam as propagated by the Saudi-based humanitarian agencies trying to dominate Kosovo's spiritual life today gives Western policy-makers all the more reason to be concerned. In the devastation brought on rural Kosovo, little has been done by the IC to address these spiritual voids resulting in long-term problems for the region.

Ironically, at a time when the local Sunni elite, as identified by Rexhep Boja and Sabri Bajgora, could fill in this void, the BIK itself has little of the material resources needed to help rebuild a religious and educational infrastructure. The Saudi-based aid agencies, on the other hand, are more than suitably equipped. Instructively, the efficiency in which the SJCRKC has gone about filling in this void hints at a sophisticated and global agenda something akin to a multinational cooperation seeking a dominant market share. It is reported in their website that the SJCRKC spent four million Saudi Riyals (about $500,000) to sponsor 388 religious "propagators" (i.e., missionaries) to travel throughout Kosovo in the immediate post war period. What these (what I would call experts in the assessment of post conflict situations) did was identify the communities most likely to be receptive to their "assistance." Based on their survey of rural Kosovo, we today have an elaborate and well-coordinated network of Wahhabi-controlled rural communities whose only connection to the outside world is through Saudi-based NGOs.

> The subsequent monopolization of aid to these desperately poor and devastated communities, many of which no longer have adult male members, is paying long-term dividends to Saudi interests. But are Saudi interests the same as Kosovar interests? It is suggested here that they are not. The central issue to investigate in full below, therefore, is the

way in which Saudi Wahhabism is rapidly changing Kosovar society. It should be noted that in many ways, Saudi organizations permitted to operate in Kosovo by the IC without much supervision, has displayed the same institutional intolerance towards Kosovo's religious traditions as Belgrade's *Islamska Zajednica* in the 1945–1991 period. That the last of Kosovo's religious heritage is literally being bulldozed over by an organization that has similar hegemonic ambitions as their Yugoslav counterparts should prove to be a sorry indictment of the IC and Europe's strategic miscalculations and virulent anti-Muslim sentiments.

Albania: A Model for Kosovo?

Interestingly for Albania proper, events appeared to be going in the direction Kosovo is taking immediately after the fall of the Communist regime. Much as they are doing now in Kosovo, representatives from Iran and Saudi Arabia rushed to the impoverished Albania in 1991 in the hope of indoctrinating what was seen as a vulnerable population. Armed with assistance packages and often unstated, long-term intentions of redirecting young Albanians to a particular brand of Islamic practice, then President Sali Berisha openly welcomed these organizations, hoping for an economic windfall from the wealthy oil producing countries on the Arabian Peninsula and Iran.

The results from this virtual invasion of Muslim (and Christian) charities were immediate in Albania. According to a study conducted in the two universities of Tirana in 1994, three-fourths of the students asked stated they believed in God while only one-forth of the professors who were instructing them claimed to be believers (Blumi 2001). This "rebirth" of faith may have reflected a rebirth in religious institutions and a surge of attendance to religious-based schools that followed the 1990 opening of the country to foreign donors. A consequence of this invasion, however, is not necessarily a rigid orthodoxy. Interestingly, largely as a consequence of the perception that Albanians were in need of religious

reintegration, the region has been a point of intense rivalry between competing "Islamic" traditions in the very schools built for religious indoctrination.

The best example of this may again be found in Albania with the emergence of a Turkish charity group that has monopolized the education of urban Albanian Muslims since the early 1990s. A self-made maverick named Fethullah Gülen (1938-) and his vast economic, pedagogical and spiritual empire has been very successful in exporting his "Turkish" type of Islam to Albania. Gülen's "secular" private schools, *dershanes,* have emerged throughout Albania since 1991, serving as an effective counter weight to more radical Arab organizations filtering into the country at the time (Balci, 2002). From the very beginning, generous scholarship programs to poor families, a world-class English language education and promises of a university education in Turkey attracted thousands to these schools. While the message of these schools is strongly religious, former students confirm that Gülen's message is decidedly more "liberal" than his more orthodox rivals from the Arab world. This is supported in Gülen's writings and pronouncements, which suggests "Arab" literalism (better known as Wahhabism) is not the Islam of the modern era and is openly condemned in his schools. This challenge to Wahhabi values is clearly playing an important role in how Islam is reintegrated into the lives of Albanians in Albania and has more or less rendered Arab funded schools marginal. As a result of this failure to have an impact on Albania, Arab charities have redirected their money and attention to Kosovo since 1999. The difference between Kosovo and Albania may be that while Gulf Arab organizations have been dominant in Kosovo, Gülen's charity has built only one school in all of Kosovo.

It is important, therefore, to stress that Albanians are not destined to take the "Taliban" route as is suggested to be occurring in many communities in Kosovo today. Indeed, it appears Muslims in Albania have successfully thwarted the penetration of Wahhabi extremism in their communities by openly accepting a far more "liberal" brand of Islam imported from Turkey or attending the many other secular and "Christian" schools built in the country. Unlike rural Kosovo today, parents in Albania had a wide range of choices to send their children for an education and more important still, there was no single source of much desired

material assistance. This variety proves key. Armed with doctrinal and sectarian alternatives, local Muslims in the Albanian-speaking regions of the Balkans prove, when given a choice, effective in staving off the indoctrinating efforts of outside interests.

Conclusion

This brief report sought to expose the questionable manner in which Western powers have compartmentalized their priorities in the region and how Saudi-based humanitarian agencies have filled-in the vacuum. At issue is how Western policies of "conflict resolution" have left "ethno-religious" communities (i.e. Muslims, Orthodox Christians and Catholics) at the mercy of international, "faith-based" organizations that in turn, shamelessly exploit the poverty and fragmented social conditions of, in our case here, Albanians. As a result of the successful penetration of these communities by faith-based organizations, Kosovo's Muslims are increasingly vulnerable to the subsequent hostility emanating from those very Western governments who neglected to address their initial needs. Ironically, as self-proclaimed Western societies cower before the "the rise of Islamic fundamentalism," its discriminatory policies towards Kosovo's rural "Muslim" population may prove to be directly responsible for the production of Europe's own "Taliban" which in the future may indeed prove hostile to "western values and interests." This message should not only serve as an invitation for an immediate reversal of policies in Kosovo in respect to funding rural development, but also as a warning to the international community preparing to intervene in Iraq.

That said, the paint on the canvas has yet to dry. Indeed, throughout the history of Islam in the Balkans, Albanians have demonstrated a wide range of proclivities. Kosovar Albanians are not destined to be the next Taliban. As I stated in a lecture given to the Woodrow Wilson Center last November on this topic, it is ironic that it was the Albanian Muhammad Ali, governor of Egypt, who crushed the Wahhabi uprising in Arabia in the 1840s. It is ironic in as much that today, it

is Albanians who are under siege from the very sentiments that had been halted by Albanian troops in the 1840s. While many in Kosovo, like those in Albania, continue to resist the sectarian implications of the religious activities of various "charity" organizations, others concede that the arrival of these proselytizing organizations are creating internal conflicts as people are drawn by promises of money, jobs, education and indeed a new identity. Unless immediate attention is paid to providing an alternative for rural communities in Kosovo, the spectacle of outside powers manipulating internal sectarian differences, as in Lebanon in the 1970s and 1980s and among Afghan refugees in Pakistan, is a distinct possibility. It would be yet another tragic demonstration of western shortsightedness that its failure to provide a few million dollars to rebuild the lives of hundreds of thousands of human beings would result in decades of conflict and instability. The economic stinginess and the cultural chauvinism that produces this neglect may come back to haunt Europe, ending any illusion that things have been made right in the Balkans over the last three years.

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Muslim NGOs in Austria and Public Awareness Building – An Approach towards Civil Society Dialogue: Participation vs. Integration[1]

KERSTIN TOMENENDAL

Keywords: Islam in Austria, Muslims in Austria, inter-religious dialogue, migration politics, civil society dialogue, Ramadan, Muslim space, Muslim leadership

Summary

This paper deals with selected Austrian NGOs of Muslim background and their concerns as transmitters of knowledge in the context of Austrian civil society with regard to overcoming prejudices and changing stereotypes and images on Muslims and Islam in the EU-member state Austria. Since 2004, there has been an intensified debate in Europe about whether Turkey should join the EU or not. While on the one hand, Austria can act as a model to other European states in regard to how Austria deals with Islam (Islam is recognized as a religion with public status in Austria since 1912, Islam is taught as a subject at public schools, an Islamic High School has existed since 1999

as well as an Islamic Religious Pedagogic Academy founded in 1998 and a Faculty of Islamic Theology is being opened at Vienna University during the coming teaching year 2006/2007), on the other hand, more than 70% of the Austrian population oppose Turkey's bid to join the EU due to deep-rooted fears and prejudices against Turks and Islam. Political parties are exploiting emotions for domestic political purposes. Because Islam is officially recognized in Austria, its community is well organized and represented by the Islamische Glaubensgemeinschaft (IGGiÖ; Islamic Faith Community in Austria), although this covers a quite heterogeneous group (40% Turks, 30% Bosnians, 15% Arabs from Syria and Egypt, with the remaining 15% coming from various parts of the world). In this paper, a special focus will be laid on Ramadan activities of selected Muslim and inter-religious NGOs and their impact on Austrians based on the assumption that religion and identity play important roles in today's civil society.

This paper is based on research on NGOs with Muslim background in Austria within the framework of civil society research conducted in Austria during October 2005 till October 2006 on behalf of the Austrian Turkish Forum of Sciences (OTW, cf. http://www.otw.co.at) for the Austrian Research Association (Österreichische Forschungsgemeinschaft, http://www.oefg.at) under the title "Die Rolle von NGOs mit muslimischem bzw. interreligiösem Hintergrund bei der Imagebildung von Muslimen in der österreichischen Öffentlichkeit während des Fastenmonats Ramadan".2

This implies that only those NGOs were preliminarily chosen as case studies which can be defined as "religious orientated" organizations – as, of course, not all NGOs with a migrant background are founded with this aim, there are also organizations concentrating on integration, on social and humanitarian aspects such as emphasizing on language acquisition, parents' associations, ethnic organizations concentrating on the maintenance of culture and traditions of the country of origin as well as sports, women's and youth organizations, politically

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2   This study was conducted by Dr. Valeria Heuberger, Dr. Sena Doğan and myself as project director.

orientated NGOs that are often focusing on the political situation of the sending country and not on the situation in Austria, and so forth.[3]

In order to conduct research on Muslim NGOs in Austria nationwide and their activities in order to approach Austrian citizens *per se,* since on the one hand, after 9/11 Islam is of increasing public interest worldwide, and on the other hand, Islam is the fastest growing religious community in Austria, we decided to focus on Ramadan activities in Austria in the year 2005, for several reasons: the Islamic month Ramadan not only plays a central role in the religious activities of Muslim individuals and Muslim communities, but also contents a high cultural means in terms of identity building and socializing with the Muslim and also non-Muslim community, and – regarding research, grants a limited time of observation – 29 resp. 30 days – and last but not least, also Austrian non-Muslims have at least a basic understanding of the term "Ramadan", are familiar with this religious feast, and what is going on in the Muslim religious world in that period of time, though an Austrian citizen generally speaking would not exactly know when Ramadan takes place due to the changes of the Islamic lunar calendar causing this month to shift 10 resp. 11 days every solar year.

In the year of observation 2005 (October 4 – November 5, including the three days of ꜥīd al-fiṭr (Arabic), or *şeker bayramı* (Turkish) in the month of Šawwāl), a manifold of Muslim NGOs organized activities that also tried to reach non-Muslim Austrians.

When selecting nine NGOs as case studies, we tried to give a representative picture of the heterogeneous situation of Islam in Austria, since the majority – of the 339.000[4] Muslims living in Austria according to population census in 2001

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3   A good overview of migrant organizations of all types and ethnic background in Vienna give Waldrauch H, Sohler, K (2004) Migrantenorganisationen in der Großstadt. Entstehung, Strukturen und Aktivitäten am Beispiel Wien. (=Wohlfahrtspolitik und Sozialforschung; vol. 14). Campus Verlag, Frankfurt – New York.

4   According to a personal information provided by the Islamische Glaubensgemeinschaft in Austria (Islamic Faith Community in Austria [my translation, since there does not seem to exist an official English term for this institution], IGGiÖ (www.derislam.at)) in August 2006,

(cf. http://www.vzaustriaweb.pdf) – come from Turkey (around 45%), followed by Bosnians (around 30%), Muslims from various Arabic countries, but primarily from Egypt and Syria (around 15%) and Muslims from diverse other countries such as the Indian subcontinent, Indonesia, Black Africa and so forth. Furthermore, the selected NGOs had to represent the various spectrums of "traditional" Islam (i.e. mosque associations), "conscious" Islam (i.e. educational establishment, charitable organization, women's organization, and youth association), organization with inter-religious character as well as religious brotherhoods, and the so called ce-maats. Additionally, the chosen associations had to be open to the public, had to organize activities during the month of Ramadan as well as provide activities during the year in terms of intermediarity.

In a Europe-wide context, Austria's approach towards Islam is noted for its model character. There is a long tradition of dealing with Islam due to Austria-Hungary's historical encounter with Bosnia-Herzegovina and also as a neighbor of the Ottoman Empire and thus Austria possesses considerable expertise in oriental studies. The form of approach followed in Austria also conforms to the socio-political demands of the Muslims and so proves more promising than just tolerating the Muslims as such (Potz, 2005: 3).

1.   Islam in the Public Sphere in Austria – Creating and Providing "Muslim Space"

Muslims in Austria live in the "religious field"[5] of a non-Muslim majority society. The heterogeneity of Muslims does not only exist due to different ethnic background, but also due to their attitude towards religion, which varies between liberals and

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the number of Muslims living in Austria is now around 400.000 which makes this community more numerous than the Protestants.

5   In this context, we are following Pierre Bourdieu's theoretical approach towards fields: Bourdieu P (2000), Das religiöse Feld. Texte zur Ökonomie des Heilsgeschehens. Hrsg. von Stephan Egger, Andreas Pfeuffer und Franz Schultheis. Aus dem Französischen von Andreas

conservatives as well as in betweens. Reiser talks in this context of four different groups of Muslims in Diaspora: (1) political activists who have an increased political awareness and who are systematically engaged in an organization; (2) practicing Muslims; (3) Muslims with an incoherent relation towards the mosque; and (4) Muslims with only a nominal commitment to Islam (Reiser, 2000: 58).

Additionally, in migration a so called *"Islamization of the Self"*[6] is taking place. Not only the factor that an individual is practicing his/her religion plays a role in this but also how he/she is practicing it, emphasizing the quest for "true" Islam (Kroissenbrunner, 2001: 52).

In Austria, the image of Islam is a rather negative one, and there is also a rather negative mindset among Austrians towards mosques as visual symbol of Islam in Austria's landscape. Some of the mosque associations try to overcome this stereotype by opening mosques to the Austrian public, thus demonstrating that there is nothing to fear and trying to further neighborly relations with non-Muslim neighbors (Heine, 2005: 105) and in getting involved in inter-religious dialogue with the respective community's churches.

As for daily life, Muslims have created a "Muslim Space" (Kroissenbrunner, 2001: 79)[7] in order to practice their religion in creating an infrastructure which not only provides space for prayer but also space for appropriate food and education. In Vienna at least, there are special Islamic private kindergartens, schools and vocational schools subject to public law and a Department of Islamic Theology is being established at Vienna University.[8]

There is space too given over for Muslim graveyards and slaughterhouses.

Pfeuffer (= Klassische und zeitgenössische Texte der französischsprachigen Humanwissen-schaften; Bd. 11). Konstanz.

6 "Islamisierung des Selbst" is a term originally used by Schiffauer W (1988) Migration and Religiousness. In: Gerholm T, Lithman, YG (eds.) The new Islamic Presence in Western Europe. New York, pp 146–158

7 In her definition, Kroissenbrunner follows Metcalf, BD (1996) New Medinas. The Tablighi Jama'at in America and Europe. Making Muslim Space in North America and Europe. Edited by Barbara D. Metcalf, Berkeley.

8 In the school year 2003/2004, Islamic religious education was conducted in Austria at 1.716 compulsory schools for 31.890 pupils by 279 teachers as well as at 191 secondary and voca-

Conflicts between Muslims and non-Muslims occur not only in schools (Strobl, 2006: 203), but also when new mosques are to be built with minarets and their acoustic irradiation (i.e. the call for prayer). Other sources of friction include religious clothing (i.e. headscarf), special religious traditions like the slaughtering of animals at the religious feast of ᶜīd al-kabīr/Kurban Bayramı, as is mentioned by Rohe in his much discussed executive summary on migrants in Austria (Rohe, 2006: 8, 46).

Thus, the aim of this research study was to study how and what Muslim NGOs do in order to overcome superstitions and stereotypes against Islam.

2.   The Role of NGOs as Transmitters of Knowledge and the Status of Religion within the Context of Civil Society Dialogue

As the classic prototype of organized private interests relying on unpaid commitment and voluntary work across a broad and colorful spectrum (Richter, 2000: 152–153), NGOs communicate and act as intermediaries between different parts of societies. In Austria, we can speak of a rich tradition regarding NGOs, with around 6000 being established every year, compared to around 3000 closing down. For the year 2000, there were a total number of almost 100.000 non-profit associations across Austria as a whole. (Zapotoczky, 2000: 175).

Muslim and inter-religious NGOs play a role as mediators between individuals, systems, political realities and – as is the case in this study – religious claims. On the other hand, NGOs are a "window of opportunity" for migrants who do not hold Austrian citizenship, since non-Austrians can also be members and founders of NGOs: "citizens' involvement" thus provides a good opportunity to migrants as individuals and as groups to be active and participate in the formation of society and not only be objects of efforts towards integration (Gritz-Wolf M, Strümpel C,

tional schools for 4.400 pupils by 52 instructors. In the following year, the number of students was increased to 40.000 in total, the number is still increasing. Cf. Potz, 2005: 8.

2003: 23). Up to now only a limited number of research has been conducted on migrant citizens' involvement in Austria which also indicates that this topic so far has not been of interest to researchers.[9] Furthermore, Muslim migrants to Europe were regarded as migrant laborers only, not taking into account their religious and cultural needs within a non-Muslim majority society (Kandel, 2002: 146).

Religiosity is – generally speaking – a fundamental resource in the context of citizens' involvement, since activity of all types of organizations increases together with a rise in religiosity. Additionally, religion-orientated persons are most frequently engaged in the informal private sector where personal contacts are of pivotal importance (Ulram, 2000: 146–148). A lot of religion-orientated associations were founded, particularly in the postwar period, with a confessional background in youth- and grown-up organizations (Zapotoczky, 2000: 175).

This also may be seen in the context of the growth of migrant communities, whose members generally come together in form of an organization as a result of a common faith which is also deeply connected and interweaved with social and cultural factors. This aspect has an outstanding significance for migrants since their practice of religion goes hand in hand with social, societal and cultural aspects (Waldrauch & Sohler, 2004: 658). In the nationwide process of strengthening confessionally-oriented forms of associations – which may also be observed inside the majority society – those of Christian background hold the highest quota, but are followed by Muslim organizations established by migrants, usually of Turkish origin. Migrants' associations, i.e. organizations with a religious character as well as folklore and sporting associations, occupy a central place in the interests of migrants. Turkish NGOs especially tend to have a religious orientation (Waldrauch & Sohler, 2004: 670–671).

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9   The number of research on that topic is increasing, though. In this context, I would like to mention: Nationaler Kontaktpunkt Österreich im Europäischen Migrationsnetzwerk (2004) Der Einfluss von Immigration auf die österreichische Gesellschaft. Österreichischer Beitrag im Rahmen der europaweiten Pilotstudie "The Impact of Immigration on Europe's Societies", Wien. Also, there is an increasing interest to write Masters Theses and dissertations in that area from a manifold of disciplines within the social sciences and humanities.

3.   Religion as Resource of Civil Society Activities

An important aspect lies in the meaning of inter-religious dialogue for civil society resp. "civil religion (Zivilreligion)". NGOs as supporting level of civil society have a strong interest in inter-religious dialogue. Regarding the civil-religious aspect of inter-religious dialogue, which is conducted also with Islam since the Second Vatican Council, it is a valuable medium in order to find points of contact for new forms of civil-religious practice (Arani, 2005: 90). Not only integration, but moreover participation is the aim of Muslims living in Europe, speaking about the case of Austria, they are "Austrian citizens with Islamic faith". This is confirmed by the case studies examined here.

Religion and civil society are rather ambivalent terms: while religion and religious affiliation can be a positive, fruitful element for the creation and consolidation of civil society (tasks), on the other hand they can also produce negative consequences, especially when one religion enjoys a position of state-recognized domination in socio-political surroundings. This consideration has even gained saliency since 2004 linked to the issue of whether European Union accession negotiations should be started or not with Turkey. One of the arguments against Turkey's accession to the Union was that it was part of an Islamic cultural and religious zone which could not be included in the Christian environment of Europe. (Tomenendal K, Doğan S, Heuberger V, 2007: 50).

4.   Conclusion

Ramadan 2005 became of additional interest since in that period of time, political events took place that had a direct connection to Muslims living in Austria: On the one hand, in a wider frame, there was discussion about Turkey's EU accession. In a narrower framework, there were elections for the Vienna municipal council. In this context, Islam as well as migration were made a subject of populist discussion by one of the political parties taking part. The Islamic Faith Community in Austria

(IGGiÖ) saw the tactics of this party as an assault on the peaceful coexistence of various religious and cultural backgrounds in cosmopolitan Vienna, according to the IGGiÖ (www.kurier.at 14.10.2005). In a local context – but with nationwide attention, there were arguments about the planning permission of a minaret in the Tyrol, Telfs. In this context, we were also confronted by another form of citizens' involvement: the inhabitants of Telfs were establishing an action group in order to proceed against the construction of such a minaret.

Our nine case studies confirm through their various and different activities that organizations of this type contribute to the image of Muslims with the general public. The activities ranged widely. They included the erection of Ramadan tents in the inner cities of Vienna, Graz and Hall in the Tyrol where passing-by Austrians were invited to join in the fast-breaking activities. The visitors were thus informed about Muslim traditions and customs. In another case little snack packs were distributed at Innsbruck central station or students at University were invited to a fast-breaking meal in the Mensa (Der Friede). Other NGOs invited selected Austrian opinion leaders as multipliers for the Austrian general public (Forum Muslimische Frauen Österreich; Verein Solmit; Schura-Moschee). Yet other NGOs were more directed towards the internal Muslim community which must also now be regarded as part of Austrian society, since the second and third generations mostly already possess Austrian citizenship and regard themselves as Austrian Muslims/Muslim Austrians (e.g. Muslimische Jugend Österreichs; Carima). Another organization (Telfs ATIB) used its Ramadan tent, which was set up on the association's private property, to inform non-Muslim inhabitants about Islam in general. These nine case studies all show eagerness to participate in Austria's life and to change the one-dimensional understanding of Islam in the Austrian public.

There is an increasing number of Muslim NGOs that do face active take up this responsibility and which inform the public about their activities and even integrate themselves within the Austrian public. Migrant associations of this kind are not satisfied with maintaining their cultural and religious *status quo* but want to inform the rest of society about their faith and their culture as could be seen

with Ramadan activities as celebrating together helped to reduce tensions and encourage tolerant co-operation.

5.   Annex – short description of selected NGOs as case studies[10]

a. **ATIB Telfs**, Tyrol (http://www.atib.at; monolingual homepage in Turkish)
Motivation: keeping and maintaining of Turkish identity in Austria, informing the Austrian public, getting involved in inter-religious dialogue

This association became a member of the umbrella association ATIB (now consisting of 52 members) in 1995/6 and represents an ethic Turkish NGO that is organized as a so called "Moscheenverein" (mosque association) representing the secularist interpretation of Islam by the Republic of Turkey. Thus, one of the aims of ATIB is to oppose to political Islam outside of Turkey and its accompanying dangers (Reiser, 2000: 187). The reason for choosing ATIB as a case study was the then on-going debate and nation-wide public discussion of whether or not a minaret could/should be added to an existing mosque in Telfs (cf. e.g. www.diepresse.com "Minarett entzweit Telfs 8.11.05 Michael Lohmeyer). ATIB as an umbrella organization also has some disagreements with the official representative of Islam in Austria, the *Islamische Glaubensgemeinschaft.*

ATIB takes an active interest in inter-religious activities as is also laid down in its statues and does so rather successfully. As in the case of Telfs, the local association sponsored a Christmas Angel for the local community and works intensively with the district council offices as well as participating in local politics. It thus seems well integrated into the community network. During Ramadan 2005, ATIB organized an Iftar tent which stood open for non-Muslims as well where visitors were exposed to Islamic rituals and a question& answer session was held on the

10   Detailed descriptions on the chosen associations can be found in the study report.

significance of a minaret for Muslims. ATIB is also involved in internal community religious dialogue, something of pivotal importance since the Turkish community was deeply divided in the past decades because of internal political differences in Turkey (Reiser, 2000: 58; Waldrauch – Sohler 2004: 244).

> b. **Carima**, Vienna
> (Caritativ Miteinander; http://www.carima.at; monolingual homepage in German)
> Motivation: creating and structuring Muslim caritative activities in Austria

This newly founded association (2005) has a mainly Muslim character and is open to various ethnic backgrounds although most of its members are so far Turkish. Target groups cover Muslim youth as well as socially active non-Muslims. The association also aims at introducing Muslims to voluntary work in Austria and collaborating with already existing traditional establishments like the Red Cross. This association is in good contact with the Islamische Glaubensgemeinschaft in Austria. Its founders are mostly members of the second and third generations.

> c. **Džemat-i Nur,** Linz, Upper Austria (no homepage)
> Motivation: positioning of Bosnian Muslims in Austria, maintaining Bosnian identity and culture in Austria; image building

This association was founded in 1991/92 and represents an ethical Bosnian association in the framework of this research. When a new Imam came to this mosque association which is closely linked to the *Nurcu* brotherhood (cf. Yavuz, 2004; Zürcher, 2004: 193), a lot of new activities were established. This NGO wants to reach out to well educated Bosnians as well as aims at cooperation with other Muslim associations. As it works closely together with Plattform Islam, the Džemat-i Nur also has direct access to the city hall of Linz and a joint *bayram* feast which is organized in cooperation with it.

d. **Forum Muslimische Frauen Österreich** Vienna (http:// www.derislam.at)
Motivation: Dismantle Islamophobia in Austria, networking of women, presence
and participation of Muslim women in the Austrian public at all levels

This association, founded in 2004, is a multi-ethic, multinational women's organization which thus represents the heterogeneous situation of Islam in Austria and aims at becoming an umbrella organization in the field of women's organizations. Its target groups are women and other women's group. It is strongly committed to, and involved in, inter-religious and feminist dialogue. Target groups of this NGO are female opinion leaders of the Austrian society from different areas and the internal Muslim community. The association regards itself as an active platform for Muslim women who live in Austria and wish to participate at all levels, since their centre of life is in Austria, and Europe and they wish to engage in politics as well as all aspects of daily life. There is a strong wish to communicate with the Austrian public in regard with the integration of Muslims in Austria and at the same time to take steps against any kind of discrimination, taking the place of Muslim women in public space into account (cf. also Nökel, 2005: 287 who is conducting research on Muslim women of the second generation in Germany).

e. **Friede-Institut für Dialog**, Vienna, the Tyrol, Styria
(http://www.derfriede.at)
Motivation: (inter-religious) dialogue and international understanding, peace relating to society as a whole

This association was founded in Vienna in 2002 and follows the teachings of Fetullah Gülen (for details of his movement which is ideologically derived from the *Nurcu* movement, cf. e.g. Kurz 2005, Aras, Çaha 2000). A branch was founded in Innsbruck in 2005. Another new branch is to be established at Graz in the near future. The members of this association can be described as "Muslim thinkers and

intellectuals" (Kroissenbrunner, 2001: 59), as they are mostly academicians and/or experts of various disciplines who are not only knowledgeable with regard to the Qur'an but also the Old and New Testament. The Friede-Institut represents an association committed to inter-religious/inter-cultural dialogue which describes itself as an inter-religious NGO with a strong Islamic-Turkish identity, although there are also non-Muslim Austrian as well as Jewish members. The association has an educational function regarding inter-religious dialogue both between Muslims, and also nationally. When inviting people to Ramadan activities, there are different focus groups: Austrian passer-bys for the Iftar tent, special Iftar invitations for opinion leaders in Austria in luxury hotels, Iftar invitations at the Mensa (university canteen) of Innsbruck University, special press conferences and so forth.

f. **Gesellschaft für die Zusammenkunft der Kulturen** (Schura Moschee), Vienna (http://islamiculture.org / http://www.adnanibrahim.net; monolingual: Arabic)
Motivation: participation and integration; Muslim leadership, inner-Muslim contacts as well as image building in Austria, mediation in conflict situations between Muslims and Christians

This mosque association represents an NGO of persons from various Arabic backgrounds founded in 2002. It is closely linked to the Islamische Glaubensgemeinschaft and works together with a variety of other Muslim NGOS. It operates at a political level and is directed in its actions towards the Austrian public. Its Imam enjoys world-wide renown for his expertise on Qur'an, Tafsir literature and Hadiths.

g. **Muslimische Jugend Österreichs (MJÖ)**, Austria-wide (http://www.mjoe.at, monolingual: German)
Motivation: identity building as Muslim Austrians / Austrian Muslims, transnational networks. mass organizations with broad effect.

This transnational multi-ethical association has its origins in Linz, Upper Austria in 1996 and is now active across Austria. The NGO wants to reach Muslim youth. Since its members belong to the second and third generation as well as Muslim converts, German is used as its lingua franca. It functions as an inner-Muslim youth umbrella organization. Its members seek acceptance as part of Austrian society.

h. **Plattform Islam** Upper Austria, Linz (www.plattform-islam.org, monolingual: German)Motivation: inner-Muslim networking, inter-religious and inter-cultural integration, mediation in conflict situations between Muslims and Christians

This multi-ethnic association was founded in 1998 because of an ongoing conflict around a mosque in Traun, Upper Austria. It does not want to be regarded as an umbrella organization, but definitely wants to be regarded as a link between Muslims and Austrians in means of inter-religious dialogue but it is also interested in furthering dialogue between Muslims. The *Plattform Islam* has established good working relations with the city hall and the church and is involved in educational tasks at the local schools.

i. **SOLMIT**, Vienna (Solidarisch Miteinander; http://www.igwien.com; monolingual German)Motivation: possibility of a Muslim education in Austria for the Muslim youth, image building of the school

This association was founded as a support organization when the Islamic High School in Vienna opened its gates in 1999. This multi-ethnic organization has close contacts with Milli Görüş and the Islamische Glaubensgesellschaft. Most of the members of this NGO work as teachers in this high school. It aims at furthering Muslim self-esteem in Austria.

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Unity in Diversity: The Ecumenical Movement. A Significant Impulse for Europe, Seen from the Perspective of the Pro Oriente Foundation

JOHANN MARTE

Summary

In Strasbourg on April 22, 2001 the Council of European Bishops' Conferences (CCEE) and the Conference of European Churches (CEC) signed the "Charta Oecumenica". This charter describes the guidelines for the growing cooperation among the Churches in Europe, by which the Churches agree to build Europe together in common responsibility and to serve the cause of reconciliation among peoples and cultures of Europe. One of the most important preconditions for this document was the Decree "Unitatis Redintegratio", adopted by Vatican II in 1964 which opened the door of the Roman Catholic Church to the other Christian denominations and since then promoted the unity of Christians in reconciled diversity. It is not a coincidence that the principle "Unity in Diversity" is also the motto of Uniting Europe. The common values of the Christian denominations could be an important spiritual and moral momentum for the European integration. The market and other material factors will not be enough to create the desired European identity and a sustainable solidarity among the European peoples.

The PRO ORIENTE Foundation, erected by the late Viennese Archbishop Cardinal Franz König in 1964, since that time has built bridges to the Orthodox Churches of Eastern and South-Eastern Europe in numerous ways, by means of which it made a significant and inestimable contribution to the success of the European integration

process. The Orthodox Churches of Eastern and South-Eastern Europe could and should commit themselves even more to the building of Europe as their countries enter the European Union.

The Perspective of the Pro Oriente Foundation on Ecumenical Movement is closely linked to Franz Cardinal König, the former Archbishop of Vienna, who was called the "bridge-building Cardinal" and who became famous for his great commitment to the ecumenical movement and inter-religious dialogue. In 1960 he was the first Cardinal to go behind the Iron Curtain in order to tell the Christians of the Eastern bloc that they were not forgotten. In 1961 he became the first Cardinal to visit the Ecumenical Patriarch in Istanbul, and in 1965 he was the first to visit a center of Islamic faith – the Al-Azhar. While the Second Vatican Council was convening, he established the Pro Oriente Foundation in Vienna in 1964 with the task of building bridges with the Orthodox and Oriental Orthodox Churches.

Although the tensions of the historical conflict between Rome and Byzantium can still be felt in Austria more than anywhere else, König decisively rejected S.P. Huntington's thesis in his book *The Clash of Civilizations*, which speaks of a historical divide that separates the Christian peoples of the West from the Islamic and Orthodox Christian (!) populations. Through its ecumenical efforts, Pro Oriente has made people aware that bridges for a larger Europe can indeed be constructed. This is why the Cardinal did not like the expression "Eastern expansion", usually replacing it with the phrase "the Europeanization of the continent".

Pro Oriente is a scholarly foundation that conducts its activities at an unofficial level. Among its working instruments are scholarly conferences, symposia, theological consultations, mutual visits of Church prelates, publications and the granting of stipends. The results of Pro Oriente's work have been taken up in various ways by Rome and have served as the basis for the official dialogue between Rome and the Churches of the East. Although its primary goal is the establishing of a more perfect and visible unity of all Christians, the foundation's work has also led to an intensification of cultural, intellectual and spiritual contacts between Western and Eastern Europe.

What does Pro Oriente's work actually look like? Here is a snapshot of our activities from the past few weeks. At our Third Patristics Conference, which was held this time in Luxembourg, fourteen theologians and other scholars each from the Orthodox and Catholic Churches presented papers on the spiritual roots of Europe. In Alba Iulia (Romania) our conference of historians on the Union of Transylvania concluded with the unanimous decision of all participants from all five confessions to begin writing a joint historical account of this union. One of the authors will be Father Mihail Sasaujan. If this endeavor succeeds, it will signify the "cleansing of the memory" of three hundred years of mutual hostilities and accusations, something which could serve as a model for similar efforts beyond the borders of Romania. Our group of researchers on the Union of Brest has also made significant progress. Fourteen days ago we succeeded with the Austrian Foreign Ministry for the first time in bringing together in Vienna representatives of the Serbian Orthodox and Catholic Churches, Muslims, members of the Parliament and political parties of Serbia and Kosovo, as well as people from the UNMIK and international experts, in order to discuss questions of religious freedom, the self-government of religious institutions and the preservation of religious sites.

Efforts to underscore the significance of the ecumenical dialogue (i.e. the search for a more perfect and visible communion between Christians) for the integration of Europe are usually met with two kinds of skepticism. The first is of a formal nature, and asserts that the Christian confessions are divided and at odds with each other, so why should they have the capability to unify and reconcile? The second objection is more substantive and asks: can religion still serve as an integrating force even though people continue to think of it as engendering intolerance and violence in view of its historical failure on and after September 11?

A reflection group[1] created in 2002 on the initiative of Romano Prodi, former President of the European Commission, tackled the question of the "spiritual and cultural dimension of Europe", i.e. the question: which moral concept, tradi-

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1   The group's members were: Kurt Biedenkopf, Silvia Ferrari, Bronislaw Geremek, Arpad Göntz, John Gray, Simone Weil, Ioannis Petrou, and Alberto Courzio.

tions, and goals are capable of bringing together the highly different citizens of Europe? The group's report, which was published at the end of 2004, noted that economic powers alone are not able to produce the internal cohesion necessary for the European Union. Markets cannot create long-lasting solidarity. Although attempts have been made in Europe over the past years to banish religion from the political sphere because it was viewed as divisive and not uniting – suffice it to mention the Schism of 1054, the religious wars accompanied by persecution, and colonialism – the report also maintains that it also has the potential to bring people in Europe closer together. Since public life is not conceivable without religion, the power of Europe's religions to bind communities must be fostered and made use of for the cohesion of the new Europe.

But there was also Rome, the legal and peace order of the Holy Roman Empire, renewed in Charlemagne's France (the ancient word "Europe" re-appeared during his reign), and there was Constantinople and the Byzantine Empire, two major Christian empires that extended on the one side over the Atlantic to the West and on the other – to the Slavic peoples to the North and East until the very borders of Siberia. Europe arose from these roots. European history is a constant process of the integration of new spaces and the encounter with foreign peoples and cultures. Europe can thus be understood rather as a model, a project, as a geographic space. Until the fourteenth century Christianity was the cultural element that united these peoples. Despite religious wars and the fact that modern particularism began to triumph over Habsburg universalism, the awareness of the interchangeability of the notions of Europe and Christianity remained intact. "Pax sit cristiana" – thus began the text of the Peace of Westphalia of 1648, through which the Christian wish for peace laid the foundation for the modern Europe of states. Neither political nor ecclesiastical divisions could cast doubt on the common identity of Europeans. On the contrary, since then differences as well as political and confessional diversity have been understood as virtually the basis of Europe's unity.

When laying the foundations for a European federation in 1950, Robert Schuman was also thinking primarily of a concept for peace. When asked about his

intentions at the time, he later answered: "I did it because I believe in the Christian foundations of Europe".

Expressed in the language of the ecumenical movement, we can say that the politicians Schuman, Alcide de Gasperi and Konrad Adenauer also had in mind a reconciled diversity in Europe. It is thus not by chance that Pope John Paul II in his Apostolic Exhortation "Ecclesia in Europa" (28 June 2003) connected the striving for a more perfect and visible unity of all Christians with the European unification process.

In order to give new impetus to Europe's history, he appealed to those fundamental values to whose formation Christianity had made a decisive contribution, namely: the transcendent dignity of the person, reason, freedom, democracy, the rule of law and the differentiation between politics and religion. This differentiation is of the greatest significance since it serves as the basis for that which is unique to the West.

Analogous to the goal of unification formulated by the Roman Catholic Schuman, according to which "Europe must once again become the guidepost for humanity", the Second Vatican Council's Decree on the Ecumenical Movement ("Unitatis Redintegratio" of 1965) saw the unity of Christians as the sign and instrument of humanity.

Elisabeth Parmentier (Heidelberg) points out correctly that the ecumenical movement, in existence from the 1920s, has accomplished pioneering work since it has already gone through much of what we are experiencing today in the European process, namely: national and ethnic particularism, the fear of uniformity and the loss of that which is one's own. In order to counteract these fears, the Council of European Bishops' Conferences (CCEE) and the Conference of European Churches (CEC) adopted the very successful "Charta Oecumenica" in Strasbourg in 2001, which offers guidelines for the increasing cooperation of the Churches in Europe. In this document (Chapter III), the Churches commit themselves to bearing common responsibility in Europe. "Christianity is synonymous with responsibility", noted the Czech philosopher and dissident Jan Patocka. One can be responsible only toward a person and not toward a principle, even if it is

the platonic good. The Churches wish to participate in the formation of Europe, foster its unification and reconcile its peoples and cultures. They express their conviction that the spiritual legacy of Christianity represents an inspiring force for the enrichment of Europe.

The Conference of European Churches, which comprises 127 members, has established a special working group to tackle the various challenges of the European integration process, above all the questions of what exactly unites Europe, how a European identity can be developed and what role the Churches should play. Their role as guardians of the specifically ethical dimension of this process is substantial and irreplaceable. In discussions on what unites and divides Eastern, Western, Northern and Southern Europe, its involvement in managing the diversity of European society is necessary. The Churches themselves are indeed an essential, living and inseparable part of European civil society. The working group of the CEC believes that the Churches have a message, that they have hope and therefore, on the basis of their tradition, concept of values and role in society, have much to say about a vision of Europe's future

That which has been said can be applied even more to the future member states from the former Eastern bloc, many of which have populations that are predominantly Orthodox. With their entry into the new Europe the ecumenical dimension of the EU is intensified. The other lung of the Union is gaining in strength. Another reason why the ecumenical dimension is intensifying is because the autocephalous Orthodox Churches also understand themselves as unity in diversity. In April 1994 the Ecumenical Patriarch Bartholomaios I offered the European Parliament in Strasbourg the cooperation of Orthodoxy in the formation of the new Europe.

What can Orthodoxy contribute to this process? Alongside an ancient liturgical and ascetic legacy that cultivates mystical experience, first and foremost its emphasis on the difference between the person and individuals, and thus the culture of *Communio*, the Russian Sobornost'. It can also contribute its experience of surviving under overwhelming state pressure and its coexistence with

Islam, and finally the theme of ecology, which is of paramount importance for the Ecumenical Patriarch.

The Third European Ecumenical Assembly in Sibiu (Romania) from 4–9 September 2007, which will take place in a predominantly Orthodox country, could pave the way for the Orthodox contribution and fortify the spiritual dimension of the European integration process, which is demanded by all the Churches and religions of Romania in a joint declaration.

In short, with its goal of creating a mutually enriching community from mutually exclusive opposites, the ecumenical movement, which takes as its starting point the Lord's prayer that "all may be one", can very well contribute to Europe's unity. But the message of the Churches and their ecumenical dialogue can be truly effective only when Europeans start believing more in themselves, when they – to quote Pope Benedict XVI – overcome the life-threatening vicious circle and their strange aversion for the future. This can be accomplished only if they dare to re-discover for themselves their own Christian legacy, this forward-looking dimension of humanity, and implement it in shaping their future. By saying "non", "no", and "nee" not only is the adoption of the constitution hindered, but – what is more important – those talents that Europe has cultivated and had in abundance for so long are wasted.

Today's Relevance of Blessed Anton Marin Slomšek's (1800–1862) Vision of the Role of Religion in Coexistence of Nations and Peoples

MARJAN TURNŠEK

Summary

A bishop Slomšek lived in the multinational Austrian monarchy and the times were rather turbulent. In the middle of such times, Slomšek was a priest, a teacher and educator, a bishop and a prince – thus active on all sides, also politically. As a Catholic enlightened man he acknowledged the legitimacy and importance of all values, especially the values of education, learning, mother tongue and nationality. He looked for the basis of all these values in faith. As the first right of any nation he acknowledged the religious right to have the Gospel preached in its own mother tongue. His spirit was catholically open and he looked upon Europe as his wider home. His religious activity went far beyond the Slovenian borders. In 1851 he founded the Confraternity of SS Cyril and Methodius striving for a spiritual ecumenism, which soon spread to other dioceses. The second intervention of Slomšek in Central Europe had to do with the visitation of Benedictine monasteries and thereby contributed to a new boost of the Benedictine order in Central Europe. He felt that not living together can be successful without reverence for the numinous and a reverent encounter with the numinous of the others. This means to acknowledge the religious element of human existence as a basic one.

We are now in the university town of Maribor and are celebrating the thirtieth anniversary of the present University of Maribor (2005), yet we can say with pride and joy that the system of higher education in this town has much older roots. They reach as far back as the year 1859 when the then bishop of Lavant (Carinthia), Blessed Anton Martin Slomšek, moved the see of the diocese to Maribor and at the same time established a theological college for his seminarians. And I shall now speak about how this first bishop on the bishop's chair of Maribor understood the role of religion in the coexistence of nations.

It is a historical fact that Slomšek lived in the multinational Austrian monarchy, that is in some kind of »united Central Europe«, and that the times were rather turbulent. The 19th century was not only exuberant with respect to culture, great changes also took place in the economic, social and political areas: industrialisation, railways, the rise of the working class and increasing demands for more democracy in the society and for achieving political freedoms. Liberal and revolutionary ideas developed, expecially among the working classes, who were quickly seized by dechristianization and religious indifference. In Austria everything thickened around the revolutionary year of 1848 when the workers were joined by peasants and many minority nations in the monarchy began to live »the spring of the nations«.

In the middle of such turbulent and challenging times, Slomšek was a priest, a teacher and educator and a bishop – thus active on all sides, also politically. One can say that these were just ideal times for somebody having so much vitality, spiritual drive and power as Slomšek.

And if we want to locate Slomšek's life, the main co-ordinates are Vienna, Prague, Rome, Ljubljana, Zagreb.[1]

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1   For biografy see Kosar, 1863; Kovačič, 1934; Congregatio de causis sanctorum, 1995.

Religion is the basis of man's actions

As a Catholic bishop Slomšek was certainly firmly anchored in the conviction that religion is a fundamental human value he placed above all others, also above nationality and freedom. As a Catholic enlightened man he also acknowledged the legitimacy and importance of all other values, especially the values of education, learning, mother tongue and nationality and of good living together. He looked for the basis of all these values in faith, which he understood as a deep and conscious relationship with God.

As a prince-bishop Slomšek was a member of the assembly in Vienna and thus also active in the society. His personality and activity were especially influenced by the revolutionary year 1848. He firmly spoke out against enlisting the seminarians into the National Guard; concerning the events in the revolutionary year, he demanded from the priests to act in accordance with their conscience, not to oppose justified reforms, and he advised them against signing the »great petition to the state assembly to maintain the old order«. He firmly rejected »wild freedom« and was against revolution. For him it was »a disaster that consumes the marrow of nations and devours its own children … Its father is disobedience, its mother is dissatisfaction, its children are general impoverishment, poverty and misery«. He did not reject new ideas in advance, yet he clearly spoke out against the attacks and anarchy of street liberalism (pastoral letter 1860), he rejected the »fine socialism« and the »rough communism« (homily at St. Joseph's in Celje in 1852). He wrote some treatises on the divine origin of power, but also on the sovereignty of the people, on press freedom and equality, on elections of members of parliament, on the love for one's mother tongue and nationality, on the harmful and poisonous nationalism.[2] Socially, he was in favour of social, political and economic changes, but without bloodshed, human victims, intimidations and threats. In accordance with his priestly vocation he was a pragmatic idealist or an

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2   They were published in *Theologische Zeitschrift, Laibacher Kirchenblatt, Zgodnja Danica.*

idealistic pragmatist: he was socially-minded, he wanted a just and well-ordered world, which in his opinion, however, could only be achieved via an evolution of the spirit, which was religiously and ethically designed and substantiated. He was a man of a sober dialogue, who believed that common sense and not irresponsible subversive passion will finally win. In this spirit he also brought his full reputation to bear on these issues in Vienna; he was loyal to the imperial family, yet firmly demanding concerning the rights of Slovenians and of other minority nations in the monarchy.

His view on the living together of different nations is based on the Christian view of history as something dynamic, to which a cosmic staticity of the reality (also of the political one) is alien. This vision does not comprise solely a restauration of what has existed before, but a real change, which, however, cannot be just a matter of political and military action, but can only take place by Divine intervention. Thus, Slomšek clearly rejects the thought of salvation by a revolution independent of religion or even against it, which arose again in the 18th century. This can be seen in his visionary warning of the looming »fine socialism« and »rough communism« as forms of secular messianism. And in my opinion this shows the modernity of his attitude: in Europe, after the fall of real socialism and some other totalitarisms, positivism and relativism are growing and by their pragmatism they represent a new form of secular messianism.

I would like to illustrate how vividly Slomšek perceived the important consequences of such mentality for the most important areas of life. In 1850, that is directly after the revolutionary years when liberalism began its triumphal march through Europe, at the yearly spiritual exercises, he explained to his priests the main traps of the new political-cultural currents. He especially referred to the conditions in France where they were always some steps before us. He considered especially fateful the attitude towards family and marriage, which was for him one of the greatest dangers for the future of Europe. Therefore he encouraged his priests to be more zealous in marriage and family pastoral. If we look nowadays at the renewal guidelines of nearly every European diocese, we shall soon see practically the same emphases, possibly less radical and more lenient. But let us

listen to Slomšek himself: »*The most important nursery of the human community, equally important and sacred for the Church and for the state, is marriage. We must take great care to help people to keep the matrimony in high respect and to raise it where it has already sunk. If this social institution is healthy and its obligations are faithfully and consciously fulfilled, humanity will be healed at its roots. Namely, just the marriage is the point where the ties of the family, the home country and the Church are combined in the closest and innermost manner. In order to destroy christianity in Europe as certainly and quickly as possible, its enemies went for the central point of life, for the family, which is the principle of life of the society; similarly as a skillful killer, who does not direct his dagger towards his victim's shoulder, but towards his heart. The Divine sacrament of the Holy Matrimony, the high pedestal raising the family community above earth and heaven, has become, first in France, a mere contract.*«*
In the present united Europe it is not necessary to give any special proof of the relevance of Slomšek's thoughts. It is a fact that the mentality standing behind the phenomenon of cohabitation and solely civil marriages is disastrous and an expression of extremely liberalist ideas in the life decisions of people, also of Christians, which has serious consequences in education. Slomšek's fear seems to have been very much justified and his words, maybe too radical for our ears, have received their confirmation in the present situation. We ought to follow his suggestion that evil should be dealt with at its roots. He wrote: »*If we want to heal the evil at its root, we must avoid the solely civil marriage. In order to save Europe, the sacrament of the Holy Matrimony must be preserved. If we degrade marriage to a simple civil union, all at once the heavenly union of husband and wife will become a pagan one and the flow of generations will be poisoned already at its origin.*«

Nationality and mother tongue are a Divine gift

Slomšek was a bishop in a Slovenian-Austrian national territory. Though he was a nationally conscious Slovenian, he acted as a bishop in accordance with the clear principle that before God every nation is of equal value and has the same

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rights and duties. As the first right of any nation he acknowledged the religious right to have the Gospel preached in its own mother tongue. Therefore his basic motto was: »May the holy faith be your light and the mother tongue your key to redeeming education.« He did not, however, one-sidedly advocate this only for Slovenians, but also for German-speaking people and all other nations and understood this principle as the basis of a peaceful and civilized living together of nations speaking different languages within the same political boundaries. He always held to the principle of preaching to Slovenians in Slovenian and to Austrians in German. Naturally, he expected other bishops to act in the same manner. In order to facilitate these aims he endeavoured to unite the Slovenians of the Lower Styria in a rearranged diocese of Lavant with the see in Maribor and he succeeded in doing it. The second condition for fulfilling the demand for the Gospel being preached in the mother tongue was a school system that would enable ordinary people to use their mother tongue in reading, writing and other cultural life. Since his times as a seminarian in the seminary of Celovec/Klagenfurt, where he introduced courses of Slovenian for priests who were going to work in bilingual areas, he continued in the same direction in his work as a priest and later as a bishop. He insisted that children should learn their mother tongue, but also the language of the other nation they lived together with. He considered both matters important. In mixed areas he tried to make the members of the majority nation learn at least the basics of the language of the minority nation because this would make the living together better and easier. In 1846 when he became bishop, there were 155 regular schools and 109 Sunday schools in the diocese of Lavant, also thanks to him because he had been a school supervisor for several years. Thereby he earned the reputation of the founder of the Slovenian elementary school; it is thanks to him that ordinary people began to appreciate school and books. He brightened up school education, abolished mechanical learning, stressed the importance of the reason and of the heart, made school more attractive by introducing singing. This was not just a hobby of his nor was it merely a Slovenian nationalist activity, which is shown by his fruitful collaboration with Mr Thun, the Austrian minister of education and the arts; on instructions

of the minister he (together with collaborators) prepared or at least reviewed a series of ten textbooks (primers, grammars, readers, catechisms) for all regions of the monarchy. Slomšek was fully aware of the fact that every nation must have its schools up to universities in order to be able to lead an equal dialogue with other nations in the areas of culture and science.

Maribor becomes a university town

The rounding off of the boundaries of the diocese of Lavant also brought the removal of the see of the diocese from St. Andrä in Carinthia to Maribor. Slomšek's heart was in favour of Celje, but the situation put him in the town on the Drava. Thereby Maribor was given new possibilities for an all-round development. With the see of the diocese Slomšek also founded a seminary and a complete college of theology. Thereby the provinicial Maribor, which had previously been completely overshadowed by Graz, overnight became a university centre with all possibilities of future development. At its beginnings, the present University of Maribor might have been a little »ashamed« of its great predecessor, but nowadays it gladly remembers the beginnings of university studies in Maribor founded by Slomšek.[3]

European spirit

Slomšek was certainly not a Styrian provincial. His spirit was catholically open and he looked upon Europe as his wider home in a most courageous and superior manner. His religious activity went far beyond the Slovenian borders. He not only followed what was going on from France to Russia, but also significantly

3   For more see Lah (eds), 1991.

intervened in the events at least three times. His first important activity was in the field of working for the unity of Christians. As one of the first European bishops he began to inform people of the shameful division among Christians and of everybody's common reponsibility for a reconciliation, whereby he put into effect an idea of Pope Pius IX. In 1851 he founded the Confraternity of SS Cyril and Methodius striving for a spiritual ecumenism, which soon, after being confirmed in Rome (Breve of 12 May 1852), spread to other dioceses, especially of Central Europe. This initiative of his spread from the diocese of Lavant not only to other regions with Slovenian population but also to Bohemian dioceses, to Slovakia, Galicia as well as to Hungary and German countries. Thus, for example, in 1858 similar institutions were founded in the dioceses of Padderborn, Münster and Hildesheim. On this occasion Slomšek sent a letter of congratulation to the bishop of Münster and congratulated him in the name of 27000 members of the Confraternity of SS Cyril and Methodius. In 1860 the Confraternity had 34260 members praying for Christian unity. Slomšek's initiative again shows his unshakeable conviction that faith can be a basis for uniting different nations for the purpose of putting common ideas into effect.

The second intervention of Slomšek in Central Europe, which was then a very important region, had to do with Benedictine monasteries. In spite of his health problems he complied with the request of cardinal Schwarzenberg, the Archbishop of Prague, and accepted the (not really sought after) task of the visitator of the Benedictine monasteries in the territory of the Austrian monarchy. This required much travelling, endless talks with the monks, writing reports and a common seeking of solutions for a renewal of monastery life, which at the time was not exactly exemplary. Slomšek himself visited sixteen of the nineteen abbeys and thereby contributed to a new boost of the Benedictine order in Central Europe where it has always been of utmost religious and cultural importance.

For the third time Slomšek decisively intervened in wider social events when in 1848 he wrote to Friedrich Schwarzenberg, the metropolite of Salzburg, and suggested – long before the Second Vatican Council – the establishment of some kind of Austrian »bishops' conference« or a conference of all bishops in the

monarchy where they would unify their basic views of the social-political situation and, as the Church, contribute to the regulation of very strained conditions. And such a meeting took place from 9 to 17 June 1849.

Conclusion

In the ideas and attitudes of Blessed Anton Martin Slomšek as briefly described above, we can see some relevant issues connected with the present moment of Europe:

- He clearly saw the danger of the emerging mentality that wants to radically exclude the concept of good from the relations between nations and states or to determine what is good on the basis of political criteria (majority nation or parliamentary majority).
- The true and the good is before political decision-making and can enlighten the political and social activity.
- In his endeavours for education and schools Slomšek showed a basic Christian trust in common sense, which can basically show the truth.
- He does not see christianity in the basis of the European social events as a revealed religion, but more as a historically tried and tested form of life.
- Certainly Slomšek's dilemma about what can guarantee the future and inner identity of Europe is still relevant: Is this the secularized worshipping of technology, nation and militarism often resulting in a devastation of souls and a destroying of moral conscience or are this the values giving man the fundamental dignity, equality and solidarity, allowing and enabling moral decision-making?
- Slomšek's findings concerning the family and marriage are very similar to the thoughts of pope Benedict XVI: »On the basis of the biblical religion the monogamous marriage has developed as the basic regulated form of the relation between husband and wife and at the same time as a cell of the state formation of the community. It has given a special countenance and a

special humanity to Europe – to the West and to the East – also because and especially because it has been necessary to achieve this form of faithfulness and renunciation again and again and with difficulty. Europe would not be Europe any more if this basic cell of its social structure should disappear or be essentially changed« (Ratzinger, 2005).

- Though Slomšek lived long before the new age multiculturalism, he felt that not living together can be successful without reverence for the numinous and a reverent encounter with the numinous of the others. This means to acknowledge the religious element of human existence as a basic one. Absolute profaneness is alien to great world cultures and therefore for them the world does not have any future without God; thus, Europe can only start an active dialogue with the great world cultures on the basis of its Christian roots.

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New Roles for Religious Groups in Conflict Prevention and Reconciliation. Lessons learnt in South African Transformation

JOSEF PAMPALK

Summary

Starting with opportunities for inter-religious inputs and obstacles in the integration processes, the article analyses three "best practices" of reconciliation and reconstruction in a war-torn society. Changes undergone by the religious communities in South Africa are studied and in the conclusion highlighted as relevant for the Integration process in South Eastern Europe

Positive signals from different religious groups in a globalising world

The increasing contrast between poor and rich parts of the world and the ongoing destruction of environment and natural resources through a one-sided globalisation – affecting not only nature, but also social politics and human ethics – are challenging all academic, political and religious leaders.

Specifically in Central Europe, after World War One and Two, after the Cold War and its aftermath, we are starting resolutely to work for peace, reconciliation, integration and development in this war-torn region. This is the rationale behind this symposium.

In view of this endeavour, all political groupings are obliged to look beyond their national interests and ethnic borders. In the same way, religious groups are

challenged to overcome old self-centred and competitive mentalities. Some have opened up for the actual pluralism of religions as well as for existential questions concerning the future of our planet. However, this new and irreversible awareness of the inter-connectedness and inter-dependence needs still to grow much more, has to be made operative in different contexts and put to the test in the difficult European integration.

For this purpose the following short contribution will, after a short introduction about dilemmas and obstacles for religious groups and their cooperation, highlight some "best practices" in other post-conflict regions of the world. Three examples will be given of the role of religious communities in South Africa's transformation, which are most relevant to questions still to be faced by us: the Truth and Reconciliation Commission, the conversion of the different churches ("Kairos-process) and their involvement in local development and advocacy for all human beings.

Stumbling-blocks preventing inter-religious input to the European Integration

In this century the inter-religious dialogue has already overcome some of the superficialities – like clerical leaders exchanging their doctrinal points of view without facing deeply rooted differences and even violent conflict. The dialogue is discovering now a common responsibility for the survival and for peaceful development of regions, especially in zones of hatred and war.

Past violent confrontations left behind traumatised people and histories not yet healed. Religious fanaticism is still latent and sustained by ignorance, arrogance and prejudice against others, who are different. Looking back honestly, each religious group cannot avoid recognising such attitudes in its own past, cannot avoid discussing forms of narrow-mindedness in the interpretation of its own spiritual traditions. Each religious group has to confront forms of fundamentalism in its own ranks and to overcome it. Self-centeredness, ambition to control other linguistic

or religious groups, pretending superiority or claiming an exclusive monopoly on truth is disabling and disqualifying for the indispensable dialogue.

Moreover, any religious institution too narrowly allied to one political power or too closely linked to some economic interest necessarily gets involved in their power-plays and becomes morally responsible for their historic procedures and results. The deeper such involvements, the harder necessary efforts to overcome traditional mentalities and attitudes become. This makes it so difficult to break out from more or less conscious roles assumed bona fide. Even secluded spiritualistic trends, trying to stay above worldly conflicts, can become morally responsible (1) and face great difficulties in opening up for present challenges and for constructive alternatives.

Yet we can learn from our past, even from mistakes and guilt. Individuals already discern spiritual energies in their own tradition and equally appreciate values in others. But, while mutual respect of religious spiritualities is beginning to emerge, old mentalities of exclusiveness, colonisation or exploitation are extremely slow to change into new mentalities of openness, inclusiveness, cooperation. Different stages of negative historic experiences in South Eastern Europe have deepened mistrust, misunderstandings, prejudice and hostility.

Insights from "best practices" in other parts of the world

Religions can play very contradictory roles in conflicts and in overcoming them. As the South African experience shows, even the worst crises can be understood as an opportunity for a new beginning (2). The world was scared by the worsening crisis in South Africa and relieved by the miracle which happened there. Religious groups, reflecting on different theologies there which influenced their roles in the past and their attitude towards present transformations, can inspire and encourage us to bring about another miracle in our region. In fact, their experiences and insights offer lessons relevant to current challenges in Central and South Eastern Europe.

The first good example is the Truth and Reconciliation Commission (TRC), which was taken up by several post-war countries in the world and which is even inspiring initiatives in Bosnia-Herzegovina and in Serbia-Montenegro. The second good example is called the Kairos-process, which relates more specifically to religious groups and their roles in a changing South Africa, equally useful for us as a tool of honest self-analysis and discussions during the symposium and follow-up. The third good example is the social opening-up and the way different religions are getting involved in reconstruction and in local development.

The TRC-process was both deeply opposed and supported by different religious groups, which had played their own historic roles, both in oppression and liberation, in dividing and in bringing together human beings. South Africa's "Long night's Journey to Day" (title of a TRC-Film) has not been an easy road out of the tragic past, as many books written by members of the Commission and academics witness. One book, for example, by Alex Boraine, who was vice-chairman of TRC and advisor to Yugoslavia, has been translated into several languages including in 2001 into Serbian. Boraine rightly cautions against mere reconciliation, without economic justice (3). He calls for recognising the unconditional obligation to link the two aspects. As, after concluding the TRC and its report, this second aspect of justice was delayed, a special Institute for Justice and Reconciliation (IJR) was created in Cape Town by him and Villa-Vicencio (4). On the one hand, IJR continues to unmask South Africa's reality by monitoring crucial economic questions and people's frustration, on the other, it helps to improve it by running community healing programs and building inter-faith solidarity.

TRC and Criminal Courts are complementary and both necessary: While the TRC helped to unmask the much broader and systematic dimensions of crime in South Africa involving also judiciary, media, economic, academic, educational or religious institutions, criminal tribunals have only a limited focus on specific individual crimes. Richard Goldstone was first in South Africa between 1991 and 94 in charge of a commission and inquiry of public violence and intimidation and between 1994–2003 judge in the Constitutional Court. In 1994–96 he acted as chief prosecutor of the UN International Criminal Tribunal for former Yugoslavia

and in 1999–2001 as chair of the international independent inquiry on Kosovo. In South Africa amnesty was only granted after full collaboration with the TRC. But Archbishop Tutu complained that, while by this offer the right to take criminal or civil action against perpetrators was forfeited immediately, the reparation to the victims went through a very long period of waiting and silence, "translating a sense of betrayal"(5).

The second good example was the kairos-process of the different Christian churches, facing their roles during times of the worst human rights violations. The document itself is a biblical and theological commentary on the political crises of South Africa in 1985 and led different religions in their transformation on the "road to Damascus". It has been reviewed ten years later in 1995 and might only be fully understood today in 2005, after the transition has become effective (6).

This kairos-document distinguished within all religious groupings three different types of theological thinking and role-enacting:

1) The "church theology" refers to the religious doctrine espoused by a particular denomination in order to meet its own objectives. It is more self-centred, focusing on its teachings and liturgies, but not at all or much less concerned with the world around it and its needs.

2) The "state theology" kept allying "altar and throne" or linking cross and sword ("holy wars"). Therefore it was easily used to justify theologically the actual regime in power or the status quo. For example the Dutch Reformed Church, DRC, identified fully with the National Party, was giving biblical justification to the systematic apartheid racism and also blessing the war against the liberation movements (part of the "total strategy" against "communist on-slaught").

3) The "prophetical theology" did not separate the spiritual commitment and the social concerns, nor did it limit the church to the temple nor restrict God's action to something separate from the political and economic lives of the people ignoring human rights.

To recognise in the critical situation in South Africa a real and unique "kairos", meant to accept an hour of truth and a triple self-interrogation, self-critique and self-renewal of each of these different religious approaches:

1) How was church-theology paralysing itself by remaining too much in the abstract, using only the rhetoric of justice and reconciliation in the divided unjust South African society, but failing to make any critical analysis of the crises or take position?

2) How did state-theology interpret Rom 13, 1–7 as a universal doctrine of the state giving to the apartheid-state legitimacy and to its structural injustice? Since all authority is from God, you have only to obey, thus the DRC justified the status quo and the repression of the oppressed and made an idol out of the biblical God. P.W. Botha, interrogated by the TRC, compared himself arrogantly with the silent Jesus in front of Pilate (Boraine, 2000:216), which reminds one of the orthodox priests swinging incense in Srebrenica, while sanctifying the killing of Muslims (in a film released in South Africa by the Humanitarian Law).

3) How could prophetical-theology, instead of overlooking the needs of the people or justifying their sufferings as God's will, identify with the victims? How did it come to understand the "signs of the times"? How and why did religious people help to prepare a different future by engaging in action, like the late DRC-pastor Beyers-Naudé?

This self-interrogation of the different religions represented a change in mentalities for all, not only for the DRC, which was allied to the Apartheid regime when they were killing hundreds of innocent people every month. Several churches from different countries, analysing the attitudes of religions in their countries, published in 1989 in Johannesburg the document "The Road to Damascus", which caused a lot of discussion amongst ecumenists in Europe (7). But their discussions are less helpful for us, than their commitments to local development during the last 15 years within local communities, giving one last good example of religious communities who, in front of suffering, step out of self-centredness and join in common developmental initiatives.

Although Mandela had been released from prison, first democratic elections held and a new Government of National Unity installed (1994), nothing had changed yet on the local level. Only the scaffolding of Apartheid was dismantled, but the building of Apartheid and its injustices were still intact in each segregated town. Even before the national transition, local negotiating forums had been started between old authorities and new representatives of civil society organisations (CSOs, or community based organisations CBOs). Democratically elected councils at municipality level however, were only possible after a new constitution and first local elections in 1996. The very chapter of the constitution on local governments was brought about by hard negotiations between CBOs and authorities at local level. Their new form of cooperation is called "Governance", meaning government which is participatory, where people have by law a say. It is still in the making, after 3rd Local Elections in March 2006, because it is not an aim in itself, but a tool for improving people's lives.

The main instrument of local governance is the yearly integrated development planning (IDP) by the inhabitants of each municipality with the support of institutions more specialised in these issues and accountable to them, like CORPLAN in East London between the two former Homelands Ciskei and Transkei. This NGO was started by Christian grass-root activists and anti-apartheid-campaigners in the early 1990ies. A team of persons trained in socio-political and development studies worked with CSOs on a "Local Government Transformation Program" and on practical housing and settlement schemes in townships (8).

The concrete activities of the Corplan-team consisted in:

- training a maximum of CBO-activists, multipliers, facilitators in analysing problems and potentials of their townships (Phase I);
- gathering exact data, making surveys or rapid appraisals, capacity building also for newly elected councillors (Phase II);
- popularising the political and legal changes happening on the national level, and bottom-up, in policy formulation with Civil Society, with members of

the national parliament (local government committee of the constituent assembly) and with provincial and national government people (Phase III);

- simultaneously the teams exerted major efforts on public relations, information and networking; specific manuals and seminar-modules were elaborated and made available; many case studies of municipalities; (which served as basis for:)
- municipal integrated development plans; these plans in turn demanded new forms of training, consultancy, analysing, and networking with allied service-NGOs and complementary programs on different levels of pilot towns, the provincial, national and on the SADC- level (indirectly even as input to the Africa-strategy of the EU). A bi-monthly newsletter and inputs continue to politicians, legislators, academics, journalists.

In the other metropolitan areas of South Africa like Cape Town, Durban and Johannesburg, groups set up similar programs and worked with the civil society and later also with the new democratic authorities. In order to improve their research and training methods on the ground as well as their national impact, these NGOs formed a Good Governance Learning Network. Their main contribution is capacity building for this new type of developmental governance.

On the side of the new democratic government, led by Mandela, was awareness and acceptance of the necessary role for a vibrant civil society. Thus the public authority and the civil society learned to collaborate with one another and to be accountable to one another (while in other countries their relationship is understood as a zero-sum game, where the gain of one is seen as a loss of the other). Before considering lessons to be learned, we have first to pay attention to the global changes affecting civil society and public authorities also in Eastern Cape. Negative effects of globalisation on local governance were felt earlier and called "glocalisation". However, after the government of Mbeki had embarked on neo-liberal macro-economic policies and on privatisation of public goods, then the public sector began being reduced to cost-cuttings, budgetary priorities, "new" public management, out-sourcing etc. Such technocratic debates do not satisfy the people who have already been disappointed by poorer services and by

rising living costs, nor do performance management policies change behaviour or promote participatory development.

Therefore, a new political debate is emerging now: What future society do people want? What is the place of the human person in such a neo-liberal economy? All the issues of community development planning, service delivery or the financial reports of municipalities are the focus and the entry point for local communities and marginalised citizens, who claim their right to have a say, to get access to or to question planning and decision making. Religious communities in South Africa are realising the new challenges they are confronted with as advocates of the poorest population. They are renewing themselves in as far as they break out of their past ambiguities and do something constructive for justice and development.

Questions and issues facing us today

The contemporary history of South-Eastern Europe includes many aspects similar to their challenges. It is the task of meetings like ours to discern them and to act accordingly. In a similar way as the recent miracle of unravelling Apartheid's unjust system only became possible once religious groups began seeing the crisis in Southern Africa as a judgement and as a kairos, so can the present critical phase of peace and integration here in this part of Europe happen, an unthinkable miracle, only when this phase is recognised and assumed by our religious groupings as a unique, tremendous kairos.

Our debate on "Religions and European integration" can serve as an alibi for people not ready to accept such self-critical questions inspired by the above mentioned document. But this debate can become as well an important event of looking at ourselves in a mirror and of confronting for the first time our own ambiguous roles, in yesterday's conflict and in today's integration.

Real dialogue cannot be established between systems, but only between people. In the first place between those who recognise peace, justice and survival as major challenges of humanity (9). Effective dialogue has a best chance

to succeed between local prophetical people who, instead of confronting end-
lessly their own ideas about truth, accept to assume the developmental needs
of their region and to work together for peace-building and European integra-
tion. Such an involvement and contribution of religious groups supposes and
can enhance many other small steps of internal renewal, e.g. overcoming other
divisions like the one between the spiritual and the profane, stopping former
religious backing of ethnocentric-nationalistic tendencies, admitting or ending
female discrimination.

In closing I want to make one final observation regarding difficulties and op-
portunities for TRC-initiatives in this region. The fact that any TRC has to rip off
such masks as mentioned above explains the long resistance to and attacks on
similar valuable approaches (10). Objections and difficulties do come mainly from
unconscious fears: the fear of this unmasking menace for every denomination and
from a basic fear of de-mystifying effects for ethnocentric historiography.

When evaluating South Africa's experience, Boraine points out some positive
or enabling factors for the TRC's success (11): first of all, very committed civil
societies, on the national and international level; then the empowering demo-
cratic framework which allowed for a maximum of civil participation, publicity,
transparency, accountability…

If such factors are partly missing in our situation, how can we create or improve
such enabling conditions? If the role and ability of civil societies and of religious
groups is crucial to the success of European integration, how can regional rec-
onciliation and development programs better contribute to encourage, facilitate
and connect such positive initiatives? Which outcome could this symposium have
– besides publishing a written report? How can we as members, net-workers or
allies of highly committed civil societies structure the follow-up or take to steps
bring about a new kind of learning and teaching network? Our reflections are
useful only when linked to such practical commitments. How can we link our
discussions to practical steps in real local development? Under which condi-
tions are our conferences of any significance for grass-root organisations and
local councils? What can we contribute to starting good practices and regional

networks? How do we recognise the rights of people and empower them to express their needs and to shape their regional development? What could different religious groups do in order to transform this historic crisis into a unique chance for European integration? What could academics contribute to transform this issue into a structured process of social learning?

(1) Cf. Neil Kritz and Jakob Finci: (http://www.angelfire.com/bc2/kip/english/files/ Srdjan_Dizdarevic1.doc) "A Truth and Reconciliation Commission in Bosnia and Herzegovina", referring to the philosopher Karl Jaspers'"The question of German Guilt" (1948).

(2) Südafrika – die Konflikte der Welt in einem Land: Kirchen Anwälte für Gerechtigkeit und Versöhnung. Band II. (Reihe: Texte zum kirchlichen Entwicklungsdienst 54). Verlag Dienste in Übersee, Hamburg 1994

Der Überblick. Zeitschrift für ökumenische Begegnung und internationale Zusammenarbeit. 4/91. December 1991 (with several articles focusing on the different functions of churches in South Africa).

(3) Boraine A (2000: 377); Aleks Borejn: Zemlja zderane maske. Tranlated by Jelena Stakic and Ksenija Vlatkovic. Samizdat B92, Beograd 2001.

(4) www.ijr.org.za for further information, including on their seminar programs and useful practical guides for facilitators (e.g. Community Healing, based on a Reconciliation Initiative in Cradock. IJR, Cape Town 2004)

(5) In: Foreword to "Time to act: the recommendations of the TRC", published by IJR (s.d.), cf. Vol. 5, chap.8 of Final Report of TRC, see www.info.gov.za/ otherdocs/2003/trc/. A similar sense of betrayal was expressed (in a private communication) by somebody from NEZAVISNOST "most of top democratic politicians were in one way or another involved in the business of offering indulgence to M.'s people…When main actors are already 'reconciled' – how could we get a TRC-initiative started here".

 (6) Kairos '95 : At the Threshold of Jubilee. Editors: Themba Dladla, The Institute for Contextual Theology. Johannesburg 1996. For an answer to this Document from a theological circle in the Swiss Canton Bern: "Ihr Land ist voll Silber

und Gold": Südafrika und die Schweiz. Series / Reihe pendogramm. (pendo, without place nor year); See also Ecumenical News International on the 8th Assembly of the World Council of Churches in Harare Dec. 1998 (www.eni.ch/assembly/0588.html). Kairos in the (Greek) New Testament is designating a special moment of time, a time of judgement and crisis, where God is visiting his people and offering a unique opportunity for change or constructive action, Mk 1:15; 13:13;19:44; Rom 13:11–13; 1Cor 7:29; 2Cor 6:2; Rev 1:3; 22:10. In general it means an essential and decisive historical point. Certain moments receiving in the history of salvation special significance and requiring unified alignment towards goals of deeper justice and unity in the world.

(7) Südafrika – die Konflikte der Welt in einem Land: Das Damaskus-Dokument – Stimmen zu einer ökumenischen Anfrage der Armen an die Reichen. Texte zum kirchlichen Entwicklungsdienst 53. Hamburg 1993

(8) Winds of Small Change: Civil society interaction with the African Sate. ed. by Hollands G and Ansell G. East London, 1998.
Corplan: Good Local Governance: Survey Report. East London 2005.

See also: Department of Provincial and Local Government: www.dplg.org.za; www.hologram.org.za; On a global level for Citizen Participation see Logolink of the Institute for Development Studies in Sussex: www.ids.ac.uk/logolink .

(9) cf. Dialogue Interreligieux: propositions pour construire ensemble. Edition-diffusion Charles Leopold Mayer. Paris 2004

(10) some examples: Sarajevo: Association of citizens "Truth and reconciliation" (Udruzenje gradjana: Istina i Pomirenje) (www.angelfire.com/bc2/kip/); also Workshop on Truth and Justice Initiatives in the Balkans, Prague November 2001; Committee for "New Regional Cooperation " established at a Montenegro conference;

Maribor Initiative Project: Contribution of Religious Communities to Reconciliation, Respect of Diversity, Democracy, Human rights, protection of Minorities, Cooperation and Stability in SEE, www.iscomet.org

Helsinki Committee for Human Rights in Serbia (HOPS); Sonja Biserko at the risk of one's life : www.gfbv.it/2c-stampa/2005/0551012de.html or www.gfbv.it/2c-stampa/1-00/11-1-dt.html

Many other NGOs / institutions: Follow-up of the WSP, War-torn Societies Project: www.wsp-international.org; see http://www.greekhelsinki.gr/pdf/no-vazisnost.PDF; http://www.nezavisnost.org.yu/

http://www-gewi.kfunigraz.ac.at/csbsc/Addresses_Yugoslavia.htm (Educational Initiatives and Co-operations for Peace, Mutual Understanding, Tolerance, and Democracy); cf. EC: CARDS (Community Assistance for Reconstruction, Devt. & Stabilisation) http://europa.eu.int/comm/europaid/projects/cards/index_en.htm

(11) Boraine (2000:258ss)

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(with references to a dozen of South African books on the TRC).

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Religion and Politics in South Africa (1998). Journal for the Study of Religion Vol 11, Nr. 2; Department or Religious Studies, University of Cape Town. (see also: www.uct.ac.at/depts/religion)

SCIENCE, PHILOSOPHY AND RELIGION

The Religious Turn. On the new Relation between Science, Philosophy and Religion

ANDREI MARGA

Summary

A historic turn of the position held by religion in European states has taken place or is in progress. The philosophies attached to the "historical" approaches to religion – starting with the young Hegel and continuing with Feuerbach, Comte, Marx, Nietzsche, Freud – have proved wrong, whereas Franz Rosezweig's predictions have been confirmed. We are witnessing a comprehensive reconsideration of the relationship between religion, science, and philosophy that brings to the fore the thesis of parallelism.

I would like to start by welcoming the inspired initiative of the University of Maribor to organize the symposium **Religion and European Integration.** This initiative is one of the most appropriate at this time. In this case, the appropriateness originates in the circumstance that indeed, in South-Eastern Europe, nowadays religion represents a "factor of stability and development". Religion represents, however, such a factor, not only in this particular region, but also throughout wider Europe. At the same time, the appropriateness of the debate on this topic is owed to the historic turn that the European culture has taken in the last few decades, which can be called, in a precise sense, a "religious turn".

In using this term, I am taking into account changes already registered in three different fields of Europe: there are changes in the situation of religiousness; there are changes in the democratic conscience; there are changes in the knowledge of scriptures founding the monotheist religions. One can say that these changes are

historic and determine us to find new solutions even for issues considered settled – such as the cultural foundation of Europe, freedoms in the democratic state, the relationship between science and philosophy, on the one hand, and religion, on the other – or support us in solving new problems, such as defending firm values faced with the wave of relativism, and affirming the identity of the human species faced with the offensive of naturalism connected with biotechnologies[1].

Allow me to succinctly document these changes and the solutions that their recognition entails.

1   Regarding the situation of religiousness in Europe, I would mention the fact that the volume edited by Herman Denz with the title **Die europäische Seele. Leben und Glauben in Europa** (Denz, 2002), is still the best radiography. "The belief in a personalized God" reaches higher scores on our continent, anyway increased in the last decades in many countries (Italy, Austria etc., as in the Eastern Europe). On the level of Europe, 48% of the people declare themselves "very religious", 17% "religious", 12% "rather religious", and 23% "nonreligious". And the conclusion drawn by Paul Michael Zulehner, in the chapter **Wiederkehr der Religion?** of the volume, is noteworthy: "Das führt nicht zu einem neuerlich christlichen Europa. Aber trotz zweier atheisierender Kulturen (Ostdeutschland und Tschechien) und trotz des beträchtlichen Anteils an atheisierenden Personen in einigen westeuropäischen Ländern scheint die Zukunft Europas nicht in der Religionslosigkeit zu liegen."[2]

Nevertheless, I would add three more observations on the basis of the existing body of factual analysis. The first is that the "over-politicization" of life in modern society brings about the spreading out of the "non-political attitude", which entails the invoking of religion and the increase of the public role of religious institutions. Research carried out in the former "socialist" republics in Central and Eastern Europe document this observation[3] convincingly. The second observation is that the possible drop in participation to religious service in some European countries can only be interpreted as an indicator of participation in the life of institutions (of churches, in this particular case) and not as an indicator of religiosity[4]. Obviously, religiosity is much more complex than the participation in church services. The

third observation is that "globalization enhances, at least in the relatively short run, religion and religiosity"[5]. In fact, one can see – against the background of the ever-increasing disappointments in what concerns the functioning of state administrations – a distancing from the former and a tendency to reintegration of personal life from the point of view of the meaning of life, of its finality, of the quality of living. A "humanistic concern" tends to limit and restrict the concern for the tangible life in today's complex societies.

2   These changes in the situation of religiosity are not transitory. They do not let themselves be interpreted as "influences" spread in the world and cannot be completely explained sociologically. They are part of a profound change in the democratic societies themselves**.** I will succinctly take into account four indicators of this change.

The thesis of religion being historically "outdated", which was very influential in the European intellectual culture starting with the time of young Hegel, was in fact invalidated. It was proved that neither philosophy, as Hegel thought, nor anthropology, as Feuerbach strongly believed, nor social emancipation, as thought by Marx, nor modern science, in Comte's view, nor the cultural change, as Nietzsche believed, nor personal illumination, as in Freud's view, bring about the discarding of religion to museums. Religion proved to be anchored in some more profound realities of life, which were not taken into account by the approaches cited above. As Franz Rosenzweig showed, already in **Der Stern der Erlösung** (1927), religion belongs to the constants of human condition[6].

It is very likely that Samuel Huntington did not catch the intricate connections of religion with politics, but it is obvious, taking time into account, that the examination, in **Clash of Civilisations** (Huntington, 1993), of the religious identity[7] being more profound than any other cultural identity, is precise, and the theory of a potential clash of civilizations for religious reasons does not lack grounds. A conflict between the influential religions is neither imminent nor inevitable, but we are today in the same situation of potential conflict.

In the meanwhile, it has become problematic if the democratic state remains able to ensure the cultural resources necessary for its own preservation, without

the moral and spiritual resources of religion. The question asked by Ernst W. Böckenförde a few decades before, in **Die Entstehung des Staates als Vorgang der Säkularisation** (Böckenförde, 1967)[8], only now truly gains grounds, when it becomes obvious that many people make use of the advantages of democracy, but a lot fewer are willing to fight and sacrifice themselves for its defence, when it proves that real democracy is much more than a technique of selecting leaders.

Finally, the postsecular society, which was signalled by Habermas in the debate with Cardinal Ratzinger[9], and which re-evaluates, as it happens, the course taken by secularization in Europe, comes to life. Under the circumstances in which procedural democracy, in which the evolution of the Enlightenment project of the lay state reaches its peak, cannot by itself motivate enough the projects of individual life, and cannot offer content criteria for an "accomplished life", religion is called upon to play a part that was a priori denied to it by the Enlightenment: the position of participant in the democratic discourse of a pluralistic society that motivates its citizens by the very diversity of individual life projects that it promotes. The state remains neutral and, in a precise sense, lay, but in its very positioning "aside" from the plurality of life projects motivated in a religious or nonreligious way, the democratic state leaves room for expressing, in its own language, all possible projects.

3   The shift in the position of religion in the culture of modernity is, in its turn, related to significant changes in the knowledge of what occurred in Jerusalem before the birth of Christ, during the earthly life of Jesus and after the Passion and the Resurrection. The way in which Jesus of Nazareth became Jesus Christ is for us, those subsequently born, more clarified than for those of earlier generations. The Pauline **Epistles** and the four canonical **Gospels** remain the fundamental sources for the knowledge about the Saviour, but we can rightfully speak about more sources of this knowledge and of the new reconsideration of the sources of tradition. Here I am making reference, at least, to the historical studies of Schürer (from 1901–1911), the Roman historiography of the first centuries, the re-reading of the **Scriptures** in Hebrew (or Aramaic), the archaeological discoveries in Jerusalem, Nazareth and Capernaum, as well as in other places in Israel, the Qumran

manuscripts, the manuscripts of the Sinai peninsula, as well as the new philological and theological analyses of the Christian inheritance. In our time, the historical knowledge of life and sacrifice was highlighted, along with the knowledge of the Resurrection and Jesus' message to humanity, so that understanding as profoundly as possible and as precisely as possible the unity between "the historical Jesus" and "the eschatological Jesus" has become the horizon of theology and culture in the most comprehensive sense[10]. Far from making the message relative, this understanding gives it new meaning, especially now, when the dissolving effects of relativism are visible and when the civilized world acutely feels the need for new orientating values, when the identification of stable, firm values has become a condition for life.

By researching the history occurred around Jesus Christ, a vast field was opened up to specialized research, with an unparalleled cultural weight, where results that can no longer be ignored are obtained. Just as many theologians have noticed, "the historical Jesus" opened up the way for the rediscovery of Jesus as a son of the Jewish people, of his life as a part of the history of the Jews, of his teachings as a result of searching for a way to save the human beings. As the German bishopric showed in 1980, in a famous **Erklärung,** "whoever meets Jesus Christ meets Judaism". A new consciousness of the osmosis of Christianity with the grand tradition of Judaism and of Judaism with its most extended dissidence, which gave birth to the most influent religion of the civilized world, Christianity, this consciousness, therefore, is one of the marks of our time[11]. The documents subscribed by the churches – from the Ten Points of **Seelisberg Declaration** (1947), going through the **Declaration of New Delhi** (1962), the statements of the French episcopate, the **Nostra Aetate** (1965) of the Catholic Church – have contributed to giving a shape to this consciousness. Its cultural impact can no longer be hidden or minimized. Rightfully, theologians like Johann Baptist Metz raised the issue of revising the representation that comes from the German idealism, according to which Europe historically stands only on the shoulders of Ancient Athens and Rome, in order to realize the circumstance that Europe has, in the Jerusalem-Rome-Athens triangle, its most profound permanent basis[12]. And in the most recent development of theological research, reached as a result

of the approaches of some theologians – Catholics, Protestants, Orthodox, such as Fitzmeyer, Lohfink, Stendhal, Mussner, Zenger, Kasper and others – has been conclusively argued that God never broke his covenant with the chosen people[13] and thus, the parentheses of over nineteen centuries of conflicts between Christians and Jews was closed. Rightfully, on the other hand, first rank theologians of our times point out the need to effectively open up the trialogue of the religions that are inheritors of Abraham – Judaism, Christianity and Islam – as a way to rediscover the common roots and history and to face the challenges of the coming world[14].

When *we speak about religion, we naturally think about the atemporality of its visions, but also about its impact in the thoughts, feelings, attitudes and behaviour of the people who live their lives in concrete circumstances. Not long ago, the Athens professor of systematic theology, Constatine Scouteris, said, very appropriately, in his article* **Christian Europe: An Orthodox Perspective** *(Scouteris, 2002), that "theology which creates a gulf between itself and the context is not Christian theology. But again theology which identifies itself with the context and becomes a prisoner of it is no longer Christian theology. The task of theological research is to find such a balance; those involved in theology must realize that «contextual theology» is not a path toward theological syncretism, but a responsible and serious presentation of the eternal truth of the gospel in a given context of culture and thought". Developing today the implications of theology in the current crises, starting from the moral truths of Christianity is not just a need acutely felt by the civilised world, but also an emergency. It is evident that late modernity encounters a major difficulty as far as the leading values are concerned. For instance, secularisation separated the functioning of the state from the church, but the motivation of people not only for using democracy, but also for defending democracy is visibly suffering. A motivation crisis is identifiable today, and this motivation crisis lies, according to all the clues, in a crisis of the perceived meaning of life, just like the motivation crisis inevitably attracts a crisis of new solutions and creation.*

4   The threefold fields of change – in the situation of religiousness, in the democratic conscience, in the knowledge of the Scriptures – have vast consequences in solving

some basic issues of European unification. *I will now briefly touch upon some of these problems.*

The *first issue is* the cultural foundation of Europe. *The view of the classical German idealism, which had the obvious tendency to reduce this fundament to Athens and Rome only, no longer stands to today's analyses. Even the interpretation of European Christianity as "Judeo-Hellenist synthesis" appears to be insufficient today, as the inheritance from Jerusalem proves to be, in the perspective of history, wider and deeper. For this reason, one can say, together with Johann Baptist Metz, that only the "Jerusalem – Athens – Rome triangle" accounts extensively for this fundament.*

The *second issue is* the understanding of the democratic state. *Today, thanks to the new research of the decisive achievements of modernity – the freedoms of the individual and analytic-experimental science – religion now comes into view in a new light. The freedoms of the individual, as well as the interrogations regarding justice, solidarity, were possible in the framework of the Judeo-Christian vision of the world, just as the Galileo-Newtonian science was possible in the framework of monotheism. The concept of biblical origin of the individual made possible, culturally speaking, the freedoms that represent the basis of the democratic state, and the modern democratic state has, in this concept, a criterion by which it is measured. Recently, Jürgen Habermas convincingly argued that that there is an inextricable connection between the concept of the individual and democracy, not only historically but also in every moment of democracy*[15].

The *third issue is* the relationship between religion and state. *A historic step forward was, as it is well known, the separation between state, as a secular form of organization, and religion, and the consideration of religion as a private matter for every citizen, together with guaranteeing the freedom of conscience. Max Weber was the first to analyze, systematically, the implications of constituting the profane field of the state as an indicator of modernity. The famous "rationalism" of our European culture is organically connected to this lay autonomy of the state. To make yet again the state subject to religious views – as the fundamentalisms of our time are trying to do – means to violate the inevitable plurality of religious views of citizens and a step back, leaving the ground of modernity. But, in the circumstances where*

the proceduralized democracies are confronted with a crisis of motivation resulting from their very functioning, where the unique remaining cultural resource at hand in late modernity is religion, one can no longer say that religion is a private matter of the citizen. Religion became a matter of public life, and the positioning in relation to God is part of the civic culture of democracies themselves. A democratic tradition that was constituted not against religious options but according to them, and which has made the Judeo-Christian tradition a basic resource, such as the one in the United States of America, proves to open new outlooks. In any case, at a distance from the classical secularism of the state and from the fundamentalisms that abusively cast a religious cover over the state, the issue is now taking over religion, the civic culture, and the public debate of democracies.[16]*

Another issue is, at last, the relationship between sciences and philosophy, on the one hand, and religion on the other. All the attempts of the past and present fundamentalisms to prove that people would live differently should religion control their lives completely proved to be unsuccessful. The autonomy of values is a modern world acquisition with no rational alternative. Religion could no longer fulfil its mission if this autonomy were to be weakened. On the other hand, with all the attempts made, science proved incapable to offer grounds for morals. The latter has, obviously, other sources of substantiation. Philosophy, with all the attempts made, can no longer manage, by itself, the crisis of motivation emerged. The situation we live in is new and forces us to a historical assessment. All the indicators show that, as Habermas recently illustrated, in **Zwischen Naturalismus und Religion** (Habermas, 2005), the paradigm of "servant" in the relationship between philosophy and religion must be deserted and a new paradigm of "parallelism" of the approaches of philosophies and religion must be adopted.*

This "parallelism" of philosophy and religion does not seem to durably stay peaceful unless three conditions are met: philosophy stops ignoring the research carried out by theologians, as Rudolf Carnap recommended; theology stops ignoring research carried out by philosophers, as Karl Barth recommended; each stop approaching the other in the terms of true or false, as Kant recommended. To follow Carnap, Barth and Kant, under such aspects, is not a solution anymore. From among these conditions,

obviously the third one is most often subject to misunderstandings. For this reason, it must be noted that this condition requires both philosophy and religion to refrain from applying reciprocally their criteria of truth, and nothing more. It is a mutual and reciprocally understood refraining.17

Nonetheless, philosophy and theology must work together in defending firm values of the culture we are living in in Europe. As, from different directions, – one, for instance, stimulated by biotechnologies, another by the dissolution of the traditional family – what is human life, who creates it, what is the difference between having a body and existing as a body, what are the circumstances of meaningfully living in society, became problematic. Nobody saw this current need for firm values more acutely and explored it more deeply than Joseph Ratzinger[18] did. His work is more profound and rightfully understood as a systematic look for and defence of the firm values in an epoch of relativisms.

Notes

1. *See Habermas J (2001) Die Zukunft der menschlichen Natur. Auf dem Weg zu einer liberaler Eugenik?, Suhrkamp, Frankfurt am Main, pp 34–163*

2. *Zulehner P M (2002) Wiederkehr der Religion? In: Denz H (ed) Die europäische Seele. Leben und Glauben in Europa, Czernin Verlag, Wien, p 41. See also Marga A (2004) Religia în era globalizării, EFES, Cluj, pp 33–139*

3. *See Menschel S (1991) Revolution in der DDR. Versuche einer sozialwissen- schaftlichen Interpretation. In: Zapf W (ed) Die Modernisierung der modernen Gesellschaften. Campus, Frankfurt am Main, New York, p 562*

4. *Brechon P (2004) Influence of Religions in Integration on Attitudes: a Comparative Analysis. In: Revue française de sociologie 45:31*

5. *Robertson R, Chirico J (2000) Humanity Globalization and Worldwide Religions Resurgence. In: Lechner FJ, Boli J (eds) The Globalization Reader. Blackwell Publishers, Mallden, Mass*

6. *See also Marga A (2005) Filosofie şi teologie astăzi. Philosophy and Theology today. Philosophie und Theologie heute, EFES, Cluj, pp 41–50*

7. *See Marga A (2004) Religia în era globalizării, EFES, Cluj, pp 96–114*

8. *See Böckenförde E W (1991) Die Entstehung des Staates als Vorgang der Säkularisation, Suhrkamp, Frankfurt am Main, pp 112*

9. *Habermas J, Ratzinger J (2005) Dialektik der Säkularisierung. Über Vernunft und Religion, Herder, Freiburg, Basel, Wien, pp 33–36*

10. See Ratzinger J (1968) Einführung in das Christentum, Kösel, München; Cornfeld G (ed) (1982) The Historical Jesus. A Scholarly View of the Man and His World, MacMillan Publishing Co., New York, Collier MacMillan Publishers, London; Kasper W (1992) Jesus der Christus, Mattias-Grünewald, Mainz; Sanders E P (1993) The Historical Figure of Jesus, Penguin Books; Moltmann J (2002) Der gekreuzigte Gott. Der Kreuz Christi als Grund und Kritik christlicher Theologie, Ch. Kaiser Gütersloher Verlagshaus; See also Marga A (2004) Op.cit., pp 141–187

11. See Küng H, Lapide P (1981) Jesus in Widerstreit. Ein judisch-christlicher Dialog, Calwer–Kösel, Stuttgart, München; Metz J B (1989) Anamnetische Vernunft. Anmerkungen eines Theologen zur Krise der Geisteswissenschaften. In: Honneth A, McCarthy T, Offe C, Wellmer A (eds) Zwischenbetrachtungen. Im Prozess der Aufklärung. Suhrkamp, Frankfurt am Main; Israel G (1999) La question chrétienne. Une pensée juive du christianisme, Payot, Paris; Cardinal Ratzinger J (1999) "L'Unique Alliance" de Dieu et le pluralisme des religions, Parole et Silence, Saint Maur; Küng H (2001) Das Judentum, Piper, München, Zürich

12. See Metz J B (1989) Op. cit.; Cardinal Ratzinger J (1999) Op. cit. See also Marga A (2005) Op. cit., pp 149–190

13. See Lohfink N (1991) L'alleanza mai revocata. Riflessioni esegetiche per il dialogo tra christiani ed ebrei, Queriniana, Brescia, pp 17–99

14. See Kuschel K-J (2002) Streit um Abraham. Was Juden, Christen und Musline trennt – und was sie eint, Patmas, Düsseldorf

15. See Habermas J (2005) Zwischen Naturalismus und Religion, Suhrkamp, Frankfurt am Main, pp 258–278

16. Habermas J, Ratzinger J (2005) Op. cit.

17. Habermas J, Ratzinger J (2005) Op. cit.

18. Cardinal Ratzinger J (1991) Wendezeit für Europa? Diagnosen und Prognosen zur Lage von Kirche und Welt, Johannes, Einsiedeln, Freiburg. See also Marga A (2005) Valori ferme în modernitatea târzie. Opera filosofică şi teologică a lui Joseph Ratzinger. In: Habermas J, Ratzinger J (2005) Dialectica secularizării. Despre raţiune şi credinţă, Apostrof, Cluj

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Science – Religion Dialogue and the Recovery of Intellectual Elites in Post-totalitarian Societies

MARIJAN ŠUNJIĆ

Summary

The dialogue between the two approaches to reality, embodied by modern science and religion, though possibly of academic interest in a stable democratic environment, acquires vital importance in the post-totalitarian societies, where it is essential to re-establish and reintegrate intellectual elites after their destruction by the totalitarian regimes. Understanding the causes and various methods of this destruction will help us to envisage the complex process of recovery, especially of the academic community, as well as its importance for the development of stable and prosperous democracies in the region.

Totalitarian rule and intellectuals

One of the main problems causing delays in the social transformation and democratisation of the post-totalitarian countries in Central and Eastern Europe is the destruction of the institutions of civil society, and especially the destruction of the intellectual elites in the 20th century.

After a century dominated by two world wars, brief periods of right wing and long periods of left wing dictatorships, the region of Central and Eastern Europe is going through a painful process of recovery. This process is far more difficult and complex than was expected after the collapse of Berlin Wall in 1989, leading to frequent frustrations and presenting many unexpected challenges. It is a process without a historical precedent – we have to discover new ways to repair

both material and mental damages that occurred in the past period. Therefore the precise diagnosis of the situation, of the key problems inherited from the past and still present, can give us necessary indications towards the solution – however demanding and of long-term character.

As already emphasized, I shall here argue that one of these key problems should be found in the destruction of social elites, in particular intellectual elites by the totalitarian regimes, their physical elimination or their complete control and manipulation by the power centres. This refers not only to the academic communities, but also to the economy, government, etc.

Even if some individuals managed to survive, the institutions – universities, academies, professional societies, chambers of commerce, etc., were either closed or infiltrated and controlled by the Party and the State. One should also mention the attempted destruction of religious organizations, the persecution of priests and all religious persons.

This destruction was not accidental, but an intentional action of the Party, which tried in this way to suppress every criticism and independent thinking in the defence of its absolute power.

The reason is obvious: Independent institutions and individuals with their competence and professional and moral responsibilities were a threat to the absolute power and monopoly of the Party, and had to be eliminated.

It is interesting to notice the similarities between the Communist and Nazi/Fascist aggressive attitudes towards intellectual elites, and in fact towards all independent social structures. The term Party can therefore denote any totalitarian power structure – either the Nazi or the Communist or the Fascist Party – any Party in the Orwellian sense, remembering that Orwell was the first to give a brilliant analysis of this totalitarian phenomenon.

The consequences for this region were disastrous. The recovery of post-totalitarian societies is slowed down and sometimes even reversed because of the lack of independent and capable individuals and institutions whose cooperative role would build a tolerant and prosperous democratic society. Even when such individuals do exist they are often isolated and marginalized, with the resulting

return of the "old" cadres and the revival of the old totalitarian mentality and behaviour.

All this occurs in the period of intense globalization, presenting additional challenges to which the post-communist societies are unable to find adequate response.

Totalitarian rule and religion

Religion, and in particular organized religion, was considered by totalitarian regimes as an especially dangerous enemy because it promotes certain principles, system of values and norms, and thus could limit the absolute power of the Party.

Various religious communities reacted differently to the persecutions, which also differed in intensity, from the murder of hundreds of thousands of priests and faithful in the Soviet Union to the German extermination camps to the more sophisticated later methods of oppression. However, two things are obvious and relevant for further discussion. First, the damage – both physical and mental – was enormous, both to the religious communities and their members, but also to the whole intellectual community and to the society, and it will take a long time to repair. Second, the persecution failed to eliminate religion and completely destroy religious institutions, though to a large extent they were removed from their social functions. The forced segregation of intellectuals according to their religious affiliation led to the creation of "ghettos", so that the society was losing their creative contributions in scientific research, education, arts and humanities, in economic activities, and finally in politics and government.

Science-religion pseudo-conflict, scientism and fideism

Apart from physical persecution, "scientific fundamentalism" of the Marxist i.e. materialistic model was used as an instrument of repression of spiritual values and activities that were not in accordance with the official Party line, and for the elimination of critical thinking, especially among intellectuals.

This "scientific fundamentalism", or scientism, is a specific ideological extension of science into the fields of philosophy and politics, which attributes unlimited powers to the human reason, when applied in the so-called "scientific method".

Scientism, as an ideological deformation of science, also caused much damage to the progress of science and also created spirit of intellectual intolerance, which served as the justification for the totalitarian rule of the Party.

In its extreme form it eliminates not only religion and philosophy as false and irrelevant, but also all arts, literature, even "soft" sciences, like history, sociology, economics, that are not subject to experimentation and quantification.

Of course, there are also totalitarian regimes based on another fundamentalism of religious origin, or fideism, where claims to absolute truth and justification of absolute power are based on religious teachings. Some Islamic regimes are such recent examples, where religious fundamentalism suppresses other aspects of human spirituality, but in certain historic periods this was also the case in Europe. Needless to say, just as in case of scientism, this is not the real but false interpretation of religion, a surrogate of true faith, however influential it could be.

Both scientism and fideism try to find their justification in the false idea of the inherent conflict between science and religion. Proper understanding of both can easily show, in spite of the complexity of their relationship, that these two are neither exclusive nor opposed, but instead complementary.

Complementarity of science and religion

The development of fideism and scientism, and their frequent conflicts were mistakenly considered to refer to the intrinsic incompatibilities of science and religion. Recent controversy connected with the article by Card. Cristoph Schönborn in the New York Times showed how sensitive and emotional these issues could be.

Fortunately in the Western civilization, based on Judeo-Christian tradition, fideistic tendencies though still present are quite isolated, though they occasionally rise to the surface e.g. in the form of "scientific creativism", or its more recent version "intelligent design theory" in some parts of US.

Catholic Church, starting with the First Vatican Council (1869–70), and especially pope John Paul II made great efforts to clarify the relationship between religion and science, and establish a reasonable and fruitful dialogue, promoting the idea of their compatibility. As pope John Paul II says in the first sentence of his encyclical letter Fides et Ratio:

Faith and reason are like two wings on which the human spirit rises to the contemplation of truth; and God has placed in the human heart a desire to know the truth – in a word, to know himself – so that, by knowing and loving God, men and women may also come to the fullness of truth about themselves.

Of course, I could have quoted here a number of scientists, from Galileo to Einstein, who were deeply aware of the intrinsic differences between these two "wings", but also of their complementarity, though they expressed their convictions in different and often highly personal forms.

Reactions of many Christian intellectuals in the recent discussion started by Card. Schönborn, and here I mention especially the interview by Prof. Nicola Cabibbo, then president of the Pontifical Academy of Sciences, testify that tolerant and reasonable dialogue about the relation between science and religion, their limitations and complementarity, is both possible and ongoing, both among the scientists and theologians.

Therefore the dominant form of fundamentalist thinking in Europe in the last century was scientism, both as an intellectual attitude and as a political instru-

ment. As both fundamentalisms are characterized by intolerance, suppression of alternative thinking and desire for control and power, scientism produced enormous damage to proper scientific research in the first place – but this is a topic for a separate discussion.

Science-religion dialogue and the prospects for the future

The development of democratic and prosperous societies in this region, after the material and spiritual destruction caused by the totalitarian regimes of the 20th century, will be impossible without the real – and not only formal – reconstruction of the whole range of key institutions of the civil society, including not only government and political structures but also intellectual and academic centres. This will require great engagement of the whole society, but primarily the efforts of the intellectual elites that were destroyed and segregated according to their religious views in the previous regimes, but are still undervalued and marginalized by the present post-totalitarian mentality.

An important example of such a dialogue will be how to answer adequately to the challenges of the new technologies, which not only bring great benefits to the mankind but also present enormous potential dangers, from the weapons of mass destruction to the global warming, to mention just the most obvious.

Obviously, not all technologies that are possible are also acceptable and desirable, and the society is permanently confronted with the dilemmas of choice which science alone cannot answer.

Namely, science is descriptive and not prescriptive ("Science is value-free, or morally neutral!"), it tells us "how" but does not treat the questions of meaning, sense, purpose, and especially value statements. On the contrary, all great religions are primarily concerned with the problem of values and their applications, and therefore they can be fruitfully explored only in the science-religion dialogue.

We therefore need people who will be both scientifically "literate" – trained in a specific field of science and/or technology, and at the same time morally

sensitive and responsible. This claim is supported by the underlying belief that "the spiritual wings of the world's great religions have a common core of ethical values, which can be used to provide guidance in practical solutions" (George F.R. Ellis, acceptance speech, Templeton Prize 2004). This will present an opportunity and a challenge for the inter-religious dialogue, in order to find a common basis for action, to define the elements that unify all these religions and not what divides them.

And this guidance is urgently needed. Fortunately, this region of Central Europe is a nuclear-free zone. But the environmental destruction in the past and possible threats in the future, profit-only oriented introduction of new production techniques leading to huge unemployment, social engineering by irresponsible use of powerful new media on behalf of the financial power centres, ethical problems in biomedicine and biotechnology, all these are just a few examples of such dilemmas to be resolved. In this respect one may reflect a upon the recent decision by the politicians to remove from the Constitution of the European Union all references to European spiritual and ethical heritage and the system of moral values.

Conclusion

Reintegration and revitalization of the intellectual communities in the post-totalitarian societies require elimination of all fundamentalisms and their intolerance, all divisions and animosities, and the establishment of a real and fruitful dialogue of the two great modes of human spirituality and quest for truth – science and religion. For this we need better understanding of the real character of scientific and religious approaches in the search for the knowledge and truth about the nature and man.

Here the university could and should play a decisive role, as the place where our future is shaped, where young people who will create this future acquire not only their scientific education but also their moral and ethical values.

As we are here enjoying kind hospitality of the University of Maribor, I am reminded of a related event. During a General Assembly of the Danube Rectors' Conference here in 1997, at the initiative of Rector Toplak a resolution was adopted pointing out the importance of professional ethics for university graduates and the need for its introduction in the university curricula of the member universities. This was a noble and timely effort, still waiting to be fully implemented, but it signifies the awareness of the academic community to these problems, and certainly confirms the relevance of the theme of this conference.

Science – a new Religion for Europe?

BERNHARD PELZL

Summary

*Christianity, represented by the Catholic Church, was the most powerful factor of integration of European tribes and peoples in Late Antique and Middle Age. All people were joined by the faith in God and his power. But the Catholic Church lost this role since the Enlightenment, because the faith in God was displaced more and more by the belief in matter, the laws of nature and their perception. Therefore it looks, that nowadays sciences became the most powerful factor of European integration. But sciences show all criteria of Christian religion respectively of its institution, the Catholic Church – but as **a religion without transcendence.***

The title of my short article "Science – a new Religion for Europe" is a provoking thesis, which I developed by the observation, that sciences have displaced Christianity, represented by the Catholic Church, from its former political and sociological power position. There are hardly any important political or economical decisions made today without scientific expertise just as in former times there were no important political decisions without theological, or better, ecclesiastical legitimacy. The people also demand the safeguarding of sciences in nearly all things of their concrete life. When somebody has a serious disease for example, he requires the best medical expertise, in all affairs of pollution, scientists should decide what is dangerous and what is not, and a lot of litigations are solved not by a judge's mind, but by scientific experts. In former times priests had been the ones asking for safeguarding, today it is the scientists. Sciences and their

institutions seem to take the same place in society today as Christianity and its institution, the Catholic Church, did in former times.

This is not astonishing, because sciences have the same structures and the same goals as the European base religion, Christianity.

Let me begin with the goals of the business of science: In the year 2000 I analysed that question for an article for a publication about principles of medical activities.[1] For this article I analysed public statements, statements in journals from 1994 to 1999 of 72 well known scientists and official documents of EU administration about research programs, for example the "Green Book for Innovation". The result surprised me: Scientists aim at a perfect world, a kind of paradise. This perfect world, which should be reached by scientific activities, is imagined as a state of total freedom of complaint and of the highest enjoyment and pleasure for all human beings: all work, for example, will be done by robots, there is no pollution due to perfect technologies, nobody will be ill, because all diseases are already cured before birth by prenatal genetic therapy programs and the peak, the biggest deficiency of human existence is removed – the death! (Perhaps you are aware of the conception of the human being as a "Deficiency being" by the philosopher Odo Marquard, who defined the death as the biggest deficiency of human beings.[2]) The reason: scientists had identified the "Gen of Death" in human genomics and turned them off (there is a well paid private-public partnership research program in the USA, to reach that goal). All these statements are no joke, but are really meant seriously!

This imagination, the fantasy of a perfect state, which is believed to be attainable by scientific activities, can be found described in a similar but literally better form and not so childish for example in the Bible or in the opus of saint Orosius "Historiae adversum paganos" – he was born in Braga in Portugal, lived in the 5th century a. d. and was motivated for his studies by saint Augustins "Civitas Dei". Both – modern scientists and Christian documents – have the same philosophy,

1   Pelzl B (2000)
2   Marquard O (1981) and (1986); see also Lenk H (1994)

the same understanding of history in their mind: *development of history ascends from an imperfect state to a perfect one.*

But, we know, there is also a very big difference between the two positions of mind: Scientists believe in their own ability and power to make the world better, Christians know, that the deliverance of the world is a consequence of the salvation of God. The same goal – but different substantiations. The Christian substantiation has a transcendental orientation, a transcendental anchor, the scientific does not. So I summarize this argumentation of mine: **modern sciences are a religion without transcendence**[3] or, as the Lutheran theologian Paul Tillich says, a "Quasireligion", in which God is compensated by scientific authorities.

A further observation, which confirms this view of sciences as a new religion, is the similarity of dogmatic systems. Both, sciences and Christianity, have presuppositions, which must be believed, in order that the systems can function. In my quoted article about conception of modern sciences I tried a first definition of the presuppositions of modern sciences, in the "Handbook of Application Oriented Research" of Joanneum Research[4] I detailed them, for example the material structure of cosmos, causality and objectivity of knowledge. The presuppositions of Christianity have been published for a very long time: in Credo and as Dogmas.

Third: A lot of principles of sciences are totally based on the principles of scholastic theology. Only one concrete historical example: Johannes Kepler, who gained acceptance the so-called "Kopernikan Turn"; he wrote: *"I know, that my perception is correct, if my soul is lighted."* We know which theological principles were the presuppositions of Kepler's new perception: predicates about trinity of God. Kepler imagined a special view out of this predicates: God as sun in centre, rotation of earth as eternity, sunbeam as instrument of divine creation. He formalized these relations mathematically and created so Kepler's Laws.5

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3   Sloterdijk P (1997), but only out of earthly view
4   Pelzl B (2001)
5   Quoted by Fischer EP (1995)

Many principles of the modern view of the world are such abstractions of theological predicates of Middle Age and Renaissance.

I think this identity of structures, functions, principles, methods made it possible, for the sciences to be able to take the position of political and social power, which the Catholic Church had in former times.

But I think this is dangerous. Christianity is anchored in transcendence, sciences in material world; Christianity is based on divine love, sciences on will to rule. A powerful Catholic Church too was oriented on charity, sciences are oriented only on best adaptation of human beings. Christians want to console, scientists want to act.

I am certain: modern Europe needs both for a good human integration, Christianity and humble sciences – and Christianity more.

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Religion and Modernity

VLADIMIR GRADEV

Summary

In this paper I try to point out the conflict of interpretations in the contemporary period, distinguished by the clash of modernity and postmodernity, secularization and fundamentalism. According to the apologists of Christianity modernity is antireligious because it brings the revolt against God to its limits that is to say to an edge. That is how the relations between religion and modernity are being most often reduced solely to their mutual exclusion. Religion has an antimodern tension as far as the Enlightenment deposes the authority of revelation and tradition, as far as the establishment of a democratic society directly denies the hierarchy principle of a church-society. The uncompromising fundamentalism reacts to these namely claims of modernity, which seem to be rather sacrilegious. But at the same time we see that secularization does not have necessarily to be identified with atheism, that freedom of consciousness does not compromise the truth claims of religion and that the separation of church and state is the best guarantee for the preservation of faith.

At the same time religion remains the only traditional institution still capable of gathering millions of people at one place. One way or another religion continues to determine the identity, to justify and provide reasons for feelings and actions. The mighty comeback of religion into the public sphere demands a rethinking of the idea of the secular state, the division between church and state, between public and private sphere and so on. Even more, the presence of millions of practicing believers today in Europe often extremely critical to the secular western society is evidence not only

for the religious and moral pluralism of the liberal democracies, but also represents a reason for testing their own premises. The collision with fully alien forms of life during the last years, the war on terror, but everyday coexistence with considerable immigrant communities as well require such a test in no time.

In this paper I try to point out the conflict of interpretations in the contemporary period, distinguished by the clash of modernity and postmodernity, secularization and fundamentalism. Well known is the thesis that suggests and stresses on the antagonism between Christianity and modernity and that comprehends postmodernity through the prism of the "Death of God". According to the apologists of Christianity modernity is antireligious because it brings the revolt against God to its limits that is to say to an edge. That is how the relations between religion and modernity are being most often reduced solely to their mutual exclusion. Religion has an antimodern tension as far as the Enlightenment deposes the authority of revelation and tradition, as far as the establishment of a democratic society directly denies the hierarchy principle of a church-society. The uncompromising fundamentalism reacts to these namely claims of modernity, which seem to be rather sacrilegious. But at the same time we see that secularization does not have necessarily to be identified with atheism, that freedom of consciousness does not compromise the truth claims of religion and that the separation of church and state is the best guarantee for the preservation of faith.

The philosophical turn of the postmodern culture is due to the crisis of the Enlightenment reason. Through the past century this reason turned out to be incapable of removing or just even filtering the destructive drive. It does not seem anymore in condition to revise its values, to invent new ways and goals. The crisis does not look as a temporal occurrence, because it touches the essence of the sole reason: it realizes it has lost its fundament. Nowadays the "weak" thought of postmodernism tries to anaesthetize the pain of loss, to bring to a satisfactory ending the acts of mourning, beyond conflicts and violence, beyond defeat and suffering.

After the age of suspicion the philosophic culture of the present is scattering into a series of "sunsets": the one of the truth, the subject, the being. Truth is turning into simulacrum, the subject loses itself in diversity and unimportance (Musil's *Mann ohne Eigenschaften*), being is spreading as a series of masks, hiding nothing. After the decline of positivism every method of reflection referring to philosophy as well as every kind of anthropology based on the essence of humanity is being deconstructed.

Postmodernism realizes the fact that reason, trying to conquer the Transcendent during the Enlightenment, has been exhausted. We are facing the reason going obscure. Postmodernity, overwhelmed by the small narratives, does not give much value neither to the past nor to the future. It is concentrating into the heart of the present, a present closed for the utopist spirit, without metaphysical anxiety and consolation, without religious fear and trepidation.

Philosophy during the first 1500 years of the Christian era was defined as *ancilla theologiae* and served the task of preparing the ground for the higher speculations of theology. In the modern era this very same philosophy rose against theology and thus became self-sovereign. The same philosophy however discovered during the last century that it has no grounds or rather that it is based on nothing. It is necessary today that we take into account the fact that in the era of globalization we live wavering between the popular resigning indifference and the return of fundamentalisms which manifest in helpless forms of rejecting technologies or in monstrous programs for destruction and toward which any form of mediation looks helpless. Including philosophy, which is reduced to realizing the insignificance of basic values. When there is no difference between just and unjust and everything relies on the criteria of our tolerance then philosophy is brought to the sole invention of psychological surrogates of the conceptual and theoretical vacuum.

Facing the tragedy of sense and loss of fundamental values we find out that philosophy in its turn needs something to serve it, to help give it back its own sense and aspect. We find out that philosophy needs theology, that little ugly dwarf. We find out that theology is called up today to become a servant to

philosophy. Vendetta of history? Wile of reason? Triumph of knowledge over faith? I guess not. Our postmodern era is not a time for tricks, easy victories and triumphalisms: it is a time for misery, allusions and secretions.

I think the new relation between philosophy and theology is best described by the famous parable of Walter Benjamin. A machine always won the chess games it played for great pleasure and amusement of the public. But it did not play its moves by itself. It just executed them. Behind the machine there was hidden a hunchbacked ugly dwarf who actually thought the moves and passed them on to the machine. The machine represents historical materialism, that is philosophy in its extreme secularized form, and the dwarf – that is theology, which is improper, ugly and repulsive and so must remain hidden, though it turns out it is the only thing capable of reviving philosophy. Benjamin's parable may provoke a smile among great philosophers, but it is not just provocative – it is very serious as well. It is merciless for the skilled experts who live with the illusion that the world goes on by itself. It is merciless for the comfort of the chair philosophers, who stands behind the so precious for them machine of the academic philosophy. But in order to function properly the philosophy machine needs an ugly and hunch-backed, but absolutely necessary dwarf hidden inside it. Here is today's tension of the concept: how and using what power can we save any human sense and meaning in the philosophical fact?

Escaping the "tragedy of nonsense" many look for a refuge in the more and more fashionable apophatic theology – the mystery of withdrawal of the Almighty, of God's silence. Nevertheless after September the 11th together with the ritual sacrifice of the terrorists the religious again suddenly returned on the world stage: the people that planned and launched the terrorist attacks actually recognize in that God's anger punishing the capital of Evil and the ones that felt victims of these attacks inevitably thought of the Apocalypse: the sharp semblance between the fall of Babylon and the Manhattan destruction. But we do not have in mind a civilization conflict. The principle: *cujus regio ejus religio* is not valid anymore; the religions are not limited in strict and clearly defined borders. Terror is global and the fear of chaos, the resentment, the lust for revenge and justice and restitution

of order in no time run through every corner of the planet. Not only America is in Asia today, but Asia is in America and Europe as well, Islam is to be found in modern secularized society in the same manner like secularization is in Islam, not systematically, but on and off, episodically, punctual with every concrete outbreak of violence. It has to do with the immediate violence of the sacred, so we do not have in mind any kind of mediation, formation and conflict between distinct and well-defined and outlined civilizations, between in and out, between us and them. In a surprising manner the religious adjustments continue to form contemporary life, they cross horizontally the whole globalizing world where the crisis does not spare at all the world of liberal democracy. The end of history proclaimed by Fukuyama right after 1989 turned out to be an era of radicalizing tension and conflict. It is well known that the western world was born in the long process of secularization. What is really surprising though is that religion keeps polarizing it. The conflict between religion and society shifts from the strictly political sphere (the relations between church and state) toward the sphere of ethics and law (the collision happens between the champions of science and technology and the new crusaders of life around abortion, euthanasia and genetic manipulations) to come back again in the field of politics (after September 11th).

In his book *History of atheism* Georges Minois[1] claims we have nowadays 1,8 billions of agnostics and 250 millions of atheists. I do not know how he got these numbers, but it is indisputable – faith is no longer a social duty; it is also a fact that after 1968 we observe a brutal obliteration of religious culture, a full rupture in handing over tradition between the generations: a serious drop in religious practice (today barely 10% of the Europeans go to church – most irregularly). Obviously we do not have a conspiracy or some kind of accident or coincidence here, but we ought to think of an epoch-making, fundamentally changing the human civilization fact. At the same time religion (the canonizations and youth meetings of Pope John Paul II, the Mecca pilgrimage) remains the only traditional

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1   Georges Minois, *Histoire de l'atheisme*, Paris, Fayard 1998

institution still capable of gathering millions of people at one place. One way or another religion continues to determine the identity, to justify and provide reasons for feelings and actions.

For him who has eyes to see and ears to hear long before September 11th it was evident that a rethinking of the relations between the democratic state and religion was needed. The West was required and in even greater extent it is required today a critical rethinking of the historical process of secularization. No only in fact the contemporary world is not the one that the Enlightenment imagined – fully free and independent of religious prejudices, frozen at a certain stage of the evolution of mankind and left behind its back for good; but we have the secular layers of contemporary culture as well turning their face to religions as a source of meaning and privileged positions of basic individual and collective experience that cannot be replaced by secular surrogates. The mighty comeback of religion into the public sphere demands, if only because of tactical and electoral reasons, a rethinking of the idea of the secular state, the division between church and state, between public and private sphere and so on. Even more – beyond the dictate of the concrete *Realpolitik* the presence of millions of practicing believers today in Europe often extremely critical to the secular western society is evidence not only for the religious and moral pluralism of the liberal democracies, but also represents a reason for testing their own premises. The collision with fully alien forms of life during the last years, the war on terror, but everyday coexistence with considerable immigrant communities as well require such a test in no time.

I would like to plead for an "situated", "transformed" by the clash with the reality theology: a theology adequate to the globalization, seen as a radical rapture with modernity and its rational mediations, theology capable of rediscovering the initial meanings, taking things up from the roots. This theology finds its origins in the biblical book of Job. To Job's question about what he has endured God does not give any explanation – neither theological, nor sociological or historical, psychological etc. It is only His hymn of creation that sounds at the end. This is not just the next take up of the theme of God's impenetrability. Shifting the answer

from a possible explanation of Job's misfortune toward a contemplation of the creation is a sign that we cannot unpuzzle what has happened. The authentic religious event, as shown by Kierkegaard, takes not only the ethics down, but the reason as well – to push it this way toward another dimension of existence. We can situate it, give it some location from where it can be seen. This is not a theodicy, it is not a justification of what is happening, but rather it is an attempt to find some kind of "situating" theology (in the sense of Adorno, but before him the one of Schmitt and Benjamin) which instead of explaining tries to find the location or the spot from where the event can be seen, which seeks to situate the order of the catastrophe, if we speak in the terms of Pascal.

Modernity is a theater of the collision between different traditions: the liberal, based on the rational and working individual, the republican one, which has its fundaments in civil life, the skeptic, too mistrustful and suspicious of the individual illusions and which renders all to the habit and the history, the Marxist which sees in the identity between human and nature the source of our being. That conflict prevents and hinders the modernity from finding an interpretation in adequate to its project institutions. Today though one of the traditions overcomes the others and becomes a canon: the Hobbes' one which puts death consciousness and the fear of death at the beginning of any humanizing and which aiming to preserve at any cost the life of the individual and finds its way out in the contract, in the triumph of law over politics. The biological mortality of man gives birth to different instances for delaying the inevitable: science, economy, security etc. In the recent years science succeeded for the first time to question the biological frontiers of man and this is included in the characteristics of modernity, defined by Hobbes. That is a non Promethean (still pretty much a romantic idea, depending to great extent on the transcendence) modernity which finds its roots in the fear of death, which does not seek to replace God, not even to rival him, it just goes on and develops without aiming any final goal. This development generates only delay, postponement, pushing away death and limitation from the horizon of modernity.

Modernity denies any preset or pregiven reality, it behaves *etsi mundus non daretur*, it does not bear passivity, neither the fact that we come after the creation ("Where were you when I laid the earth's foundation?"[2], God is asking Job – you are not contemporary or witness of creation, you came after it). Hence the myth of the self constituting activity (that is precisely *etsi mundus non daretur,* as if nothing is given), that is the deconstruction of any possible world in favor of potentiality – the point up to which the potential of the individual stretches is the point up to which his law and rights are spreading: freedom is to be understood as power. It imposes that the human or that thing which it calls "human" starts with a power, which is to be realized as mortal. Terrified by this "possibility of the impossible", it invents instances that have to delay the inevitable: state, science, technology, economy and why not religion (this illusion according to Freud). That is therefore a *katechon*, the power that delays, but it is not *katechon* at all in the Judaic sense: which delays God's anger and at the same time brings Messiah's advent forward. It is a bad *katechon* because it delays the advent of the Messiah.[3]

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2   Job 38:4.

3   This eschatological concept appears in a rather enigmatic passage of 2 *Thessalonians:* "Don't let anyone deceive you in any way, for that day will not come, until the rebellion occurs and the man of lawlessness is revealed, the man doomed to destruction. He will oppose and will exalt himself over everything that is called God or is worshipped, so that he sets himself up in God's temple, proclaiming himself to be God. Don't you remember that when I was with you I used to tell you these things? And now you know what is holding him back (*to katechon*), so that he may be revealed at the proper time. For the secret power of lawlessness is already at work; but the one who now holds it back (*katechon*) will continue to do so till he is taken out of the way. And then the lawless one will be revealed whom the Lord Jesus will overthrow with the breath of his mouth and destroy by the splendor of his coming. The coming of the lawless one will be in accordance with the work of Satan displayed in all kinds of counterfeit miracles, signs and wonders, and in every sort of evil that deceives those who are perishing. They perish because they refused to love the truth and so be saved." (2 Thessalonians 2:3–10). *Katechon* means the "one that holds back", but also the one "who delays" the secret of lawlessness, who hinders the coming of the Antichrist and the end of times. The task of this text was most probably to calm down the passionately awaiting the inevitable Doomsday, about which the apostle writes inspired in the *1 Thessalonians*. But the longing for the approaching end of the world stirred the souls: some loosed the discipline, stopped working and taking care of their families – they were just waiting. That is why in his next epistle to the Thessalonians the apostle points out that the day of God will be "revealed at the proper time" and will be preceded by the "reversed" omens of the rise of the lawless up to God's throne. In that same moment though of apparent triumph of evil a denouement will happen, God's

Modernity strives to define itself as infinity in the finite. That has nothing to do with the way death and finitude are thought in the preceding cultures which include mortal people in the big chain of being: from the immortal gods up to the inanimate things, going through the animals as well. Mortality in traditional culture is not biological, it points to man's position in the cosmos, his status in relation to gods and the rest of the creatures. The Judeo-Christian finitude reveals most essentially the dependence of creation, which does not possess its own being, but has it in its God Creator in whom, according to St. Paul, "we live and move and have our being"[4].

How should we go on characterizing this modernity? There is no datum and the world even appears to be result of technological production. Life itself is not *bios* anymore. The ancient made difference between *bios* and *zoe*: the former actually represents human life, which was defined by the goals, the norms of coexistence and behavior, the rituals etc. Such was for instance the life of the craftsman, the citizen or the philosopher and it was accordingly defined, as shown by Hannah Arendt, as active or contemplative life. *Zoe*, this was the purely organic process of life. Today *bios* becomes *zoe*, the product of biotechnologies. Modernity turns out to be without a world as well as without a human being: human is a result of agreement or convention. The power of the individual (called human rights nowadays) is, as shown above, *potenita sui*, it produces, according to the occasion and the possibilities of technology, these realities that we call human life or world. Nothing truly precedes this productive power. The dynamics of modernity, which Foucault calls bio-power extends up to the point where the potential of the individual is extending in the horizon of death. With other words it commands life and death, assuming the right to transform them, turning them simply into an object of convention.

day will happen. Hence the need to rely on the one that holds back the victorious move of the Antichrist and in this way organizes and gives a meaning to the events.

4   Acts 17:28.

The biblical theory of creation shows at first place the ontological dependence of being in the sole act of its being. Being by itself is nothing, it does not have in itself its ontological actuality, and it is always under question. No doubt being exists and is heavily anchored in its being but at the same time it is radically affected by nothingness in the sense that it does not bear in itself its justification. The concept of cause here is rather poor and the concept of *relation* expresses best the difficulty of differentiating between created and non-created within the framework of western ontology. The ontological status of the created is defined by the conception of relation even though it is most feebly developed in the whole metaphysics. Being is created as far as it relies on God. Creation is not a transition from nothingness into being, it does not have two opposite terms but in its being-nothing it refers to the uncreated. This dependence lays down the finitude and the limits of existence, but it is not despairing. It does not point any duty, neither dominance nor dependence (we do not exist because of some compulsive or forceful relation, where God annihilates its creation), it gives expression to the free generosity of the Most Gracious: endowing with the gift of life and with grace which does not reject any of that which is even God sharing this life.

If that, then God only possesses the act to be. We know well that "I am" is His name. Creation, consequently, is not the answer to the question that bothers so much the modern western metaphysics: "Why is there being and not rather nothing?" Creation is not an answer to content the restless spirit facing the enigmatic presence of the world. We do not find a relief there for our own fears and awe of the end as well. Facing the fathomless mystery of "I am" the believer does not ask: "But You, why are You?" He could only say, assuming from his position: "I recognize that You are the only one and I accept the world and life as your gift, because You are." Or in Job's words: "My ears had heard of you but now my eyes have seen you"[5].

5   Job 42:5.

Let's go back now to the question: what is all this worth after September 11th? Aren't we facing the ideology of the terrorists, modern in its means, but archaic in its motives, without any real connection to the defined above modernity? It seems to me though that the analysis of terrorism as a political religion or as a policy raised to the rank of religion does not fundamentally describe the problem. The terror which we all terrified witness during the last years is dumb, it does not have anything to say to the enemy, to the other, it does not even seek to convert him into its faith, it wants only to destroy him, totally and completely. The intensive and deadly hostility, which a terrorist act contains, is an expression of a certain "policy" (in the terms of Carl Schmitt) that does not mean anything, that misses the inner power to put an end to violence and unrest, to put order into chaos, that does not define any real borders between civilizations but is simply the sinister realization of some projected phantasms. A blasphemous anti-wisdom (let us remember the wisdom, seated next to God in *the Book of Wisdom*) which declares certain beings are nothing, that they actually do bear nothing in themselves and simply must return to nothing. Supreme sacrilege, which usurps God's might: what is – to be no more, no more Christians and especially Jews in the Islamic countries, Israel no more. Exactly this destructive and self-annihilating power makes the connection to the above mentioned version of modernity in which being is a product of the program of the own power and is not a creation of the Highest Good that creates difference.

Günther Anders claims that we can describe our own era with theological terminology only. What I have in mind is, he seems to say, that the metamorphosis is so fundamental that it cannot be characterized with others than theological concepts anymore… With the help of machines, created by us, we became like gods. No doubt we are God alike in strictly negative sense because we are not speaking of *creatio ex nihilo* but much more that we are fully able of a total *reductio ad nihil*. I think these reflexions of Anders, triggered by the atom bomb, describe rather exactly our situation. Global terrorism is one of the modalities of this annihilating omnipotence that everyone seeks to possess. There are others as well: biotechnologies, which produce life (*zoe*) as if it were some goods. We

are not even in the position or register of having the right of life and death; we are descending even further, down to being, the common base of life and death. We are transforming being not into a relation but into a product.

The book of Wisdom describes well the connection between the denial of creation and idolatry: the ones who claim that "neither were they from the beginning" and "neither shall they be for ever" look like the craftsman who working on an otherwise useful thing actually produces an idol or like the parent tormented by the death of his child creates an image of it and starts worshipping it like a god or like the despot who makes some kind of image of himself in order to ensure his presence all over his territory and to tempt his subjects and win their respect[6]. The Scripture says though: God did not create death… "God created man to be immortal"[7]. Given the example of the craftsman's wood that became idol the Bible shows directly the connections between death, power and idolatry. God Creator does not produce idols, but contemplates, tastes the goodness of the created[8] and then rests. The worshipper of idols on the contrary is a craftsman who alienates fully in what he has created. To the well known adjustments towards the creation: the rebellion, the lack of understanding, the obedience, the feeling of being nothing (the nothingness of creation, thought by the mystics) modernity adds the *shame* of man's finiteness as well. To avoid death and shame (because the creation means already only death to us) we find the one and only compensatory solution: to speed up the building of the giant artifact, containing all things, including man, in a mad and furious *engineering*. We have to situate this solution in its innate order: the one of the idolatrous anti-creation and not just technological transformation.

Situating the enigmatic peculiarity of modernity certainly does not exhaust altogether the task of philosophy today. But I think it should start right here to continue seeking the conditions and ways of authentic human existence.

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6   cf. Book of Wisdom 14:13–17.
7   Wisdom 2:23.
8   "And God saw that it was good", *Gen* 1:9

Peaks and lows in religiosity: A comparison of Muslims with three Christian groups

SERGEJ FLERE, MIRAN LAVRIČ

Summary

Our study deals with the question of whether the structure and nature of Islamic religiosity differs significantly from the religiosity of adherents of the three major Christian confessions. Four religious cultural settings – a Bosnian Muslim one, a Slovenian Catholic one, a Serbian Orthodox one and an American Protestant one – are compared on the basis of a variety of measures of religiosity, resulting from a survey carried out on large student samples in 2005. Allthough certain cultural peculiarities of the Muslim group are noticeable, these peculiarities do not suffice to characterize Islamic religiosity as significantly structurally different as compared to the three Christian groups. On the other hand, some interesting differences appeared in the comparison of the two most intensively religious groups: the American Protestants and the Bosnian Muslims.

Introduction

Recent world developments have accentuated the issue of the comparability of Islamic religiosity (to Christian religiosity, in particular) and the possibility of integration of Muslims into Western and even modern society. In contrast to sweeping statements on Islam in public discourse, empirical scientific studies of

Muslim religiosity are truly scarce: we retrieved from EBSCO-EIFL and Science-Direct only Ghorbani et al., 2000; Haneef Khan & Watson, 2004; Haneef Khan et al. 2005; Haque 2004; Khasan & Kreidie 2001 and Wilde & Joseph 1997 as scholarship dealing with the religiosity of Muslim groups and Muslim religiosity as such. Even some of these are very fragmentary and sometimes pertain to studies of Muslims outside the autochthonous habitat. These papers do not deal with the entirety of Muslim religiosity, and they differ in the types of groups they study. Muslim groups outside their autochthonous territory are certainly specific, as they are in a foreign environment, in reaction to their being a foreign minority.

The aim of this paper is to present the characteristics that underscore the presence and absence of structural differences in the religiosity of Muslims as compared to that of various groups of Christians. The Muslim religionists who are studied here live in a habitat where they are autochthonous, in a location comprising the western-most region in Europe where they have lived for centuries as a distinct group.

Religiosity is a concept frequently used by scholars in the study of religion, sociologists focusing on its rise and fall and their social determinants, while psychologists focus on the complexity and dimensionality of the phenomenon. The perceived complexity and dimensionality have forced some scholars to by-pass the term. Thus Hood et al. (1996), in their *Psychology of Religion*, start with the term 'religiosity' (1996, p.8), but continue to elaborate on 'being religious,' which term is possibly more precise and enables greater clarity in the study of the phenomenon. The phenomenon of being religious is the content of religiosity, indicating attachment to religion, varying in form and intensity. Most often, religiosity as an attachment is defined operationally, by the instruments measuring attachment to religion, as is done by Hill and Hood (1999), but it still remains a complex task for deciphering. Among many, the best known classification of dimensions of religiosity is that by Glock and Stark (1965), which differentes among ideology, in fact pertaining to orthodox belief, experience, ritual, knowledge and consequentiality. Among the various operationalizations, Halman and De Moor's is interesting in limiting religiosity to the 'emotional dimension', while contrasting

it to 'orthodoxy' as the cognitive dimension (1993). Their study methodology is focused on Christianity. The other contributions are too numerous to be entered into. We will note only the ones relevant for our research:

– Attempting to uncover the hidden psychological dimensions of religiosity behind seemingly identical religious behavior, Allport introduced the concept of religious motivation he called *orientation* (Allport & Ross, 1967), further elaborated by Batson (Batson & Schoenrade, 1991a, 1991b). This dimension has emerged during recent decades as the main focus of the scientific study of religiosity, as it permits the uncovering even of behaviors contradictory to face-value belief while also addressing the eternal issue of means and ends in human behavior (Hill & Hood, 1999). This dimension is cross-culturally test-able, because of the lack of doctrinal content, as indicated by Donahue (1985, 415) and theoretically interesting pointing to the means-ends dimension in religious commitment.
– Altemeyer introduced the concept of *religious pressures* (1988), indicating that social groups force religious behavior, basically by way of conformity. This is also a cross-culturally testable measure, as it applies universal forms of social bonding in the study of pro-religious social pressure. One may expect that such pressure and such bonding are relevant to the magnitude of religiosity (Stark & Finke, 2000).
– In his rational choice theory, Stark conceived religion as exchange, where the consumer pays a price to attain religious goods or compensators (Stark & Finke 2000). We relied on this in our conceptualization of *religious sacrifice*. More generally, religious sacrifice is a measure of the consequentiality, depth and seriousness of one's religious commitment, which should appear even outside Stark's frame of reference as relevant, since all religions impose cer-tain behavioral and moral demands upon their members. We have also used measures relevant for all the religions under consideration.
– Religion is always an *institutionalized* belief and *community*. The types of communities and modes of institutionality vary. Regardless of this, we have

dealt with the respondents' loyalty, emotional attachment and perception of their religious institution, the image they hold of the institution, by forming a measure of loyalty of our own by the semantic differential technique. This enables us to measure not only beliefs and behaviors, but also the institutionalized dimension of religiosity.

All four attempts endeavor to penetrate below the surface of religious life and uncover some of the hidden layers of religiosity, below what is commonly verbalized as adherence.

Pursuing from the possibility of standardizing elements of belief orthodoxy, with a slight terminological adjustment in one element ('paradise' for Muslims, instead of 'heaven'), we follow the objective of studying whether the structure and nature of Islamic religiosity will appear to be of the same type as the others. Works by Ghorbani et al. (2000) and Wilde and Joseph (1997) already suggest that Islam can be analyzed using the same basic techniques as Christianity, to which most study of religiosity has been limited.

The study of Islam is particularly pertinent, owing to the current activism of certain Muslims, often called 'Islamic fundamentalism', which leads to the supposition of a fundamental immanent difference in the nature of Muslim religiosity. Thus it is often cited that *'the borders of Islam are tainted with blood'* (Huntington 1993, p.35), suggesting a particularly militant and belligerent religiosity, one which coexists with difficulty , if at all, with other religions, particularly Christianity. The same author indicates this incompatibility and imamnent conflict has to do particularly with *'the Muslim concept of Islam as a way of life transcending and uniting religion and politics'* (1997, p. 210), indicating the impossibility of being part of a pluralism of any sort. In contrast, others stress the history of relations between Muslims and Christians as the origin of the present conflict, including humiliations in the forms of racism and colonialism on the part of Christians, and Islamic rejection of modernist permissiveness and lack of patriarchal customs (Lewis, 1990). The wider social and historical dimensions of this issue remain outside the scope of this paper.

From Huntington (1994) one should expect a general difference in the nature of Muslim religiosity, which we will observe structurally, by relevant dimensions. The relationship between the intrinsic and the two extrinsic orientations should be of particular interest. According to the empirical studies cited, one should particularly expect that the intrinciness scale will function well among Muslims and that they will exhibit a relatively low social-extrinsic religious orientation (Haneef Khan & Watson, 2004).

It should be mentioned that we are dealing with very different Christian settings. One is in the southern United States, the other two are in Central Europe. In fact, the Muslim setting and the two European Christian settings formed part of a single state until 1991 (Yugoslavia), making the comparison even more appropriate. Are the differences among the Yugoslav settings attributable to religion only? Almost certainly not, as we are dealing with economically and socially diverse settings. By all indicators, Slovenia was economically the most advanced, while Serbia lagged behind, and Bosnia trailed even further. Thus, according to 1981 data, there was 22% illiteracy in Bosnia and Herzegovina, compared to 15% in Serbia proper and only 1% in Slovenia. Economic differences were not as radical (owing to the socialist system); nevertheless, the national income in 1987 in Serbia was 27% higher than in Bosnia and Herzegovina, whereas in Slovenia it was 237% higher than in the former (Flere 1991, p.189).

The Muslims on whom we will be focusing are, therefore, autochthonous European Muslims, Sunnites, but a group which has recently experienced war (the 1992–1995 war in Bosnia and Herzegovina, the main theatre of the Balkan wars of the 1990s). As children, our Muslim respondents thus experienced a war with major religious dimensions (Ramet, 2002; Flere, 2003). Thus, the potential for generalization is circumscribed by this circumstance. On the other hand, the validity of the differences among the groups and of the Muslim religious pattern that becomes apparent is bolstered by the comparison with populations similar in social characteristics – undergraduate students in the social sciences.

Thus we will be comparing environments that are under the influence of extra-religious factors, including ethnicity, which may confound our findings. One

should note that Slovenes are traditionally Catholic (within the Latin pattern, as indicated by Martin (1978) with a traditional conflict between Catholic conservatism and lay liberalism) and that the Serbian Orthodox recently encountered an ethnonationalist revival during the Balkan Wars of the 90s (Vrcan, 1995). Bosnian Muslims have also undergrone a transformation: their relatively soft type of religiosity (Ćimić 1994) has been made more enthusiastic and has come into contact with strict types of Islam during the same wars. Furthermore, their ethnic denomination into Bosnyaks has been finalized by the wars, definitely not abridging Islamic identity, though this might theoretically seem unexpected.

Our samples pertained to four religions, with a different nationality for each. Thus, the resulting differences among members of religions may ensue partly from national belonging and the current socio-cultural and historical conditions of the nation's life, as well as national heritages. We have noted the basic differences among the groups that may have such an impact, though we have not exhausted their depiction, nor does this fall within the scope of this paper. Nevertheless, it may be noted that the subjects dealt with in this paper does not directly tackle ethnic and political components of religiosity, so there is no danger of direct confounding of religiosity and ethnic belonging.

Method

The present study is based on a survey of university students in four different cultural settings. Our respondents were undergraduate university students, primarily in the social sciences, from environments with predominant and traditional religions in the surrounding population: Maribor, Slovenia (N=470, Roman Catholic), Sarajevo, Bosnia and Herzegovina (N=439 , Muslim), Niš, Serbia (N=427, Serbian Orthodox) and Auburn, Alabama, USA (N=450, predominantly Protestant denominations). The mean age was 20.3 (S.D.=1.3), and in all samples the average age varied between 20 and 21. In all samples females formed the majority, and care was taken to include a sufficient number of males. The relative share of

males varied from 33.9% in the Bosnia and Herzegovina sample to 48.5% in the US sample. In all the analyses presented, only affiliates with the major religion were taken into consideration, comprising a high percentage in all cases: 77.7%, 89.9%, 92.7% and 67.1% (in the American case all Protestant groups were lumped together), respectively.

Our operationalization needed to be at a level of generality necessary for application throughout both Christianity and Islam. We relied on both theoretical and empirical statistical approaches, in line with what Hood et al. recommend on this subject (1996, pp. 8–9). The instrument applied was a questionnaire containing varied items concentrating on religiosity and its possible correlates. The filling out of the questionnaire was carried out in Spring, 2005[1]. The questionnaires were translated from the initial Slovene version into the other languages and rechecked. Some wording needed to be adjusted in the case of the Muslim sample, substituing mosque or religious community for church and so on. The instrument had first been tested in Slovenia.

In this analysis only those declaring affiliation with the major group in the respective country will be considered (Catholics in Slovenia, Muslims in Bosnia and Herzegovina, the Orthodox in Serbia and Protestants in the USA).

In the first step of our analysis, we conducted exploratory factor analysis of all the items (a total of 32 items) included in the six scales intended to represent the above described religious dimensions:

1. Religious orientation (Intrinsic/Extrinsic/Quest) using the instruments described further in the text.
2. Social pressures upon individual religiosity, using the *Religious pressures scale* (Altemeyer, 1988).
3. Religious sacrifices, using an instrument we have developed ourselves.

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4. Image of religious institution, also using an instrument we have developed ourselves.

Several factor analyses were conducted in order to find a solution that provided identical factors in all four observed environments. Using the Principal Components procedure with a Promax rotation, we ended up with 18 items, measuring six different dimensions of religiosity. All of these dimensions proved to be stable and were composed of identical items in all four religious environments (see Table 1). *Table 1: Factor loadings and Cronbach Alphas for six dimensions of religiosity.*

Table 1: Factor loadings and Cronbach Alphas for six dimensions of religiosity.

	Compound sample (N=1,329)	Slov	Serb	Amer	Bosn
Image of religious institution					
Dishonest / Honest	.963	.951	.923	.970	.936
Immoral / Morally pure	.939	.887	.915	.952	.921
Dull / Inspiring	.803	.772	.719	.879	.813
Cronbach Alpha	*.886*	*.836*	*.833*	*.924*	*.874*
Religious pressures					
Disapproval of parents	.920	.880	.915	.912	.912
Disapproval of ministers, priests	.884	.771	.768	.908	.792
Disapproval of close friends	.864	.720	.930	.876	.883
Cronbach Alpha	*.868*	*.707*	*.850*	*.882*	*.835*
Religious sacrifice					
Renounce the use of modern technology	.919	.898	.890	.916	.881
Refuse specific medical interventions	.896	.865	.820	.903	.927
Renounce all or most of your property	.800	.779	.799	.819	.759
Cronbach Alpha	*.835*	*.791*	*.787*	*.854*	*.816*
Extrinsic personal orientation					
4. I pray mainly to gain relief and to receive protection.	.850	.878	.827	.840	.632
What religion offers me most is comfort in times of trouble and sorrow.	.830	.800	.817	.819	.825
Prayer is for peace and happiness.	.817	.795	.746	.696	.838
Cronbach Alpha	*.792*	*.777*	*.773*	*.718*	*.618*

Extrinsic social orientation					
I go to church mostly to spend time with my friends.	.885	.929	.863	.830	.792
I go to church mainly because I enjoy seeing people I know there.	.866	.886	.815	.830	.854
I go to church because it helps me to make friends.	.671	.596	.632	.719	.735
Cronbach Alpha	*.750*	*.772*	*.706*	*.721*	*.725*
Quest – openness to change					
As I grow and change, I expect my religion to also grow and change.	.820	.840	.821	.799	.829
I expect my religious convictions to change in the next few years.	.802	.826	.820	.786	.757
There are many religious issues on which my views are still changing.	.740	.699	.620	.779	.798
Cronbach Alpha	*.692*	*.711*	*.626*	*.711*	*.694*

Before further discussion, the issue of *intrinsic religious orientation* needs to be addressed. The motivation behind religious belief and deeds is a well known and widely discussed issue among scholars of religion (e.g. Allport & Ross, 1967; Batson & Schoenrade, 1991a, 1991b; Maltby 1999). Allport (Allport & Ross, 1967) defined intrinsic religious orientation as free from psychologically unhealthy elements, an orientation that is its own end and that is mature. He summarized the basic distinction between two types in the notion, that »…*the extrinsically motivated individual uses his religion, whereas the intrinsically motivated lives his religion*« (Allport & Ross, 1967, p. 434). However, additional studies have proven that results were not uniform in confirming that intrinsic religiosity would always be psychologically »healthy«. It was shown that it may also be linked to prejudice (Griffin et al., 1989; McFarland, 1989), to authoritarianism (Kahoe, 1977), to closed mindedness, and dogmatism and might be contaminated by social desirability (Hood & Morris, 1985).

Many studies have confirmed intrinsicness to be a valid dimension of religiosity, which is distinct from extrinsic religiosity (e.g. Allport & Ross, 1967; Gorsuch & Venable, 1983; Gorsuch et. al., 1987; Gorsuch & McPherson, 1989). Using the measure, as developed by Gorsuch and McPherson (1989), our study, however, revealed that while intrinsic and extrinsic religiosity do form separate dimensions among American Protestants, they do not function in that way in any other of the three observed samples.

To elaborate briefly on this point, we present a pattern matrix, derived from the Principal components analysis with a Promax rotation within the Muslim sample (see Table 2).

Table 2: Pattern matrix of extrinsic and intrinsic items in Bosnian Muslim sample

	Component*		
	1	2	3
Prayer is for peace and happiness.	.820		.442
What religion offers me most is comfort in times of trouble and sorrow.	.778		
I pray mainly to gain relief and to receive protection.	.734		
I try hard to live all my life according to my religious beliefs.	.653		
It is important to me to spend time in private thought and prayer.	.573		
I have often had a strong sense of a Divine presence.	.537		
I enjoy reading about my religion.	.522		
My whole approach to life is based on my religion.	.493		
I go to church mostly to spend time with my friends.		.866	
I go to church mainly because I enjoy seeing people I know there.		.864	
I go to church because it helps me to make friends.		.672	
Although I am religious, I don't let it affect my daily life.			.794
Although I believe in my religion, many other things are more important in life.			.642
It doesn't much matter what I believe as long as I am good.			.625

Extraction Method: Principal Component Analysis.

Rotation Method: Promax with Kaiser Normalization.

*Values below .40 were omitted

The problem with this particular solution is that the 'personal part' of the extrinsic scale loads together with intrinsic elements. Furthermore, the reversed intrinsic items load on a separate component, indicating a certain variance from the alleged intrinsic dimension. In the Muslim sample we cannot therefore speak of intrinsicness as a separate dimension of religious orientation (unless we change its theoretical meaning radically). The situation is also quite similar within the Catholic and Serbian Orthodox samples: in both these cases extrinsic personal elements load together with pro-worded intrinsic elements. Without entering into this issue further, this result suffices for the conclusion that intrinsicness is not a cross-culturally valid dimension of religious orientation; therefore we did not

include it in our further analyses. We did, however, include one statement, which appears to be one of the most central to the intrinsic religious type: *'My whole approach to life is based on religion'* (on a five point Likert-type scale). Hereinafter, we shall call this variable *the intrinsic item*.

The situation is similarly questionable as to the *quest dimension* of religious orientation. Batson defined this as a seeking, doubting and »unfinished« religious motivation that would, finally, be linked to the healthy personality type. In Batson's words, quest captures a religious orientation that »*involves honestly facing existential questions in all their complexity, while at the same time resisting clear-cut, pat answers*« (Batson et al.,1993, p. 166). Quest refers to a number of different aspects of religious orientation such as complexity, doubt, and tentativeness, where individuals are continually questioning existential matters without necessarily anticipating or achieving resolution (James & Wells, 2003). Quest religiosity is so broadly defined that questions have been raised whether it is not more a general inquisitiveness and doubt, than a form of religious orientation (Donahue, 1985; Hood & Morris 1985). Beck et al. (2001, 2004) also indicate its multi-dimensionality, in effect questioning its validity.

Three extrinsic personal and three extrinsic social items were contained in the respective scales, in line with Kirkpatrick's (1989) suggestion on separating extrinsicness into two scales, which was replicated by Trimble (1997). This separation was proven justified by factor analysis in our study.

Besides the above described scales and the 'intrinsic statement', six more statements/questions proved to be useful additions to our analysis:

- *The fires of Hell are waiting for adulterers, murderers and other persons who violate God's laws.* (Five point Likert-type scale; we call this variable *The fires of Hell*) This statement is indicative of a rigid and punitive religiosity.
- *Heaven is my home, and so, I do not worry much about this world.* (Five point Likert-type scale; we call this variable *Home in heaven*) This statement is indicative of an other-worldly orientation in life, pursuing from one's religion.
- *Are you prepared to sacrifice your life for the sake of your religion?* (Five point Likert-type scale; we call this variable *Sacrifice of life*) This statement is indica-

tive of the ultimate 'price' one is prepared to pay for one's religion and may be understoood even within the rational choice paradigm of religion.

- *It is possible to harm people by magic spells.* (Five point Likert-type scale; we call this variable *Magic spells)* Magic does not ensue from religious teachings, but often coexists empirically in the consciousness of believers, sometimes along with their being religiously doctrinally prohibited.

- *How often do you attend religious services performed by your religious institution?* (1 = »Never«… 5 = »Every or almost every day«; we call this *Attendance*)

- *How often do you pray or meditate outside of religious service?* (1 = »Never«… 5 = »Every or almost every day«; we call this variable *Prayer)* The last two are standard items of religious practice, which are usually subject of study within religiosity pertaining to the behavioral/ritual component.

In order to achieve direct comparability with some other items on religiosity, a total score for each of the six dimensions was computed by averaging all items included in each dimension.

Results

First, we shall inspect the intercorrelations among all the items employed in further analyses (see Table 4).

Table 4: Correlation statistics among all the variables, compound sample.

	1	2	3	4	5	6	7	8	9	10	11	12	13
1 Extrinsic social r.o.	–	.278**	.136**	.248**	.227**	.295**	.406**	.146**	.300**	.258**	.032	.380**	.317**
2 Extrinsic personal r.o.		–	-.058(*)	.323**	.370**	.348**	.393**	.352**	.147**	.252**	.300**	.241**	.313**
3 Quest r.o.			–	-.082**	-.128**	-.058(*)	-.065(*)	-.046	.006	-.092**	-.050	-.050	-.033
4 Sacrifice				–	.329**	.360**	.434**	.238**	.275**	.606**	.189**	.359**	.302**
5 Religious institution image					–	.428**	.423**	.278**	.260**	.356**	.149**	.389**	.325**
6 Religious pressures						–	.507**	.240**	.382**	.406**	.121**	.457**	.387**
7 Intrinsic item							–	.254**	.421**	.502**	.129**	.567**	.506**
8 The fires of Hell								–	.192**	.171**	.194**	.146**	.110**
9 Home in heaven									–	.353**	.003	.416**	.375**
10 Sacrifice of life										–	.084**	.444**	.381**
11 Magic spells											–	-.018	.009
12 Attendance												–	.644**
13 Prayer													–

** Correlation is significant at the 0.01 level (2-tailed).
* Correlation is significant at the 0.05 level (2-tailed).

Not surprisingly, most of the correlations are significant (p < .01) and positive, confirming that we are dealing with separate dimensions of one phenomenon – religiosity. The strongest positive correlation (r = .644) appears to be among the two variables measuring the frequency of religious ritual behavior. On the other hand, there are also some significant correlations in the opposite direction, the one between quest orientation and the image of the religious institution being the strongest (r = -.128). On closer inspection, it is discernible that all the negative correlations are limited to relationships with quest – openness to change orientation, which, in support of the above mentioned doubts, raises the question of whether quest is a dimension of religiosity at all.

Finally, in order to get a clearer picture, we present means for each of the thirteen variables within each of the four observed religious samples graphically (see Graph 1).

Graph 1: Means for six dimensions of religiosity and six religious statements within four country samples of confessional affiliates
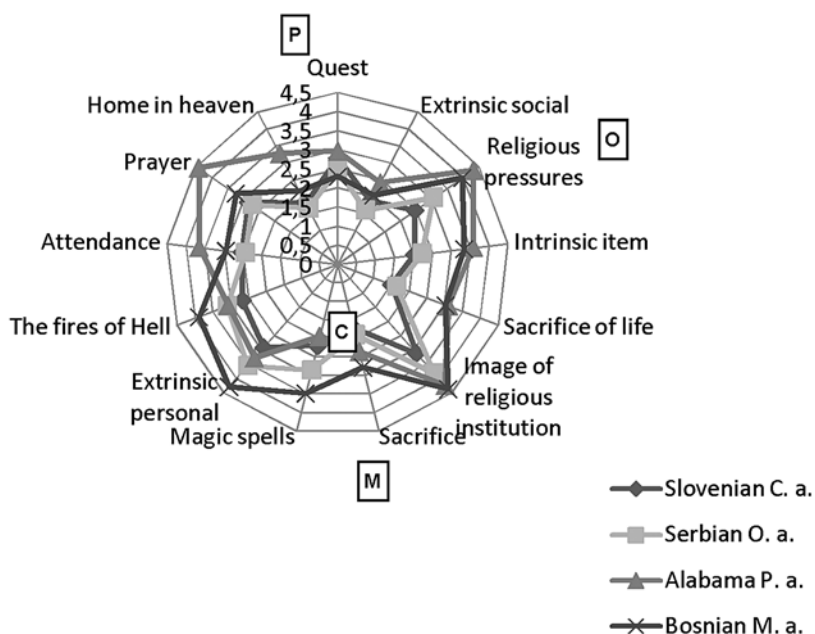
The initial discernible finding could be quantitave in nature. We are obviously dealing with two more intensively religious (Muslim and Protestant) and two substantially less religious groups (Catholic and Serbian Orthodox). On the other hand, qualitative differences among the four samples are also noticeable, and these are the focus of our further attention.

There are four religious variables on which the Muslim sample shows significantly ($p < 0.05$) higher scores than all three Christian samples:

1. Agreement with the statement that **_"Fires of hell are waiting for adulterers, murderers and others who violate God's laws"_**. Muslims attain a peak, by far surpassing all other groups (the mean difference from the closest sample following is .79). God is conceived as a judge in all Abrahamic religions, although the operationalization varies from a benevolent, caring, understanding and mild judge to a stern, mercilessly punishing one. The fact that »God's stern justice« is part of the worldview most markedly present among Muslims[2] may be the most theoretically important difference between Muslim belief and empirical Christian belief. In the _Quran_, God appears as a judgmental, austere and merciless judge. Violators are to receive the harshest of punishments. The last judgment will be a terrifying event, for both individuals and the physical world; e.g. it is stated in the Prophet's words that those who have violated the prescripts of the book shall be destroyed and roasted in flames (84:10–12). The punishments shall be the result of careful weighing of individuals' deeds, with no exception or mitigation. Physical changes in the world will be apocalyptic; catastrophes and terror will reign, with mountains disappearing, things turning to dust and a cosmic fire appearing (55:35).

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2   This is despite the fact that Christianity, too, has apocalyptic Scriptural prophecies, which essentially differ little, except that the _Quranic_ statements are somewhat more »judicial« in their wording.

2. ***Extrinsic personal orientation*** (the mean difference from the closest sample following is .74). This orientation indicates the psychological instrumentality of one's religion. The explanation could be sought in both the traumatic recent events and the psychological structure coinciding with this religiosity.
3. ***Belief in magic spells*** (the mean difference from the closest sample following is .63). This is certainly an extra-doctrinal element of empirical, popular religiosity, although one that could be expected on the basis of lay knowledge of Islam, where magic is known to intermingle with official religiosity. The same goes for the following group, the Serbian Orthodox. The presence of this element may be considered as a lack of rationalization, within Weber's meaning.
4. ***Religious sacrifice*** (the mean difference from the closest follower is .42). Religious sacrifice is a phenomenon that may be analyzed within the rational choice perspective, indicating the various »prices« individuals are ready to pay to maintain their membership in a religious group. Sacrifice may be viewed as a cost indicating the perceived benefit of religious commitment (Iannaccone, 1990). Muslims are most prepared to renounce various wordly goods for the sake of their religious adherence; hence they percieve the greatest benefits in their religious attainment, as compared to other (earthly) rewards. This should not be attributed primarily to the the relative scarcity of available economic rewards in their environment, but should be taken as an indicator of strength of religious belief, particularly in comparison to the other group of intensive believers, the American Protestants.

On the other hand, Muslim students also hold one absolute low. Compared to Protestants and Catholics, they show significantly lower scores in the *quest – openness to change* dimension. The scores are also lower in comparison to Serbian Orthodox students, but this difference appears to be statistically insignificant. We may speak of quest as being more allied to Christianity. In spite of the high levels of religiosity found in the US sample, and in contrast to Donahue's (1985) assertion that strong intrinsic orientation correlates negatively with quest and vice versa, we find that quest coincides with high agreement with the intrinsic item in the

American Protestant sample. Here, we are confronted with high levels of religiosity in general, but also high levels of quest orientation, allowing for the possibility of a closer relationship of quest to the nature of Christianity, or at least contemporary Christianity, or at least in areas where Muslims live close to Christians. The relative absence of the quest dimension among Muslims might, on the other hand, point to a certain immanent religious rigidity associated with Islam, or more possibly to the situation in which these Muslims find themselves (in contrast to Haneef Khan & Watson's Pakistanis, 2004). Given the explicit and unambiguous mandatory prescripts of the *Quran*, as compared to the more narrative and sometimes ambiguous meaning of the Gospels, this difference comes as no surprise at this level of observation. It is our opinion, however, that at certain stages of societal modernization, religious belief tenets need to be partly marginalized, a phenomenon which is not present among the Muslims we observe.

An interesting finding is the relatively low participation of Muslim sample students in ***religious ritual behavior.*** While they most intensely seek personal comfort in religion, are most prepared to sacrifice certain (earthly) rewards on behalf of their religion, and even have most favorable image of their religious institution, their Protestant collegues are nevertheless substantially more engaged in religious activities such as personal prayer and attendance of religious services. One explanation of this could be found in the fact, that in Islam attendance at the mosque is a duty for males only. Thus, we would expect Muslim men to be more diligent in attendance, than Protestant ones. Our findings do not confirm this point: even when analysis is limited to male respondents only, Protestant religionists still report slightly – though not statistically significantly – higher levels of religious attendance.

This could suggest that religiosity in the Protestant sample is more socially driven. This could substantially be linked to social pressures in the religious direction, which have resulted in individual behavioral patterns of high practice. Here is a clear difference between the two highly religious groups, Muslim religiosity not being socially driven by pressure, but we did not confirm that social extrinsic

motivation was significantly lower than the intrinsic one, as Haneef Khan and Watson did (2004).

At this point, we can deal with an interesting issue involving the public image of Islamic religionists and the alleged aggressive, potentially destructive nature of Islam. Following that logic, we would expect Muslim respondents to show the highest levels of preparedness to **sacrifice their own lives** for the sake of religion, as well as greater emphasis on the **otherwordly rewards**. Nevertheless, American Protestants have the highest scores on both these dimensions. They slightly – though not statistically significantly – surpass Bosnian Muslims regarding readiness to sacrifice their own lives, while the difference in otherworldly orientation is significant and substantial.

If we combine the pronounced collective nature of Protestant religiosity with its pronounced otherworldly orientation and preparedness to sacrifice one's own life, we could possibly maintain that the destructive potential of religion is slightly more present in American Protestantism than in the Muslim religion. Of course, no generalization in this regard is possible on the grounds of the data presented in this paper. Nevertheless, we can say that the religiosity of American students in our sample appears to be most suitable for military commitment on religious grounds[3].

Conclusion

In our comparative study Bosnian Muslims appear primarily as a group with high levels of religiosity, most often comparable to those of the US Protestant sample. The generally high level of religiosity among Bosnian Muslims may be due to situational circumstances: Muslims in Bosnia (along with the others we did not study) went through an ugly and protracted »identity war« in the 90s, which

3   The Protestant sample also produced the highest mean score for the item: '*I am prepared to die for my nation*', which was not part of the religious sacrifice scale. The difference between Muslims and Protestants was not statistically significant, though.

definitely acted to accentuate and affirm their religious identity and religiosity. It must be noted that in the situation prior to the war and under the Yugoslav socialist state, Muslim religiosity was not the »strongest« and most »intensive«, even though Islam was the religion that had expanded in Yugoslavia, according to demographics. It was the Catholic religion that was considered the most intensive one, while the Eastern (Serbian) Orthodox was seen as the the one least able to counter trends towards atheism and secularization[4].

But we are not only dealing with the Muslims surpassing other (Catholic and Orthodox) Central European religionists on all measures of religiosity. On none of these measures do the Bosnian Muslims fail to surpass Slovene Catholics and Serbian Orthodox in extent of religiosity. Bosnian Muslims, however, are usually close in the recorded averages to the American Protestants from our Alabama sample. Moreover, the Bosnian Muslim sample points to the following conclusions:

• their religiosity shows firm affiliations with the doctrine expressed by the statement »*The fires of Hell are waiting for adulterers, murderers and other persons who violate God's laws*.«, indicating harsh punishment for violators of God's prescripts as stated by the Prophet; in this respect, they stand out in comparison to all other groups. This is to be expected, in view of the stress in Islam on apocalyptic visions of the last judgment in the *Quran*, both at the level of human individuals and at the level of the world as a physical entity, all dictated by Muhammed. Although apocalyptic prophesies are present in the *Old* and *New Testaments* as well, the *Quranic* ones are directly spoken by the Prophet, and our findings confirm that adherents of this religion take them seriously and literally. Such a prohecy, when taken seriously, must have

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4   Thus, Pantić found in a 1990 general poll of the then Yugoslavia, that among the denominationally identified (itself a degree of religious identification), among the Serbian Orthodox only 39% identified themselves as believers, in comparison to 64% among Catholics and 62% among Muslims (Baćević (ed.) 1991, 172). Flere and Pantić found a similar relationship between the Orthodox and Catholics in 1977 in the multidenominational region of Vojvodina, with regard to belief in God (Flere & Pantić, 1977, p. 43).

consequences for everyday behavior as a perceived condition for meriting religious identity;

- somewhat to our surpirse, we found that quest – openness for change – indicates a pattern in the Bosnian Muslim sample quite different from the 3 Christian environments. In these latter three, quest was more in line with other religious orientations, suggesting possibly that the acceptability of quest is associated not only with a condition of moderate and lukewarm religiosity in social situations which tolerate irreligiosity (as suggested by Donahue 1985), but with the Christian religion itself.

- when compared to the also intensively religious American Protestants, they are distinctly more prepared to »pay the price« of their religion and seek psychological comfort in their religion more intensely. This could indicate that their religiosity is more personally integrated than in the American case (which is more socially integrated). As to this integration, keeping motivation particularly in mind, Muslims are more akin to small groups of the very religious within the two other Central European settings, than to Americans (intrinsicness and personal extrinsicness blending), but not with regard to quest, not even our scale of quest – openness for change, which is definitely not part of their outlook. This is at variance with the findings from Pakistan (Haneef Khan, Watson & Habib, 2005) and should be attributed exactly to what these authors say: in Pakistan there is no challenge to Islam (2005, 56), in contrast to the environment where our Muslim respondents live.

It remains to be established to what extent the peaks and lows and the other variations are situational in nature, and to what extent they are caused by religious and extra-religious (social and psychological) predictors.

Basically, we did not find support for a hypothesis of fundamental difference in the nature of Islamic religiosity. There are some specific differences molding its cultural profile not only in magnitude, but these are not radical in nature, nor do they in any way support the Huntingtonian view of Islam.

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RELIGIOUS COMMUNITIES AND EU INTEGRATION PROCESSES IN SEE – COUNTRY REPORTS

Inter-Religious Council of Bosnia-Herzegovina – Building Civil Society through Inter-religious Dialogue

EMIR KOVAČEVIĆ

Introduction

The Inter-religious Council in BiH (IRC-BiH) has been in existence since 1997 through joint commitments by Reisu-1-ulema Mustafa ef. Ceric, Islamic Community in BiH, Metropolitan Nikolaj ofDabar-Bosna, Serbian Orthodox Church, Vinko Cardinal Puljic, Archbishop ofVrhbosna-Sarajevo, Roman Catholic Church and Mr. Jakob Finci, Jewish Community of Bosnia-Heregovina (BiH).

Because of the vital need for establishing inter-religious dialogue in BiH, the IRC-BiH has implemented numerous projects since 1997 with the assistance of the international community and initially set a goal to create the conditions to be a self-sustaining and independent organization. On 1 April 2005, the IRC-BiH successfully began performing its activities on its own and in premises made available to them at no charge by the Stari Grad Sarajevo Municipality.

IRC-BiH is not a "super body" which exercises legislative and executive authority, but an organization based on good will and the shared conviction that religious leaders can jointly achieve the goals which are essential and indispensable for BiH. Towards this aim, the IR-C-BiH established five working groups regarding 1) legal issues, 2) religious education, 3) media, 4) youth, and 5) women. The IRC-BiH has impacted the peace and reconciliation process in a number of ways. It reaches the general public through publications, roundtable discussions, and inter-religious radio programs broadcast throughout the region. It also organizes

several conferences for religious leaders, youth, and women to support inter-religious cooperation.

In the political and civil arenas of BiH, the acknowledgment and influence of the IRC-BiH continues to increase. Over the past year, the IRC-BiH held several meetings with the Presidency of BiH, and international and national institutions and diplomats continue to recognize the IRC-BiH as a functioning and effective body which can facilitate inter-religious cooperation in the region.

As an autonomous organization, the IRC-BiH wishes to continue contributing towards the reconciliation process and building the civil society of BiH by eradicating religious prejudice, protecting the society against the manipulation of religion to validate violence as demonstrated in the most recent war, raise the awareness and understanding of inter-religious dialogue, and to prevent the misuse of churches and religious communities for political aims.

The Inter-religious Council in Bosnia and Herzegovina

The Secretary General Dr. W. Vendley of The World Conference of Religions for Peace (WCRP), an organization which contributes to inter-religious peace building all over the world and is internationally based in New York, paid a visit to the Muslim, Serbian Orthodox, Catholic and Jewish religious leaders in July 1996, and announced his decision to open a WCPJP Office in Sarajevo. Having established the office, Dr. W. Vendley employed the local staff which included one administrator and. representatives from the religious communities and churches. These individuals were nominated by their respective religious leaders in order to act in accordance and in agreement with their respective communities within the programs of WCRP. The primary objective of WCRP was to provide assistance in building the relationships between the religious leadership in BiH. The religious leaders of the Islamic Community, Serbian Orthodox Church, Roman Catholic Church and President of the Jewish Community met in the fall of 1996 and formed a Working Group which included high level representatives from each church and

religious community. This meeting was the first time that the four most senior religious leaders had met together since the outbreak of the war. Over the next several months, a series of meetings by the Working Group and WCRP followed that focused on the drafting of a common statement of principles.

This process led to the public issuance of a "Statement of Shared Moral Commitment" on 9 June, 1997, which also formally established the Inter-religious Council of Bosnia-Herzegovina (IRC-BiH). Thereafter, religious leaders requested ongoing support from WCRP to develop communication between religious communities and churches and develop projects.

In February 2000, the IRC-BiH showed their commitment to inter-religious dialogue and solidarity for peace by hosting a delegation of Kosovo religious leaders in Sarajevo, discussing their experience in forming their own inter-religious council. The IRC-BiH shared what it had learned, supporting and encouraging the Kosovo leaders to begin their own process of cooperation. At the conclusion of the visit, the Kosovo leaders drafted and signed a "Statement of Shared Moral Commitment" which formalized the Inter-religious Council of Kosovo (IRC-K). In April 2000, the Kosovo leaders reciprocated by hosting the IRC-BiH in Kosovo, engaging in another fruitful dialogue.

Following the signing of the "Statement of Shared Moral Commitment", the Council agreed on their first joint project which included drafting a glossary of basic religious terms used by the Muslim, Serbian Orthodox, Catholic and Jewish believers in BiH. The purpose of the book was to provide accurate information to the media, so they could correctly report on religious events and persons following the ousting of religion in the community from 1945 to 1991. The book entitled "Glossary of Religious Terms" was published in 1999.

In the last eight years, the IRC-BiH has collaborated with BiH religious communities to build the promising institutions of a multi-ethnic, democratic state. It has sought to reverse the communist-era restrictions on citizen associations and promote religious communities as vital civic actors. It has acted as a neutral partner in seminars with human rights activists and theologians, and it has worked to create legal, fiscal, and governance structures necessary to sustain the IRC's

autonomous role in BiH civil society. The result has been widespread public acceptance of the IRC's moral authority.

In March 2003, the IRC-BiH was officially registered as a local non-governmental organization and a year later in April of 2004 moved into office space donated by the city of Sarajevo. Both of these important steps allowed the IRC-BiH to become an independent and autonomous organization.

The IRC-BiH, in cooperation with the WCRP Sarajevo office, has developed inter-religious projects through its five working groups: Legal Experts Group, Media Working Group, Education Working Group, Women's Working Group and Youth Working Group. Each of these bodies is comprised of nominated representatives from the respective communities.

Legal Experts Group

The IRC's Legal Expert Group – formed in 1999 of representatives from each religious community – worked together to draft a new law regarding freedom of religion and legal status of religious communities and churches in BiH. The text of the law defines issues relating to freedom of religion, the legal status of churches and religious communities, the registration of religious communities and churches, and the relationship between religious communities and the state. The final text of the law conforms to European standards on freedom of religion.

In the fall of 2002, the draft law was submitted to the BiH Presidency's office for further review. In early 2003, the Law on "Freedom of Religion and the Legal Status of Religious Communities and Churches" was presented to the BiH Ministry of Human Rights. Several meetings were held between the Ministry and the IRC-BiH Legal Experts Group in order to finalize a few remaining issues, and in March 2004, the law was approved by the BiH Ministry of Human Rights and passed the Parliamentary procedure and published in the Official Gazette of Bosnia and Herzegovina.

Media Working Group

Media programs increase the awareness of the inter-religious dialogue movement in BiH and the importance and potential it has in establishing sustainable peace and security. The Media Working Group has produced a number of programs aimed to spread the IRC-BiH's message of tolerance and peace. In January-May 2000, a radio program series entitled Susret ("meeting of persons") aired on several radio stations in the Federation. The 10 programs, each 30 minutes in duration, featured representatives from each religious community and sought to promote ways of achieving closer inter-religious cooperation. In March 2003, the Media Working Group began producing and airing nine Thursday evening one-hour radio programs on BiH Radio. BiH Radio has the largest radio span in the region, covering the entire ten-itory of BiH and reaching approximately three million people. Program topics included inter-religious dialogue in BiH, religion and media, relations between church and state, religious education, inter-religious dialogue among local religious leaders, the role of religion in civil society, and misinterpretations of religions.

Education Working Group

The education working group was established to design educational projects that increase inter-religious dialogue and promote religious tolerance. The group has also been actively involved in developing a comprehensive religious education program for BiH's public school system. In 2003, the working group drafted and submitted a common view of IRC principles on the issue of religious education in BiH. Later in the year the Education Working Group worked together with the Association of Blind Persons' of BiH, to complete professional audio recordings of religious music and significant religious texts by the Islamic, Orthodox and Catholic communities for distribution to blind persons. A total of three hours of music and spiritual readings were recorded for each community and approximately 1,000 tapes were distributed to religious communities with blind populations around the country.

Women's Working Group

The Women's Working Group, established in 2003, decided to focus on social problems in BiH, such as poverty, education of the poor, women's rights and fostering cultural and religious heritage. They have successfully implemented several project of assistance to the poor and displaced families with basic food and other necessities. The Women have also facilitated several large, regional, inter-religious seminars which provides the rare opportunity for women of different faiths from around the region to share their views and perspectives on important issues affecting their communities. The most recent project by the Women's Group has been the drafting of a joint publication on religious customs of Muslims, Orthodox Serbs, Catholics and Jews in Bosnia and Herzegovina. The book was published in March 2005 and is significant because it is the only book of its kind to exist in the country.

Youth Working Group

The Youth Working Group, also established in 2003, organized a series of inter-religious conflict resolution trainings in Sarajevo, Banja Luka, Brcko and Bihac. These trainings, entitled, "Hope for a Better Future: Transforming Attitudes and Building Community", provided a platform for youth from the different religious communities and churches to engage in dialogue and conflict transformation activities. The youth also were able to design joint projects identified and agreed upon at the last training which will assist in building a peaceful society.

IRC-BiH Structure Today

Following the registration of the IRC-BiH as a local non-governmental organization (NGO), the Stari Grad Municipality of Sarajevo donated office premises at no cost. In April 2004, the Council officially opened up their offices at 16/1 Ferhadija Street. Soon after this, the IRC-BiH determined that they were ready to take over all programmatic responsibilities and therefore detached from WCRP on 1 April,

2005. However a partnership remains in place between the two organizations. Today, the IRC-BiH is an independent, NGO consisting of two bodies:

1. The Assembly (religious leaders)
2. The Executive Board (made up of the Working Committee and the Secretariat)

The Assembly of IRC-BiH consists of religious leaders of churches and communities in BiH whose leaders have their seats in Sarajevo, namely: Reisu-1-ulema Dr. Mustafa ef Ceric, Islamic Community, Metropolitan of Dabar-Bosna, Nikolaj Mrda, Serbian Orthodox Church. Vinko Cardinal Puljic, Archbishop of Vrhbosna-Sarajevo, Roman Catholic Church and Mr. Jakob Finci, the President of Jewish Community. The Assembly meets once a year or as circumstances require. Over the years, the Council has maintained a yearly rotating system whereby the leaders from each community holds the position of president of the IRC-BiH for a one year mandate. The current President of the IRC-BiH is Vinko Cardinal Puljic.

The Executive Board is made up of the 4 member Working Committee and 5 member Secretariat. The Working Committee of IRC-BiH, which meets at least once a month, makes decisions in coordination with the Secretariat on administrative and project activities of the IRC-BiH Office. The Secretariat operates in the offices of the IRC-BiH and works on the preparation, coordination and implementation of the program of Council. The Secretariat consists of four representatives of the respective religious communities and churches, who work on behalf-and in coordination with their communities and the Working Committee of the IRC-BiH, and one secretary/administrator of the office.

Religion and European Integration in Bulgaria

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Keywords: religion, Orthodoxy, Islam, religious pluralism, eurointegration

Summary

This article is an attempt to explore the role of religion in Bulgaria's eurointegration process. Its first part examines the impact of religion on Bulgarian society in a historical perspective, while the second analyses religion as a factor of stability and development after the collapse of communism. The positive influence of confessions in Bulgaria stems from the century-long experience of peaceful Christian-Muslim co-existence. The authors also suggest that Eastern Orthodoxy is not an obstacle for building democracy in the country. At the same time, they draw attention to the Bulgarian Orthodox Church's ambivalent attitude to religious pluralism. They also reveal that religion is an important factor in the current reinstating of the indigenous identity of Bulgarian citizens and thus could enhance or slow down the eurointegration process.

This paper is an attempt to explore the influence of religion on the European integration of Bulgaria. The conservative nature of religion as a social phenomenon impelled the authors to structure their presentation in accordance with the major stages in the development of monotheistic religions in Bulgaria.

1. the monopoly of Christianity from the Christianization of Bulgaria (865) to the fall of the Kingdom of Tarnovo (1396);[1]

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[1] The authors skip the pagan period in Bulgarian history because it does not relate directly to the issue of eurointegration. Still they think that its post-communist reading contains some intriguing features. If the communist regime paid much attention to the Slavonic origins of Bul-

2. the domination of Islam, combined with tolerance to the Christians and Jews in the Ottoman Empire, from the end of the fourteenth to the beginning of the twentieth century;

3. the supremacy of Eastern Orthodoxy, declared by the Bulgarian Constitution (1879–1947);

4. the period of communism and atheism (1948–1989);

5. the return to religion as a source of identity in post-communist Bulgaria.

These periods are discussed from the prospective of religion as a factor of stability and development in nowadays. Their analysis is aimed at revealing the ways in which religion in Bulgaria could enhance or slow down the eurointegration process.

The Impact of Religion in a Historical Perspective

1. The Monopoly of Christianity

The analysis of Christianity's monopoly in Medieval Bulgaria is one of the keys for understanding the current tensions between Eastern Orthodoxy and Roman Catholicism. They are nurtured by schoolbooks that still preserve old stereotypes of thinking. There are even scholars who apply the modern notions of Orthodoxy and Catholicism to the Middle Ages. According to them, "in 865, Eastern Orthodox Christianity was officially imposed in the Bulgarian lands." (Peteva, 2002) Such an approach distorts the past, undermines the Bulgarians' sense of common

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garians, including the religion of ancient Slavs, it neglected the significance of proto-Bulgarian heritage. The latter provoked a group of Bulgarian intellectuals to study the proto-Bulgarian contribution to the culture and history of Bulgaria. After 1989, they began to publish *Tangra*, a journal named after the main proto-Bulgarian god. In this way, they seek to achieve a balanced view on the pagan period of Bulgarian history. Some of them have a anti-Russian orientation, while others are critical to the European Union. According to the latter, the EU policy is going simply to replace the communist concept of the national identity with a European one. In their view, such an approach threatens the Bulgarian identity. They also protested against Otto Kronsteiner's proposal (an Austrian scholar) Bulgaria to replace the Cyrillic alphabet with the Latin one in order to have an easier integration in the European Union. See: The *EU's Absurds* (in Bulgarian), http://web.hit.bg/bgsviat/EC.html. Used on 2 July 2005.

Christian roots with Western Europeans and provokes negative attitudes to the European Union.

Most problems are caused by wrong interpretations of the novelties introduced by Medieval Bulgaria in the practice of Christian Church. Although most of them were aimed at preserving the state integrity from the aspirations of Byzantium, some were invented for other ends. For example Slavonic liturgy was invented as a compromise between the Byzantine and Roman ecclesiastical models, which was more adequate to the new Christian states taking shape in Medieval Europe. (Tarnanidis, 1988, 2002; Parteni, 1991; Piccio, 1993, 1972) "The third way," however, did not bring reconciliation between Rome and Constantinople. In fact, it turned into an alternative of the Byzantine tradition. The Cyrillic alphabet did not require the knowledge of Greek and isolated Slavs from the cultural influence of Hellenism in a greater degree than the Westerners. (Schnitter, 2005; Bitsilli, 1993) The respect of Bulgarian rulers to the native language as a means of Christianization was also a shift from the tradition of the ancient patriarchates of Alexandria, Antioch, Jerusalem, Constantinople and Rome to recognize only Hebrew, Latin and Greek as liturgical languages.

In 919, the Bulgarian Tsar Simeon transgressed against canons by elevating his Church into patriarchate. This act aimed at preventing his lands from the Byzantine aspirations brought about two innovations. It created the concept of "tsar" as an institution equal to that of "emperor."[2] (Karayanopoulos, 1992; Runciman, 1985) It also gave a new meaning to autocephality that challenged the ancient one as a right of full canonical independence reserved for the five churches of Rome, Constantinople, Alexandria, Antioch and Jerusalem. (Erickson, 1991) The

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2   The Slavonic institution of *tsar* differed from both the Byzantine *basileos* and the Holy Roman *emperor*. According to the Byzantine principle of symphony the State and Church were interdependent. The *basileos* appointed the patriarch, while the patriarch anointed the *basileos* who had also priestly power. The Holy Roman *emperors* had not such power, but were secular rulers. At the same time, Bulgarian *tsars* mixed the two doctrines. They were not able to follow the Byzantine model, according to which there was only one *basileos* on the earth. They acted more as secular rulers but pretend to have specific power over their local church.

new notion of autocephality as a guarantee for state sovereignty was adopted by Serbs in the thirteenth century and by Russians in the fifteenth century. It lost its significance after the Ottoman conquest of the Balkans, but was rediscovered by the Orthodox people in the age of nationalism. Autocephality became a burning issue again after the collapse of the Soviet Union and Tito's Yugoslavia when various Orthodox communities in the successor states left their mother-churches in a search for independence.

The last Bulgarian invention was the principle of correspondence between the state territory and the church one. Adopted by the Kingdom of Serbia and Kiev Rus, this model brought about a new group of Orthodox churches: the so-called *pomestni* [local] churches. It also created specific church-state relations in Eastern Europe which mutual interpenetration has no parallel in any other part of the Christian world. The rise of nationalism transformed these local churches into national. The fact that they have become the most zealous allies of the young Balkan states is often regarded as an argument that Orthodoxy *per se* is a source of nationalism. The authors, however, have a different opinion. In their view, the link between Orthodoxy and nationalism is an outcome of concrete geopolitical, economic and social circumstances and thus it is an object of change.

2. The Domination of Islam

The Ottoman period has a great impact on the present Christian-Muslim relations in Bulgaria. The national historiography tends to emphasize the negative consequences of these centuries at the expense of important lessons such as the peaceful coexistence between Christians and Muslims. This experience is extremely valuable for Western society that has recently encountered the co-existence problem. The lack of violence in the Orthodox-Muslim relations in contemporary Bulgaria deserves special attention. One of the reasons is linked with the Ottoman *millet* system that allowed the Sultan's subjects of different faiths to live in a "pluralist equilibrium." This phenomenon, however, should not be mixed up with the present notion of pluralism because Christians were "regarded as no more than taxable assets" by the Ottomans. (Ergener, 2004)

The second factor roots in the absence of a Bulgarian Church, hierarchy and nobility for about five centuries. There was no national-scale institution able to mobilize Bulgarians on anti-Islamic grounds, whereas Greeks, Serbs, and Romanians had preserved more or less the independence of their medieval churches. In the era of nationalism, this state of affairs made Bulgarians open to "cooperation" with the Ottoman authorities against the other Orthodox nations. During the Paris Conference of the Crete Question (1869), the so-called Elders' Committee *(Dobrodetelna Druzhina)* appealed the Great Powers to establish a dual Turkish-Bulgarian monarchy. (Genchev, 1988) Despite its rejection by the majority of Bulgarians it is a precedent without parallel among the other Orthodox nations in the Empire. Another instance of the Bulgaria-Turkish "cooperation" was the establishment of the Bulgarian Exarchate (28 February 1870) by a Sultan's decree, i.e. against canons and by a non-Christian authority.[3]

The third reason could be found in the "linkage between national identity and the particular religious tradition which is … absent throughout most of Europe." (Prodromou, 2002) In the Bulgarian case, however, the fundaments of the national doctrine were laid down by Father Paisii Hilendarskii in 1762. This means that for a century Bulgarians have not been able to rely on any national institutions in their fight against the Hellenizing policy of the Patriarchate of Constantinople and the Ottoman political oppression. Therefore, they started with a movement for the restoration of the Medieval Bulgarian Church, which Slavonic liturgy and native hierarchy was regarded as a guarantee for their national identity. The legal reforms in the Ottoman Empire (1839–1856) gave impetus to this movement and allow an ecclesiastical institution to be established as a representative of the Bulgarian nation before the Sublime Porte and the Great Powers. In this way, the concept of the Bulgarian national identity was developed before the restoration of the

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3   During the Easter Liturgy (3 April 1860) Bishop Ilarion Makariopolski proclaimed the separation of Bulgarians from the Patriarchate of Constantinople and the establishment of a Bulgarian Orthodox Church, headed by the Sultan. This attempt failed, but created the conditions for the restoration of the Bulgarian Medieval Church in February 1870.

corresponding Orthodox Church (1870) and State (1878). (Kalkandjieva, 2004) As a result both institutions still pay tribute to the national identity.

The drive for an own church brought Bulgarians to the assumption that the whole nation had to belong to Eastern Orthodoxy as a guarantee for its unity. This trend was strengthened by the fight between Orthodox Russia and the Catholic-Protestant West over the Ottoman heritage. Under these circumstances Orthodoxy and Slavonic origins of Bulgarians worked in favor of Russia's interests in the Balkans. Orthodox Bulgarians regarded the Western Christian missionaries visiting their lands as invaders who tried to tear living parts from their national body. (Kalkandjieva, 1998) Sometimes Orthodox Bulgarians, supported by Russian diplomats, asked the Ottoman authorities to keep the Western clergy away from their cities and villages. Being part of the most important period in Bulgarian history – the birth of the nation, the memory of these conflicts and collective experience is still strong today. Therefore, any assumption regarding the European Union as a Catholic and Protestant construction could impede Bulgaria's accession to Europe. In this respect, the dynamics of the relations between the European Union and Orthodox Greece is very important for the eurointegration of traditionally Orthodox countries.

3. The Supremacy of Eastern Orthodoxy

The Bulgarian Principality, established in 1878, was a state where Eastern Orthodoxy was declared the "dominating faith" by the Constitution of Tarnovo (art. 37). The Constitution also guaranteed the freedom of religious conscience of non-Orthodox citizens (art. 40), including the right of their self-government (art. 42). These texts, however, were not observed very strictly. During the Balkan wars (1912–1913), the government attempted to convert the so-called Pomaks[4] into Orthodoxy. This policy was not provoked by the government's religious zeal, which did not touch the non-Bulgarian ethnic groups. This act was justified by

4   Pomaks are ethnic Bulgarians, forced to convert to Islam in the seventeenth century.

the belief that only the adherence of all ethnic Bulgarians to Orthodoxy would guarantee the national unity. (Eldarov, 2004)

The nation-state period is essential regarding Orthodoxy's role as a factor of stability in Eastern Europe. It is connected with the peculiar situation of the Bulgarian Orthodox Church that had and then, during the interwar period, claimed to have a territory much bigger than that of the Bulgarian State.[5] This unusual state of affairs is caused by complicated historical, legal and canonical reasons that are not object of this paper. (Kalkandjieva, 1994) Here, the authors would emphasize only the fact that a considerable number of Orthodox Bulgarians, who had remained outside of the Bulgarian state borders (after the Russian-Turkish war in 1877–1878 and then after the Unification of Eastern Rumelia with the Principality Bulgaria in 1885), were under the jurisdiction of the Exarchate in the same way as their compatriots in free Bulgaria. This situation created ecclesiastical and political tensions as well as a tendency to expand the Bulgarian state borders towards the ecclesiastical ones. Today we face the same developments in post-Tito Yugoslavia where the canonical jurisdiction of the Serbian Patriarchate outside the borders of Serbia provokes tensions in traditionally Orthodox lands as Montenegro and Macedonia. There is similarity also in the case of the Bessarabian Church, headed by Metropolitan Patru Raduraru, who moved under Romanian jurisdiction several

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5   The territory of Bulgaria, defined by the San Stephano Peace Treaty (3 March 1878) coincided with the borders of the Bulgarian Exarchate. In the same year, however, the Great Powers' congress in Berlin divided San Stephano Bulgaria into three parts. The Principality of Bulgaria (the present north part of Bulgaria with the region of Sofia) was declared a tributary principality of the Sultan, Eastern Rumelia (the present southern part of Bulgaria) became an autonomous province of the Ottoman Empire. Finally, the lands inhabited by compact groups of Bulgarians in Macedonia and Aegean Thrace were returned under the previous political regime. In 1885, the Principality of Bulgaria and Eastern Rumelia united into one state. In the period 1912–1918, Bulgaria's attempts to expand her borders to those of San Stephano failed and Orthodox Bulgarians in Macedonia and Aegean Thrace occurred under the jurisdictions of the Orthodox Churches of Serbia and Greece. The situation changed in 1941, when these lands were occupied by Bulgaria. This was the last attempt to bring together her state and ecclesiastical borders. In September 1944, Bulgaria gave up its pretensions over Macedonia and Aegean Thrace. Finally, in January 1945 the Bulgarian Orthodox Church withdrew her headquarters from Istanbul to Sofia.

years ago, and in that of the autocephalous Ukrainian Orthodox Church that left the Patriarchate of Moscow. From this prospective, the study of Bulgarian experience could contribute for their solution.

Finally, the fact that a considerable part of the Bulgarian Exarchate's flock was exposed to national assimilation in Greece and Serbia during the interwar period made this particular church sensitive to minority issues. After World War I, the Bulgarian Orthodox Church became one of the founders of the ecumenical movement and often referred to it with requests for protecting the rights of Bulgarian minorities in the neighbor states. During World War II, the Bulgarian Church demonstrated tolerance to the Orthodox Greeks and Serbs in the occupied parts of Macedonia and Aegean Thrace. (Eldarov, 2004) The best examples for her humanity are the asylum offered to the Armenians after the 1915 Genocide and the rescue of Bulgarian Jews in 1943. (Taneva, 2005)

4. The Era of Scientific Atheism

On 9 September 1944 communists came to power in Bulgaria as part of the Fatherland Front's coalition. Still their political monopoly was established by 1948. In the transitory period, they undermined the basis of religious institutions, but delivered the major blow on religion in the period 1948–1953. As a result, religion lost its role in society. Orthodoxy ceased to be a factor of national consolidation. The Catholic Church was left without clergy after a series of anti-Catholic trials in 1951–1952. (Kalkandjieva, 1999; Eldarov, 2002) The Protestant and the Muslim communities thanks to the flexibility of their structures preserved their religious activities to a limited degree. (Mateev, 1993; Gruev, 2003)

One of the most profound changes in the church-state relations in communist Bulgaria was "the separation of church from state" promulgated by the Constitution (4 December 1947). This formula followed the Soviet model, aimed at isolating religion from society. Most analyses, however, omit the replacement of the conjunction "*and*" (used in the formula for church-state relations, adopted by the western European states) with the preposition "*from*," introduced by the Bolsheviks. Art. 13 § 2 of the post-communist Constitution of Bulgaria also

preserves the "separation *from* state." The implementation of this text confuses the authorities who often disregard the principle of separation of powers in the sphere of church-state relations.

The communist policy of isolation of the Orthodox Church from society, however, did not mean her end as an institution. In the beginning, this Church was used as a tool for transforming the traditional love of Bulgarians for Russia into loyalty to the Soviet Union. Until the late 1950s, together with the other Orthodox churches from "the camp of peace and democracy," the Bulgarian Church was involved in the Soviet propaganda efforts to 'unmask' the Vatican and the World Council of Churches as "servants of imperialism and warmongers." (Kalkandjieva, 1997) In the 1980s, there were even attempts to restore the Orthodox Church's image as a guardian of Bulgarian national identity under the Ottoman rule, but they did not foresee the restoration of her proper religious and social functions.

The Role of Religion in Post-Communist Bulgaria

The collapse of communism brought about the resurgence of religion in Eastern Europe. Religion has become a factor of crucial importance for peace and stability in the Balkans. It also plays significant role in reinstating the indigenous identity of Bulgarian citizens.

1. Mapping Religious Identities in Post-Communist Bulgaria
According to the 2001 Census, 82,6 % of Bulgarians affiliate themselves with Orthodoxy and 12,2 % – with Islam.[6] These figures, however, do not present the real state of religiosity in Bulgaria. The instruction for collecting the statistical data defines the religious affiliation as "the historically determined belonging of an

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6   The majority of Muslims in Bulgaria are Sunni and only 7,7 % of them are Shiite (85,733). Ethnically the Muslim population consists of about 730,000 ethnic Turks, 130,000 ethnic Bulgarians and 90,000 Roma. http://www.nsi.bg/Census/Census.htm. Used on 21 August 2005.

individual or his/her parents and forefathers to a particular group with specific religious views."[7] This approach tends to bring closer religious and ethnic identities, while blurring the difference between the active members of one confession and those who are only culturally linked with it.

The Census' results point to Eastern Orthodoxy and Sunni Islam as the most important factors for the domestic religious peace. Their relationship became an object of special research even earlier. In 1994 the International Center for Minority Studies and Intercultural Relations launched a project on *Relations of Compatibility and Incompatibility between Christians and Muslims in Bulgaria.* According to its results, the ethnic relations between Bulgarians and Turks are not determined by their religious affiliation. In the case of Jews, ethnic Bulgarians are more open to those who have converted to Orthodoxy than to the followers of Judaism. At the same time, the religious affiliation of Roma has no influence upon their distance from the other ethnic communities. (Zhelyazkova, 1995) Finally, Pomaks turned to be equally distanced from Orthodox Bulgarians and Muslim Turks.[8] They are separated from the former by religion and from the latter by ethnicity.[9] It also seems that Pomaks are experiencing an identity crisis after the end of communism, which increases their vulnerability to the influence of Arab Islam and its conservatism.

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7   *Religious Structure of the Population (Bulgarian Census 2001),* www.nsi.bg/Census/StrReligion. htm. Used on 17 August 2005.

8   According to an interviewed Bulgarian woman, who belongs to Islam, in a case of intermarriages Muslim Turks and Muslim Bulgarians (Pomaks) would prefer то marry an Orthodox Bulgarian instead to marry a representative of the opposite community despite the same faith.

9   These conclusions are based on field studies accomplished by Maria Schnitter in the region of Asenovgrad (a city near Plovdiv). The Bulgarian journalist, Rada Domuschieva, discussed the new developments in the town of Dzhebel, inhabited mainly by Pomaks, in a program transmitted by Bulgarian private TV enterprise "BTV"on September 16, 2005. She showed how the new imam, who had recently come to the town, closed the Muslim graveyards and forbade the Pomaks to burry their dead there because they did not want to do it in accordance with Islam, i.e. they buried their dead in clothes instead naked. They also used to inscribe the names of their dead relatives on the grave stones. Now the local Muslim community is in despair. They do not know where to burry their dead in the future. At the same time, the municipal authorities and the local representatives of the influential ethnic party – the Movement for Rights and Freedoms, keep silence.

Meanwhile, Turkey's secularism and efforts for eurointegration restrict the religious radicalization among the Turkish population in Bulgaria. The relations within the Muslim community were also affected by the 2005 parliamentary elections that provoked frictions between Pomaks and Turks.[10]

The mentioned project has some weak aspects. It preserved pre–1989 tendency of giving priority to ethnicity over religiosity and underrated the long-term effects of the communist experience. The atheist regime sought to destroy religion, while being more flexible to ethnic differences. In the beginning of the Cold War, communist repressions against Turks and Jews were inspired by a fear that these minorities would betray the regime because of being loyal to states, situated outside the Iron Curtain. (Krasteva, 2005) Until 1989, there were also periods of cooperation with such minorities, followed by attempts to change their ethnic identity, e.g. the "renaming of the Bulgarian Turks" in 1984–1985. (Dimitrov, 2000) This inconsistent ethnic policy contrasted with the 'crusade' against religion and thus conditioned the post-communist growth of religiosity. The Compatibility Project also suffers from the use of the term "Christians" as a synonym of Orthodox Bulgarians that excludes Catholics and Protestants. The project timing imposes additional constrains. Launched soon after the changes, the research was focused on rural regions with ethnically mixed population and century-long traditions of peaceful co-existence. At the same time, it omits the impact of Bulgaria's democratization and eurointegration on the Christian-Muslim encounter. It does not take into consideration the intensified migration to the cities and the growing Arab immigration. (Elchinova, 2005)

The lack of open inter-religious conflicts made scholars blind about the mobility impact over the religious peace. The situation changed in August 2005, when the appointment of district governors, nominated by the Movement for Rights and Freedoms (often called Turkish party), provoked acute protests in several cities.

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10 This assumption is based on the evidence presented by the Bulgarian private TV enterprise "BTV" in the "Reporterite" [The Reporters] Program, broadcasted before the parliamentary elections in June 2005.

Varna was declared "Orthodoxy's stronghold" and this slogan was supported by the local Orthodox Metropolitan.[11] These events call for new research on the Christian-Muslim dialogue in Bulgaria. It has to take into account not only the migration processes, but also the 'laicization' of Muslims in Bulgaria. If the socialist generation used to eat non-*halal* meat and to limit their religious duties to the Friday Prayer,[12] the post-1989 one pay more respect to the prescriptions of the Koran and Sheria. All this raises the question whether Orthodox Bulgarians, especially in the cities, are prepared for such devotion to Islam.

The Building of the Faculty of Theology Sofia University "St. Kliment Ohridski"

The Building of the Higher InstituteFor Islamic Studies - Sofia

11 "Tsarkoven skandal za oblastniya na Varna" [Church conflicts concerning the governor of Varna], *Sega* [Newspaper "Now"], 30 August 2005, http://www.segabg.com/30082005/p0010001.asp. Used on 2 September 2005. See also "Parties protest nomination of ethnic Turkish district governor," Bulgarian News Network on 23 August 2005, http://www.bgnews-net.com/story.php?lang=en&sid=20584. Used on 2 September 2005.
12 The laic attitude of Bulgarian Muslims to their religion is quite different from the more radical type of Islam in the former Soviet Union. Most probably it is an outcome of the experience of their forefathers, who lived in the Ottoman Empire and thus had not been capsulated in closed societies as the Muslims in Orthodox Russia. Being linked with the prevailing religion and the political power in the Ottoman Empire this Muslim community did not feel threatened by the other religions and thus was not very strict in observing the rules of Islam.

The Christian-Muslim relations do not cover the whole spectrum of religious life in Bulgaria. The seminars on *Youth and Interreligious Dialogue*, organized by the Center for Interreligious Dialogue at Sofia University (13–15 May 2005, 3–5 March 2006), revealed many intra-religious tensions. The Christian communities in Bulgaria continue to be divided by their pro-Western or pro-Russian orientation, inherited from the past. At the same time, the attitude of Orthodox community to Catholics differs from that to Protestants. It is relatively respectful to the former and hostile to the latter. At an institutional level, this distinction was demonstrated in 1998 when the Bulgarian Orthodox Church quitted the World Council of Churches and in 2002 when Patriarch Maxim welcomed Pope John Paul II only as a "political leader."[13] The negative feelings of Orthodox believers are also provoked by the last century steady growth of the Protestant community. (Donev, 2004) The latter learned "to recruit and retain members under conditions of repression" in the pre-communist times, when the Orthodox Church dominated over the other religious groups in Eastern Europe. (Froese, 2002) The flexible structure of the Protestant organizations is an advantage that has helped them to survive communism and to exist in the modern secularized environment without the institutional crises experienced by the Orthodox and Catholic churches.

The end of atheism impelled the Orthodox Church's desire to restore her pre-communist monopoly in the religious sphere. In the early 1990s, her clergy initiated a series of 'crusades' against the new religious movements that had appeared in Bulgaria. In the early 1990s, the activities of the charismatic movement

13   Interview of Metropolitan Neofit of Russe, Standart [Newspaper Standard], 25 May 2002. http://www.pravoslavieto.com/interviews/2002/mitr_neofit.htm. Used on 2 July 2005. Metropolitan avoided to use the word "ecumenism" under the pretext of its negative connotation, but stressed that the Bulgarian Orthodox Church had been an active member of the Movement for Peace through Churches (which was actually Stalin's idea). The Metropolitan appreciate the significance of the Pope's visit to Bulgaria. At the same time, Pope John Paul II addressed the Bulgarian Patriarch with "Your Holiness," the Patriarch welcomed the Holy Father with the phrase "Christ is risen!" instead of addressing Him personally. See: "Solemn address of Pope John Paul II to Patriarch Maxim" (Sofia, 24 May 2005), http://mediapool.bg/site/bulgaria/2002/05/24/0013.shtml and "Address to John Paul II during His Visit," http://www.pravoslavieto.com/docs/slovo_pMaksim.htm. Used on 30 June 2005.

"Emanuel" in Plovdiv heated the religious confrontations in post-communist Bulgaria. It was accused of being a structure of Western intelligence services aimed at destroying the Bulgarian state and nation by "ruining the traditional churches and religions." (Dolev, 1997) The end of the attacks against the so-called sects coincided with the climax of the Orthodox Church's crisis (1998). Meanwhile, the Alternative Synod became too politicized and missed the chance to become an alternative of the Church compromised by her collaboration with the communists. The option proposed by *The Bulgarian National Doctrine* (1997) was also doomed to failure. It relied on the state "to keep the unity of the Bulgarian Orthodox Church" (Art. 31).[14] This approach, however, was a gesture to the past rather than a step to the future. The Pan-Orthodox Council in Sofia (1998) did not provide a canonical solution for the Bulgarian 'schism' neither. It only increased the conservatism of the supporters of Patriarch Maxim, who expressed doubts about Bulgaria's accession to Europe.[15] At the same time, it opened the Alternative Synod for contacts with other religious communities. In short, the 'schism' disappointed many Orthodox believers and some of them looked for alternatives. They established new communities in a Protestant fashion or by moving under the jurisdiction of foreign

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14 The text of the doctrine is available in Bulgarian in: http://www.sarakt.org/doktrina.htm. Used on 17 August 2005.
15 According to a survey, conducted by the website www.religiabg.com, 63 % of 284 participants are against the eurointegration of Bulgaria. They argue that this will alienate people from Christ as well as from the Orthodox way of life. It will also increase the proselytism of other Christian denominations and religions. http://religiabg.com/index.php?p=anketa&id=33. Used on 4 July 2005

Orthodox churches.[16] Some groups promote more conservative Orthodoxy,[17] while others are open to cooperation with Protestants.[18]

2. The New Denominations Act and the Bulgarian Orthodox Church
The affiliation of the majority of Bulgarian citizens with Orthodoxy determines the significance of this denomination for the religious peace in the country. Therefore the Orthodox Church's legal status has become a major issue in all analyses of religion since 1989. According to them, the state tends to favor this Church at the expense of the other confessions. In most cases, however, this attitude is not aimed at suppressing the religious minorities, but at protecting the Orthodox Church as a source of indigenous national identity. The latter is inspired by the nineteenth century concept of nationhood and the post-communist "vacuum of values" in society. At the same time, such an overemphasis on Orthodoxy contradicts the principles of democracy and pluralism and could impede the European integration of Bulgaria.

The special treatment of the Bulgarian Orthodox Church could not be understood without an analysis of its origins that root in the 1992 developments. This year marked the beginning of the restitution of religious institutions' properties

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16 These new Orthodox communities have not been object of a special study, but in the last years I have collected some information about them through interviews with Orthodox believers. Except for some charismatic Orthodox movements organized around their priests, there are also small groups who returned to the old Church calendar. One of them is the Bulgarian Orthodox Old Calendar Archbishopric set up in 1968, when the Bulgarian Patriarchate adopted the new calendar. The others have been established in the late 1990s. They are connected with various Greek and Russian old calendar churches. One of them was established by Ivan Latkovski, a former Senior Assistant at the Theological Faculty of Sofia University. He joined the Russian Orthodox Autonomous Church, headed by the Suzdal and Vladimir Metropolitan Valentin. http://www.orthodox-christian-comment.co.uk/news-new_sect_at_sofia_theological_fa.htm. Used on 29 June 2005.

17 One of the new Orthodox small churches forbade women to wear trousers. It also requires women to cover their heads during the liturgy. This is a novelty for Bulgarians, who do not share this Russian tradition.

18 Such an Orthodox entity is the Christian Ecumenical and Apostolic Church that has been recently set up but has no court recognition. The Church is run by a bishop and several priests, whose major aim is "to reform Eastern Orthodoxy."

taken by the communist regime.[19] The process was blocked by the Director of Religious Affairs, who declared the 1971 election of Maxim as Bulgarian Patriarch null and void on 9 March 1992.[20] This act threw the Orthodox Church into a crisis. Her hierarchy split into two synods. The Synod, chaired by Patriarch Maxim, was supported by socialists, while the alternative one was backed by democrats. As a result, the restitution of church possessions interwove with the political struggle between the Bulgarian Socialist Party (BSP) and the Union of Democratic Forces (UDF). By the same time, the communist Law on Religious Denominations was changed and its most totalitarian texts were nullified.[21] The amendment did not provide adequate solutions to the religious problems. (Kohen, 1999) On the contrary it doomed to failure the following attempts to heal the division by administrative measures, court decisions and ecclesiastical councils. (Kalkandjieva, 2004)

The new Denominations Act (20 December 2002) did not met the hopes for reconciliation in the religious sphere.[22] The *ex lege* recognition granted solely to the Bulgarian Orthodox Church (Art. 10 § 2) left the other religious denominations in inferior positions had a negative effect on the religious peace in Bulgaria and its accession to Europe. This text was objected by the Council of Europe[23], but was supported by the majority of the Bulgarian National Assembly. The latter referred to Art.13, § 3 of the 1991 Constitution that reads: "The traditional religion

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19 See the Law of Land Property (1991), published in Darzhaven vestnik [State newspaper] No. 17, 1 March 1991 and the Law of Restitution of Buildings Confiscated by the State (1992), Ibid., No. 15, 21 February 1992.

20 Metodi Spasov [Director of Religious Affairs], "[Patriarch] Maxim has never been elected as patriarch in accordance with canons," Demokratsia [Newspaper "Democracy"], No. 137, 10 June 1992. In a similar way, on 10 February 1992, the Directorate of Religious Affairs declared "the 1988 election of Mr. Gendzhev as Chief Mufti of the Muslims in Bulgaria null and void and proclaimed his removal from that position." See the Judgment of the European Court of Human Rights on the Case Hasan vs. Chaush No. 30985/96 (Strasbourg, October 26, 2000). http://www.uni-tuebingen.de/kirchenrecht/nomokanon/urteile/eughmr001026.htm.

21 Decision No. 5, issued by the Constitutional Court of Bulgaria on 11 June 1992. Darzhaven vestnik [State newspaper] No. 49, 16 June 1992.

22 "Bulgarian Law on Religions" (16 January 2003). www.relgionandpolicy.org/show?p+1.1.292. Used on 15 August 2005.

23 PACE Resolution 1390 (2004). http://assembly.coe.int/Main.asp?link=/Documents/Adopted-Text/ta04/ERES1390.htm. Used on 10 June 2005.

in Republic of Bulgaria is the Eastern Orthodox denomination." The special recognition of the Orthodox Church was also justified by the 1998 Constitutional Court's statement that "the traditional nature of Eastern Orthodoxy expresses its cultural and historical role for the Bulgarian state as well as its present significance for the state life, especially its impact on the system of official holidays." (Nenovski, 2002) Finally, the defenders of the *ex lege* recognition omitted the different meaning given by the new bill to Art. 13 of the Constitution. It is no more Eastern Orthodoxy that is defined as "traditional religion" in accordance with the 1991 Constitution, but the Orthodox Church, i.e. a particular religious institution.

This metamorphosis was realized by the means of the term *veroizpovedanie* [denomination].[24] According to § 1 of the "Additional Instructions" of the bill, "denomination" means "a totality, embracing a religious community with its religious beliefs and principles as well as its institution," while the term "religious institution" is "a registered, in accordance with the Denominations Act, religious community, that has the quality of judicial entity with the corresponding ruling organs and statutes." In this way, the traditional character of Orthodoxy as a religion/denomination (Constitution, Art.13 § 3) is transferred to the Bulgarian Orthodox Church as an institution, representing the same denomination (Denominations Act, Art. 10 § 1). According to the latter, the traditional denomination in Republic of Bulgaria is Eastern Orthodoxy. It has played historical role for the Bulgarian State and has actual significance for its state life. Its voice and representative is the autocephalous Bulgarian Orthodox Church that under the name 'Patriarchate' is the [legitimate] successor of the Bulgarian Exarchate and is a member of the United, Holy, Ecumenical and Apostolic Church. It is governed by the Holy Synod and represented by the Bulgarian Patriarch, who also is the Metropolitan of Sofia.

The transformation was also facilitated by the law preamble that speaks about "the specific and traditional role of the Bulgarian Orthodox Church in the history

24 The Bulgarian word *veroizpovedanie* means "denomination" when it relates to a religious entity, but could be translated also as 'faith' or "confession" when used with reference to the religious adherence of an individual.

of Bulgaria for the creation and development of its spirituality and culture" instead of Eastern Orthodoxy.

The Orthodox Church's *ex lege* recognition also implies the possibility that some legal regulations do not concern her activity. This Church is *de facto* exempted from the regulations of Art. 8 which imposes restrictions on religious rights when the freedom of religion is used against "the national security, public order, people's health and the morals or against the rights and freedoms of other persons" as well as when religious organizations are used for political ends (Art. 7 (1) and (2)). The constitutional principle of equality without regard of religion (1991 Constitution, Art. 6 § 2) is not strictly observed as well. Only the candle industry and the church plate production of Patriarch Maxim's Church have been exempted from the WAT-taxation by the Ministry of Finances.[25] Most religious programs in the national electronic media are limited to Eastern Orthodoxy, while the other confessions are underrepresented. Still there are some positive developments in the field of religious pluralism. Non-Orthodox clerics have been allowed to work with prisoners in some Bulgarian prisons since 1998.

The compatibility between the secular and the religious in post-communist Bulgaria is another question raised by the Denominations Act. In 2003, the Constitutional Court was requested to pronounce several of its texts "as incompatible with the Constitution and inconsistent with the European Convention for Protection of Human Rights and Fundamental Freedoms (the Convention) and with the International Covenant on Civil and Political Rights (the Covenant)."[26] One of them was the formula linking the Patriarch's office with that of the Metropolitan of Sofia (Art. 10, § 1). This case involved the constitutional judges in a discussion

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25 *"Bulgarian Orthodox Church's candle industry free from WAT",* 13 January 2005, http://www.religiabg.com/?p = oldnews&id = 3653. Used on 18 August 2005. It was justified on the basis of the new Denominations Act. According to the Minister of Finances, the trade with candles and church plate is used for the Orthodox Church's financial self-support and thus it has to be exempted from the WAT.
26 Decision No. 12, 15 July 2003 in the Constitutional case No. 3/2003, *Darzhaven vestnik,* No. 66, 2003. Its English summary is available in: http://www.constcourt.bg/constcourt/ks_eng_frame.htm. Used on 4 September 2005.

on canons, a sphere where they have no competence. Five of them argued that the Patriarchal office had to be bound with that of the Metropolitan of Sofia as Bulgaria's capital on the basis of the 34th Apostle Canon, approved by the First Ecumenical Council (325). Six judges disagreed because a civil bill should not incorporate religious principles engaging the secular state with religion. According to them, this was against the constitutional separation of church and state. Nevertheless their number was not sufficient and the challenge of the text of Art. 10 was dismissed.[27] As a result, the mixture of secular and religious elements has been preserved in Bulgarian legislation and is a hidden source of conflicts.

The Denominations Act endangers the religious peace by enhancing the tendency of reducing of Christianity to Eastern Orthodoxy, while excluding Catholics and Protestants from the same religion.[28] It also nurtures confrontations between the Orthodox majority and non-Christian minorities. In this respect, the address of Patriarch Maxim's Synod to the Bulgarian people, pronounced four days before the adoption of the Denominations Act, is symptomatic. It defines the new bill as recognition of the "natural rights[29] of the Orthodox majority of Bulgarians." The Synod highly appraised the clarification and further development of the Constitutional formula for "traditional religion" and concluded that

> … *the vote "for" and "contra" the texts, recognizing the Bulgarian Orthodox Church … will be a clear and undeniable sign [revealing] who takes the side of the forces that have been working against our kinfolk Church for years and who respects the freedom of our religious convictions, the unity and authority of the Republic of Bulgaria.*[30]

27 The Bulgarian Constitutional Court consists of 12 judges. Its decisions are valid only in case that 7 or more judges have supported them. The case of the Denominations Act was discussed by 11 judges 6 of whom were against art. 10.

28 The Bulgarian tendency to limit Christianity to Eastern Orthodoxy has parallels in the West, where the Christian religion is often limited to Catholicism or to sometimes to Protestantism.

29 It is important to mention that the word used in Bulgarian – *"estestveni"* could be translated also as "logical" or "self-understandable."

30 Address of the Holy Synod of the Bulgarian Orthodox Church concerning the debates on the draft of the new Denominations' Act, read by His Holiness Bulgarian Patriarch Maxim on Channel 1 of the Bulgarian National Television on 16 December 2002. Published in *Tsarkoven*

At the same time, some applications of the Denominations Act caused not only national but international concerns. One of them is the confiscation of 250 churches and premises of the Alternative Synod (21 July 2004). On the basis of Art. 10, they were occupied by the police and transferred to Patriarch Maxim.[31] On this occasion, the Alternative Synod filed a series of complaints with the European Court of Human Rights in Strasbourg, which decision is expected in 2006. Meanwhile, the PACE recommended measures ensuring "that the special recognition given to Eastern Orthodoxy does not lead to the discrimination of other religions for practical purposes." It also advised either to delete the provision for the *ex lege* recognition of the Bulgarian Orthodox Church or to make clear that her leadership is legitimate according to Orthodox canonical law.[32] The Bulgarian authorities, however, keep silence about them.

There is one more international dimension of the Denominations Act that is shadowed by domestic problems. It again relates to the text of Art. 10. According to it, the present Bulgarian Patriarchate is "the legitimate successor of the [former] Bulgarian Exarchate."[33] This formula does not make clear which areas of

vestnik [Church Newspaper] No. 1, 2003: http://synpress.bglink.net/index_broeve.htm. Used on 23 August 2005.
31 Bulgaria: *Country Reports on Human Rights Practices,* Released by the Bureau of Democracy, Human Rights, and Labor, 28 February 2005. http://www.usembassy.bg/policy/human_rights_04.html. Used on 20 August 2005.
32 PACE Resolution 1390, adopted on 7 September 2004. http://assembly.coe.int/Documents/WorkingDocs/doc04/EDOC10065.htm. According to the resolution,
    "a. paragraphs 1 and 3 (special recognition of Eastern Orthodoxy and the principle of non-discrimination): recognising that the wording of these provisions is not objectionable per se, to ensure that the special recognition given to Eastern Orthodoxy does not lead to the discrimination of other religions for practical purposes such as state or municipal support, restitution of property, treatment of taxation matters, teaching of religion, etc.;
    b. paragraph 2 (*ex lege* recognition of the Bulgarian Orthodox Church): either to delete this provision outright, thereby subjecting the Bulgarian Orthodox Church to the same registration requirements as other religious communities; or to ensure in other ways without interference by the executive that the leadership of the Bulgarian Orthodox Church is legitimate according to Orthodox canonical law."
33 This territorial aspect of the succession issue was mentioned by my colleague Dilyan Nikolkchev during the Conference on the Denominations Act, organized by the Rule of Law Bulgarian Institute, held in Sofia on 18–19 December 2003.
    This statement was made by Cardinal Casper during the presentation of the Bulgarian translation of his book *Jesus Christ,* held in Sofia University on April 1, 2005.

succession are concerned. It could provoke conflicts with the neighbor Orthodox churches, because from 1870 to 1918 as well as during World War II the territory of the Bulgarian Exarchate has included some of their present eparchies. This text could complicate the conflict between the so-called Autocephalous Macedonian Orthodox Church and the Serbian Patriarchate. Both have approached the Bulgarian Patriarchate on the issue of Macedonian autocephality several times.

Conclusions

The presented review of the development of religions in Bulgaria and their impact on the eurointegration process reveals the complexity of the problem. Bulgarians could enrich the European Union with their century-long experience of Christian-Muslim co-existence. They also could contribute for the better understanding of Orthodox culture. In this respect, there are many prejudices that have to be overcome by both Bulgarians and West Europeans. Especially important is to reassess the concept of Orthodoxy, i.e. the majority faith in Eastern Europe, as an obstacle for developing democratic societies. (Huntington, 1993)

According to E. Prodromou, Orthodoxy is open to democracy by its "traditional beliefs that freedom, choice, and human agency are prerequisites for all forms of social change" and by the Trinitarian concept of unity in diversity. Its specificity roots in the different responses that the Orthodox Church gives to democracy and pluralism. Her hierarchy supports democracy, but expresses ambivalence towards pluralism. According to Prodromou, "Orthodoxy's engagement with democracy … comes at time when questions about the effects and limits of pluralism are pressing not only for the Orthodox, but just about everyone else as well." (Prodromou, 2004) In fact, there are similar patterns in the Catholic Church's behavior, which

is open for inter-religious dialogue but has concerns about religious pluralism because its relativism undermines the sense of the only truth and God.[34]

At the level of inter-cultural dialogue, Bulgarians and Westerns will rediscover their common Christian roots only when they learn to distinguish the modern notions of Eastern Orthodoxy and Roman Catholicism from the medieval ones. They also have to free themselves from the Cold War perceptions of each other. The real European integration, however, will not happen without profound studies on Eastern Orthodoxy – the most scholarly neglected Christian denomination. It requires the joint efforts of Eastern European and Western scholars from various disciplines dealing with religion.

34 This statement was made by Cardinal Casper during the presentation of the Bulgarian trans-lation of his book *Jesus Christ,* held in Sofia University on April 1, 2005.

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Law and Religion in Post-Modernity: Dilemmas Propted by the Croatian Catholic University

IVAN PADJEN

Summary

The post-modern erosion of the core social sciences in face of the growing social inequality provides a stage for dilemmas prompted by the recent foundation of a Catholic university in Zagreb: the Catholic Church may have announced a mission of the new university that is explicitly concerned with social problems of contemporary world, including the state of social sciences; the new institution may run into difficulties in performing even routine university tasks, because its founder has had a less than distinguished record in respecting basic secular laws, let alone university autonomy. It is highly unlikely that the minor dilemma might be solved in a foreseeable future without a miracle. Should that happen, however, the Catholic Church might define a mission of the new university that is explicitly concerned with the social problems. The plot in the script is outrightly subversive: instead of fighting both the modern and post-modern world by lapsing into pre-modernity the Croatian Catholic University practices the post-modern departure from Cartesianism.

Standpoint

If "the relation between Church and State is the greatest subject in the history of the West"[1], the relation between religion and European integration –not to speak of re-

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1   Emil Brunner, quoted in the opening sentence of "Editorial", *A Journal of Curch and State*, vol.1, no.1 (1959), at 2.

ligion and peace in South Eastern Europe – may well be the greatest contemporary subject of our part of the world, including Croatia[2]. Post-modernity is less complex but as an ongoing process it is still far beyond the grasp of a single individual[3]. Hence my clarification of the relation between religion and post-modernity can be

2   For background information on church and state or religion and law in Croatia see I. Pa-
     djen: "Legal Position of Minority Churches in Croatia: Enforcement of Morality", in S. Devetak,
     L.Kalčina and M. Polzer (eds.), *Religion and Democracy in Moldova* (Maribor: ISCOMET, 2005),
     247–260; "The Status of Minor Religious Communities in Croatia: A Revival of Legal Pluralism",
     u S. Devetak, L. Kalčina and M.F. Polzer (eds.), *Legal Position of Churches and Religious Commu-
     nities in South-Eastern Europe* (Ljubljana-Maribor-Vienna: ISCOMET – Institute for Ethnic and
     Regional Studies, 2004),.93–106; "Chiesa e Stato in Croazia", S. Ferrarri, W.C. Durham e E. A.
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     cionalizam u Hrvata 1990.-ih: pravnoteorijski pogled (II. dio)", Hans-Georg Fleck (prir.), *Liberali-
     zam i katolicizam u Hrvatskoj II.dio: Zagreb, 5.–6. ožujka* (Zagreb: Friderich Naumann-Stiftung,
     1999), 139–242.
3   "One thing, therefore, is certain about postmodernism: the uses of the word display such
     diversity of meaning, that it defies simple definition". "Postmodernism", in Peter Sedgwick
     and Andrew Edgar (eds.), *Cultural Theory: The Key Concepts* (London: Routledge, 1999), at
     295. I share the assumptions, in *ibid.*, that "(p)erhaps the most coherent account of what
     constitutes post-modernism has been offered by the philosopher Jean-Francois Lyotard
     in *The Postmodern Condition,* …which stresses the collapse of 'grand narratives' (e.g. that of
     Marxism)" and "a crisis in our ability to provide an adequate, 'objective' account of reality".
     The assumptions largely agree with Wolfgang Welsch's *Unsere postmoderne Moderne*, 3.Aufl.
     (Weinheim: VCH Acta humaniora, 1991), which analyses postmodernism in a wide range of
     contexts (inluding literary and architectural), finding, at 263 ff., that its central idea is the
     plurality and incommensurability of reason(s). Both sources associate the idea primarily with
     the late XXth century French authors Jean Baudrillard, Jacques Derrida, Michael Foucault
     and Jean Lacan, tracing its roots to Martin Heidegger and Friedrich Nietzche. Their contribu-
     tions to post-modern understanding of law have been analysed by Gillian Rose, *Dialectic of
     Nihilism: Post-Structuralism and Law* (Oxford: Blackwell, 1984), However, Welsch, at 80, notes
     that several influential thinkers who neither recognize nor declare themselves as post-mod-
     ernists count as such: the key figure is doubtlessly Ludwig Wittgenstein in his *Philosophical
     Investigations*; other prominent figures include cultural relativists, most notably Peter Winch,
     Thomas Kuhn and Paul Feyerabend. Since I believe that post-modernism is expressive of
     "the spirit of our time", I am using the term post-modernity as a designation of both post-
     modernism, i.e. a set of chiefly philosophical ideas described briefly in the preeeding lines,
     and a wide range of beliefs and practices constituting, expressing and/or merely coinciding
     with post-modernism, which are characteristic of non-academic (esp. corporate) as well as
     academic institutions in the West today.

made, if at all, from a rather narrow point of view I am supposed to be acquainted with, namely, law – or, more exactly, legal theory, i.e. jurisprudence.

Focus

From the legal point of view[4] I subscribe to[5], the facet of post-modernity that is most relevant to European integration, as well as to South Eastern Europe, is the idea that law cannot respond to individual suffering and pain[6].On that account, the paradigmatic legal role is that of Josef K in Kafka's *Process*[7]. The idea has far-reaching implications, which define the focus of this inquiry.

4   A point of view, roughly in the sense of Robert Samek, *The Legal Point of View* (New: York, Philosophical Library, 1974), chs. III. and V, marks off an exclusive field of interest. Though exclusive of other concerns, such a field my be multifaceted. Thus it may integrate (as my legal point of view is supposed to do, *infra* note 4) previously disparate points of view, e.g. of normative and empirical theory. However, an integral point of view that is properly formulated and applied keeps its various perspectives distinct to avoid a lapse into syncretism.

5   It is integral in two seneses. First, it defines law as a unity of positive legal standards (norms, values, principles, systems), which are explained normatively by legal dogmatics, trans-positive legal standards (e.g. values and principles of practical reasoning), which are justified by legal, moral and political philosophy, and social relations (legal subjects and their interaction) giving rise to and implementing legal standards, which are explained causally and functionally by sociology of law and other empirical social sciences. Integral legal theory in this sense has been introduced into Croatian legal thought by Nikola Visković, *Pojam prava /The Concept of Law*, 2nd ed. (Split: Logos, 1981) and elaborated *inter alia* by I. Padjen and M. Matulović, "Cleansing the Law of Legal Theory (Editorial)", *Croatian Critical Law Review*, vol.1, no.1 (1996), 1–115. Second, the integral point of view includes policy oriented jurisprudence formulated in Harold D. Lasswell and Myres S. McDougal, *Jurisprudence for a Free Society: Studies in Law, Science and Policy* , 2 vols. (New Haven CT: New Haven Press, 1998), which requires a researcher to perform the following tasks (the words in italics are used as subtitles of this paper): identification of the researcher's observational *standpoint*, definition of the *focus*, method and *problems* of inquiry, postulation of *values*, clarification of policies (in this paper considering *universities*), description of tendencies in *decision*, explanation of *conditions* of decision, projection of probable *future* decision, invention of *alternative* decision.

6   Phenomenology of Modern Legal Discourse: The Judicial Production and the Disclosure of Suffering (Dartmouth: Ashgate, 1998).

7   Ibid., at 1–7 passim. The post-modern jurisprudential use of Kafka's work is grossly at odds with Margaret Susman's Das Buch Hiob und das Schicksal des juedischen Volkes (Zuerich: Steinberg Verlag, 1946); 2. Aufl. (Basel: Herder, 1968), trans. (Paris: CERF, 2003), which argues that Kafka's characters are more devoted even than Job, as they surrender to the incompre-

First, if Kafka's writings were meant to be read by humans at all (rather than by God's eye[8]), his *Process* is not a fiction but caricature, which exaggerates some salient features of Austrian law. Bizar as it may seem, however, it is precisely the process that makes Austrian law the best legal system there is[9]. Which is to say that if Slovenians, Croats and other peoples that have inherited it find it unresponsive to their basic needs, there is hardly a legal alternative to be found[10]. Faced with the best legal system there is we are as helpless as Kafka in letters to his father.

Secondly, Yugoslavs have been as helpless under their political father, Josip Broz Tito, who constituted Yugoslavia by implementing Habsburg policies of multi-ethnicism that may have saved the Austro-Hungarian Empire had they been enforced in to it on time[11]. When Tito was gone, his subjects found his laws unresponsive to their pain. The Serbs, who were the most numerous Yugoslav

hensible will of the invisible God wihout a complaint. Hence the view that Kafka's characters epitomize the suffering and pain of the post-modern individual may be as illuminating as the suggestion that Madonna could have had the cake and eat it by being both the Mother of God and Queen of Pop.

8 *Ibid.*

9 I owe the appraisal to Dr.George Jovanovich, a senior researcher at the Law Library of the Library of Congress in the 1970ies (at the time a leading comparative law institute with dozens of area specialists), a law graduate of Vienna University and George Washington University, who had practiced law in Yugoslavia before WWII, Austria immediately after the War and, later on, in the USA. *The International Encyclopedia of Comparative Law* makes references to the Austrian legal system in the same vein. The appraisal is corroborated by C.H. van Rhee, "Introduction", in *Id.* (ed.), *European Traditions in Civil Procedure* (Antwerp, 2005), 3–23, which reads, at 9, as follows: "The Austrian Zivilprozessordnung of 1895, introduced in 1898 and drafted by Franz Klein (1854–1926), stands as landmark legislation in the field of civil procedure, reflecting the new ideas……Klein's aim was the realisation of the so-called 'social function' (*Sozialfunktion*) of civil litigation". http://arno.unimas.nl/show.cgi?fid=3604.

10 However, a return to the original would do nicely. The Kingdom of Yugoslavia adapted the Austrian civil procedure in 1929 by changing the rule that required parties to a civil suit to define their claims and propose evidence at the preliminary hearing. The adapted Yugoslav rule empowers the parties to ,put their cards on the table', i.e. to make their allegations, at the very end of the last oral hearing, which may thus take place ten or twenty years after the preliminary hearing. As a result, Croatian courts, which serve some 4,4 million inhabitants, had at the end of 2005, all together 1,118.466 cases in dockets, including 214.740 first instance civil law suits. Republika Hrvatska / Ministarstvo pravosuđa, Statistički pregled za 2005. godinu (Zagreb, svibanj 2006. godine), at 18, 16. www.pravosudje.hr/Download/2006//05/23/Statistički_pregled_ za2005..doc.

11 See Frederik W. Hondius, *The Yugoslav Community of Nations* (The Hague: Nijhoff, 1968).

nation, felt threatened by all the other nations. Most members of other Yugoslav nations, including the Croats, felt in turn threatened by the Serbs. The Serbs in Croatia felt doubly threatened by the Croats. The Croatian minority in Croatian regions inhabited chiefly by Serbs felt trebly threatened by the latter. And so on, with the same pattern repeated by different actors in every other Yugoslav republic[12]. Foreign observers reported that Yugoslavia had plunged into the dark ages of tribalism[13]. However, the self-pity of victims (let alone pretended victims) made it a post- rather than pre-modern phenomenon[14].

Thirdly, subsequent developments in advanced nations have validated the point. Capitalizing on the anxiety caused by cheap imported goods or humans, extreme nationalist parties have won wide support in several western countries[15]. The 9/11 crowned the United States by the aura of a victim, thus facilitating the joint US-UK forgery of evidence that justified the attack on Iraq in a blatant violation of international law[16]. Hence the paradigmatic legal role, rather than Joseph K, is the wife in "The American Beauty", who regains strength between her tours of destruction by repeating the mantra "I'll not be a victim, I'll not be a victim". She is visibly post-modern by a conspicuous absence of a grand theory,

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12 See esp. Misha Glenny, *The Fall of Yugoslavia: The Third Balkan War*, 3rd ed. (Harmopndsworth: Penguin, 1996).

13 www.google.com search for "Yugoslavia tribalism" (02.04.2006, 18:15 h) showed 56.900 titles.

14 I. Padjen, "Proboj iz kruga", *Zarez*, vol.1., no.1 (19.02.1999), 28. Partly corroborated by Branka Magaš's argument in *The destruction of Yugoslavia: Tracking the Break-Up 1980–92* (London: Verso, 1993) that the war was produced from above by political elites's invention of history and instigation of hatered.

15 It would suffice that Republicans under Georg Bush Jr. are governing the US. In addition, the MSI has become a governing party in Italy, Joerg Haider's party has entered the Austrian government, Le Pen entered the last round of French presidential elections, while the neonazis have become the second strongest party in some German provinces. See e.g. J. Ball, "How Do You Account for the Resurgence of Radical Right in Europe in Recent Years", www.users.ox.ac.uk/~trin1408/Essays/Politics %20Hilary05/Week4%20–%20Parties.pdf

16 See esp. numerous statements made by Hans Blix, the former UN chief weapons inspector, who has denounced the war against Iraq as violating the UN Charter and questioned with unusual candor US & UK motives. ww.truthout.org/docs _04/101504 Y.shtml See more on US violations of international law and their explanations John F. Murphy, *The United States and the Rule of Law in International Affairs* (New York: Cambridge University Press, 2004.).

say, feminist or Marxist or liberal, that would have armed her thirty years ago. However, when stripped of the intellectual pretense, she is a typically modern, i.e. solipsistic individual, very much like Thomas Hobbes, who doubted everything except his ability to know contents and products of his mind[17]. What makes her a paradigmatic post-modern character is that, unlike Hobbes, who is still a thinker, she does not have to slave for her passions. She is a feeler, living by *desidero ergo sum*[18]. The same solipsistic *desidero* generates today extra-terrestrial human right claims to cream cake[19] and avoids even a mention of responsibility[20].

Problems

While the subject-matter of this inquiry is the post-modern self-centredness of the subject preoccupied with the insensitivity of law to her victimization, suffering and pain, the central problem is growing inequality, which is prompted by

17 E.g. Thomas Hobbes, *De corpore,* I.6., according to Leo Strauss, *Natural Right and History* (Chicago IL: Ilinois, 1953), at177.

18 For an interpretation of the desidero in post-modernism see e.g..http://lulle.free.fr/TEXTE/BEANCE.HTM.

19 E.g. the recent claim (which has won the argument) that the rule requiring every resident of heavily subsidized student dormitories in Zagreb to act as a dorm porter a few nights a year amounts to forced labor, and should be replaced by the rule that the dorm management is obligated to hire students to act as porters. "Zagreb: Studenti tvrde da im SC nameće prisilni rad". www.vjesnik.com/html/2002/ 11/16/Clanak.asp?r = zag&c = 2 – 34k (2006.04.16). While I still belive that the claim is outlandish, I recognize that in the world where a significant percentage of the 18–23 cohort are university students, who engage in what is by definition a disinterested pursuit of knowledge, their normal maturation may be detrimental to the overall social as well as their personal development. Hence there are good reasons to protect university students by new generation of social rights. I. Padjen, "Legal Scholarship as a Framework for Justifying Human Rights: Deferred Maturity and Forced Labour", a paper read at the seminar "Diversity of Human Rights"; directors G.Lohmann, Z. Posavec, B. Ladwig and A.Matan (Dubrovnik: Inter-University Centre, 9–16 September 2006), in preparation for print.

20 E.g. V. Tinto, "Dropouts from Higher Education: A Theoretical Synthesis of the Recent Literature", A Review of Educational Re*search,* vol.45 (1975), 89–125, which has been a classical explanation of university student attrition, does not even hypothesize that students may drop out of college because they do not work hard enough. Comp. a criticism of contemporary western paidophilia in Ivan Illich, *Deschooling Society* (New York: Harper and Row, 1970).

contemporary capitalism, including its liberal constitutional principles[21]. Suffice it to note that the wealth disparity in the People's Republic of China today, one of the few remaining countries that are still ruled by the communist party, is greater than that in the USA and second only to those in Latin American and sub-Saharan countries[22]. It is the inequality generated by contemporary capitalism that makes post-modern obsession with victimization and unresponsiveness of law legally relevant rather than plainly grotesque. By emphasising what is unique and incommensurable, and denying even minimal reliability of reason and language, post-modernity both contributes to and justifies dismantling of the equality achieved in the 20th century and in that sense functions as an ideology of global corporate capitalism. The obsession with minority rights, which is the prime export of liberal democracies[23] as well as the core of political correctness self-imposed by US universities[24], is, regardless of its motives and justification, a formidable tool that protects the minority of proprietors from democratic majorities around the globe[25].

The mirror-image of the growing inequality, which feeds on scepticism, is – to paraphrase a Marxist metaphor of the state and law – the withering away of the core social sciences. The decline of the regulatory and welfare state in the last quarter of the 20th century has deprecated macroeconomics, political science and sociology, which had developed after the Great Crisis as instruments of state intervention, democratic participation and redistribution of wealth. An

21 Ph. Allott, "The Emerging International Aristocracy", *New York University Journal of International Law*, vol.35 (2002), 309 ff.

22 The announcement of the Harvard East Asian Legal Studies Program and the U.S. China Law Society symposium entitled "China at a Crossroads: Searching for a Balanced Approach to Development," on November 5–6, 2005 at Harvard Law School. www.uschinalawsociety.org/symposium/speakers.htm. See also more comprehensive information in www. globalpolicy.org/socecon/inequal/indexing.htm#docs.

23 e.g. the European Framework Convention, which is ignored conveniently by most old European democracies but imposed on formerly communist states

24 For illuminating accounts of Political Correctness see e.g. J. Williams (ed.), *PC Wars : Politics and Theory in the Academy* (New York: Routledge, 1994) and D. Horwitz and P. Collier (eds.), *The Heterodoxy Handbook: How to Survive the PC Campus* (Washington DC: Regnery, 1994).

25 See Allott, *note 21*.

indication is the recent self-designation of social scientists as professions[26], which contradicts the standard social science definition that a profession is character-ized by abstract knowledge and a monopoly of putting the knowledge to use[27] (to explicate the obvious, sociology, political science and even economics are highly unlikely to achieve a monopoly before their practitioners become Platonic kings). The self-congratulatory talk of professionalism, rather than an expression of strength is a sign of erosion of the core social sciences, which is comparable to, say, the doctrine of papal sovereignty formulated in the 14th century, when papal temporal power had been largely gone[28].

The core social sciences were threatened most during the first years of transi-tion from communism to liberalism. Prominent members of the post-communist elites, especially physicists, dismissed all the social sciences and humanities in communism as pure ideology[29]. A much greater threat came from the West, whose emissaries discouraged the natives of ex-communist countries from engaging in social theory[30]. As an economist of a leading international monetary institution

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26 E.g. *The International Encyclopedia of the Social and Behavioral Sciences,* vol.18. (Amsterdam: Elsevier, 2001).

27 Anthony Abbott, *The System of Professions: An Essay on the Division of Expert Labor* (Chicago: The University of Chicago Press, 1988), at 4–5, 112, 316.; see also T. Parsons, "Professions", *The International Encyclopedia of the Social Sciences,* vol.12 (1968), 536–547.

28 Michael Wilks, *The Problem of Sovereignty in the Later Middle Ages: The Papal Monarchy with Augustinus Triumphus and the Publicists* (Cambridge: At the University Press, 1964).

29 The physicists became vocal already in the late 1980s, as demonstrated by the gathering of the Yugoslav Association for the Advancement of Science in Zagreb in June 1989, which advocated a return to strong government control as well as support of scientific research. The ideas that set the tone of the meeting may best be explained by the end of "Big Science" (such as the Superconducting Supercollider project) and the displacement of physics by biology. See I. Padjen, "Porijeklo zamoraca", *Feral Tribune,* vol.23, no.1062 (27.01.2006.), 20–21.
     Not surprisingly, the ideas were largely implemented by the first post-communist government of Croatia, when a bunch of physicists in the Government joined a crusade against social sciences and humanities. The rhetorics of the crusade was probably a pretext of the ill-fated transformation of the oversized Zagreb University, that should have included the "Ruđen Bošković" Institute of Nuclear Research, into an elite research university of a European format.

30 Thus Croatian Association for Social Science and Humanities (1992–97?), which formulated – soon after it was established – the program "Social Sciences and Humanities in Strategies of Croatian Development", never managed to attract foreign sponsors since they claimed the program was too theoretical.

has put it succinctly, two macro-economists are more than enough to serve a country the size of Croatia.

The Bologna process of transforming higher education in Europe is a massive attack on the core social sciences in two ways. Although Bologna goals would have been served almost perfectly well by the award of non-professional university degrees (such as a general B.A. or B.Sc.) to university students who have completed 2–3 years of the pre-Bologna 4–6 year university programs[31], the process transformed almost all university programs into junior (bachelor) and senior (master) professional programs, thus reducing the room for the core social sciences that were the most important part of the pre-Bologna 4–6 year programs[32].

The Bologna process is also commercialization of higher education and scientific research. As such, it is a direct threat to all fundamental disciplines of social theory constituting *Studium generale* , which is made of basic scholarly disciplines, most notably of social theories[33].

The concomitant rise of corporate capitalism, which proliferates idiosyncrasies of corporate cultures, has depreciated knowledge of any kind, especially knowledge provided by the core social sciences. Thus corporate executives place knowledge only seventh on the list of ten qualities that their future employees should exhibit. In accord with the society that is geared to seduce people transsubstantiated into consumers, communication skills rank first[34]. Universities fol-

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31 A general B.A. or B.Sc. is very probably the best foundation for both life-long learning, including training for the first employment, and the first employment.

32 See e.g. M. Asseffa and R. Sedgwick, "The Bologna Bachelor's Degree: An Overview", WENR vol.17, no.1 (January-February 2004),

33 Wiliam Bruneau and Donald C. Sauvage, *Counting out the Scholars: The Case Against Performance Idicators in Higher Education* (Toronto: Caut, 2002); R. Mansberger, H. Schuch and G. G. Steinkellner, "Impacts of the Bologna Process and New Public Management on the Academic Surveying Education in Austria", www.gfig.net/public/fig2006/papers

34 Nenad Bakic, the owner and manager of the largest Croatian employment agency, finds that Croatian employers, not unlike their counterparts in the US, appreciate with their employees communication, team-work, honesty, and work. ethics more than knowledge and degrees. M. Lilek, "Stav o poslu važniji od diplome", *Vjesnik* (03.04.06). www.vjesnik.hr / htm./2006/04/03/Clanak.asp?r = tem&c = 3.

low suit: science students transfer to business administration[35], while universities abandon last vestiges of autonomous education in liberal arts for custom-made programs that serve corporate clientele[36]. The best university graduates, especially in law and business studies, are more attracted by non-academic than academic careers[37]. Hence a subtle paradox of post-modernity: the idea that "those who can't teach", which was promulgated by Kant[38], has at long last won now that Kant's philosophy is relegated to modernity.

The erosion of the core social sciences in face of the growing social inequality provides a stage for immediate problems of this paper, that is, dilemmas raised by the recent foundation of a Catholic university in Zagreb[39]. A major consideration is that the Catholic Church may have announced a mission of the new university that is explicitly concerned with social problems of contemporary world, including the state of social sciences in post-modernity. A minor point is that the new institution may run into difficulties in performing even routine university tasks, because its founder has had a less than distinguished record in respecting not only university autonomy but also basic secular laws (see infra "Decision").

35 W. Potter, "Top Undergraduates Increasingly Abandon Sciences for Business and Other Fields, Study Finds", *The Chronicle of Higher Education* (9 January 2003). http://chronicle.com/daily/2003/01/2003010904n.htm
    See *Le Monde diplomatique*, hrvatsko izdanje (Ožujak 2006)
36 Steve Crow , "Autonomy and Integrity in the Era of Collaboration and Cooperation" (9 September 2002). www.aspa-usa.org/resources/crow.html.
37 For law see "Selecting Minds Symposium", *American Journal of Comparative Law*, vol. 41, no.3 (1993), esp. B. Rudden, "Selecting Minds: An Afterword", 481–488.
38 *KrV B 172–173*.
39 I. Šestak, "Uvodnik: Katoličko sveučilište u Hrvatskoj", *Obnovljeni život*, vol.50, no.4 (2004).

Values

Post-modernity as self-centredness may be treated from the legal point of view, which implies rationality as its constituent value. As a use of practical reason law is indeed, as claimed by post-modernists, insensitive to pain and suffering. In a sharp contrast to law, Christianity (or Judaism[40]) understood as authentic faith, that is, surrender to God's mercy [41], are sensitive to suffering but consider it an essential dimension of human life, which is most often inevitable and, if accepted, uplifting. However, Christianity can exist only as a practice of historical groups, which is to a large extent a religion, that is, a human invention of the sacred[42]. As a religion it is often an inversion or even perversion of the Christian understanding of suffering. Many centuries of Christianism may be depicted fairly as a use of political power to transfer the cross to the weak, or even infidel, so that religious and political dignitaries may have a clear consciousness in their mission of salvation. Christianity in that sense is an almost extra-temporal source of post-modernity. I will refrain from extending this analysis to religions I am less familiar with.

The legal point of view implies also freedom and equality as its constituent values, which in turn imply a community, that is, a bond and boundaries among the free and equal. The history of Christianity in that respect parallels the history of the western legal tradition. The legal and political conflict between freedom and equality has manifested itself in Christianity as the conflict between the authority of law and the authority of consciousness[43]. When the Church was identified with the Roman Empire, the authority of law was sacrosanct[44]. A corollary was

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40   See again Susman, *note 7.*
41   See esp. Karl Barth: *The Epistle to the Romans*, tr. (London: Oxford University Press, 1933); *The Humanity of God*, tr. (Richmond VA: John Knox Press, 1960).
42   See esp. Jakov Jukić (Željko Margetić), *Lica i maske svetog* (Zagreb: Kršćanska sadašnjost, 1995).
43   For a wider a wider religious and philosophical context of the problem see Alan Donegan, *The Theory of Morality* (Chicago IL: The University of Chicago Press, 1979), esp. ch.1., p.1–31.
44   For a reaction against legalism of the pre-Vatican Council II Church see "Uloga prava u Crkvi", *Svesci*, no.6 (1967), 16–22; G. Fuerst, "O biti crkvenog prava", tr., *Svesci*, no.32 (1978), 46–52; E. Corecco, "Ordinatio rationis ili ordinatio fidei", tr. *Svesci*, no.32 (1978), 53–63.

a permanent war against enemies, both external and internal. The authority of consciousness has prevailed even among the Catholics after the Vatican Council II[45], with a consequence that the few remaining practicing Christians practice either *a la carte* Christianity which is hardly distinguishable from the syncretic New Age spirituality, or the fundamentalist, that is, political Christianity, which is distinguishable in rites only from the religion of Islamic terrorists.

Hence the peculiar nature of both contemporary law and contemporary religion. We have learned in the past few centuries that law cannot be either morally neutral, that is complete without moral assumptions, or morally exclusive, that is, based on moral convictions of a single religious denomination[46]. However, although official doctrines of major European religions advocate values that promise to fill the post-modern void, something is missing in the translation of the values into practice.

Policies: University

If law cannot be either morally neutral or morally exclusive, and post-modern syncretism is a poor way of bridging a moral gap between the two extremes, there is a need to fill the void. Not merely for anecdotal reasons, prompted by the 30th anniversary of Maribor University or the establishment of a Catholic University in Zagreb[47], I believe that law and religion could fill the void by first making a contribution to a renewal of universities. The reasons are not purely historical, either.

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45 Observable by a dramatic reversal of the ratio between communion and confession, which is pointed out e.g. by J. Martos, "Sakrament pomirenja", in *Suvremena katolička enciklopedija*, ed. by M. Glazier and M.K.Hellwig, tr. (Split: Laus, 1998), at 850–853.

46 Recognized even by Pavao Butorac, *Politički i gospodarski liberalizam i kršćanstvo* (Mostar: Tisak i naklada Hrvatske tiskare, 1920), who later on became the bishop of Dubrovnik. See also Padjen, "Enforcement of Morality", *note 2*.

47 Šestak, *note 34*.

Law professors of Zagreb University believed in the reforming 1960s (and perhaps much earlier) that the beginning of the university was in the mid 11th century, that is, even before mythical beginnings of the first law school in Bologna[48], when the Archbishop of Milan allowed teachers of his capitular school of theology to lecture without submitting their lectures to a prior imprimatur of Church authorities[49]. Although the belief is not corroborated by available evidence[50], it expresses the idea that university is not rooted in teaching and research or even abstract intellectual freedom, let alone such trivia as higher education; rather is the core of university a legal right to intellectual activity that centres around the search for truth[51]; maturation by self-discipline, and in that sense education, being implied. The idea has resulted in 2000 in a decision of the Croatian Constitutional Court which may well be one of the most comprehensive rulings on the autonomy of university in constitutional history[52]. Not surprisingly, both the Court's President who advanced the decision[53] and the Judge who wrote it[54] were law teachers of Zagreb University.

It is even less surprising that (natural) scientists did not join the application for constitutional review that prompted the decision[55]. A fairly obvious reason is

48   W. Ruegg, "Themes", in H. de Ridder Symoens (ed.), *A History of the University in Europe, vol.1: Universities in the Middle Ages* (Cambridge: Cambridge University Press, 1992), at 4–9.
49   I owe the story to Professor Eugen Pusić.
50   According to a church historian at Zagreb University, it is highly unlikely that bishops ever gave imprimatur to lectures of their teachers of theology.
51   Comp.: Wilhelm von Humboldt, "Ueber die innere und aeussere Organisation der hoeheren wissenschaftlichen Anstalten in Berlin", in Die Idee der deutschen Universitaet: die fuenf Grundschriften *aus der Zeit ihrer Neubegruendung durch klassischen Idealismus und romantischen Realismus* (Darmstadt: H. Gentner, 1956). For further developments Helmut Schelsky, *Einseimkeit und Freiheit: Idee und Gestalt der deutschen Universitaet und ihre Reformen* (Reinbek bei Hamburg: Rowohlt, 1963).
52   Ustavni sud Republike Hrvatske, Odluka i Rješenje itd. 26.01.2006. U-I-902/1999 (NN 14/00).
53   Smiljko Sokol, LL.D., Professor of Constitutional Law
54   Jasna Omejec, LL.D., Reader of Administrative Law.
55   I. Padjen: "Ustavni sud o Zakonu o visokim učilištima: osvrt na odluku i rješenje Ustavnog suda RH U-I-902/1999. od 26.siječnja 2000. (NN 14/2000), *Zbornik Pravnog fakulteta u Zagrebu,* vol.50, no.3 (2000), 475–496; "Ustavni sud i sveučilište: Prijedlozi Hrvatskoga pravnog centra u svjetlu Odluke Ustavnog suda od 26.I.2000", *Zbornik Pravnog fakulteta Sveučilišta u Rijeci,* vol.21, no.1 (2000), 449–500.

that the application challenged a law establishing the unity of science and state, which comes naturally not only to scientists but also to layman[56]. A more subtle reason is that science has become a universally accepted religion[57] and as such predestined to assume the position once occupied by established churches. Contrary to Karl Popper's claim, social sciences and humanities rather than natural sciences are a paradigm of critical inquiry conducive to democracy[58]. Hence the second practical idea or policy: if religions can facilitate translation of social values, especially of equality, into practice by renewing university, the renewal should avoid at all costs a new unity of state, university and church, including communities of believers in either God or Science.

Decisions

Croatian Conference of Bishops decided to establish a Catholic university in Zagreb in October 2004[59]. The Archbishop of Zagreb Cardinal Josip Bozanić signed the decree "Luce Vera Illuminata" founding the Croatian Catholic University on the 3rd of June 2006[60]. The foundation was announced in the Croatian Catholic weekly by a standard phrase ("integration of knowledge, dialogue between faith and reason, ethical concern and theological perspective")[61]. The University should open with programs in social sciences and humanities in 2007, and enter gradually the bio-medical area[62]. The university offerings may include, more specifically, study

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56 E.g. I. Padjen, "Porijeklo Zamoraca", *Feral Tribune*, vol.23., no.1062 (27.01.2006.), at 20–21.

57 Esp. Steve Fuller, *Science* (Minneapolis MI: University of Minnesota Press, 1997), at 60–63 and *passim*.

58 *Ibid.*, at 4–6, 65.

59 Šestak, *note 34.*

60 "Istinskom svjetlošću obasjana", *Glas Koncila* (05.11.2006.), at.1, 3.

61 N. Pintarić, "Osnovano Hrvatsko katoličko sveučilište", *Glas Koncila* , (05.11.2006.), at 1.

62 *Ibid.*, at 3.

programs in law (with an emphasis on European law), management, journalism (or information and media) and education[63]

Croatia badly needs a new university in its capital to compete with Zagreb University, which has almost as many teachers and students as all the other Croatian universities combined (Split, Osijek, Rijeka, Zadar, Dubrovnik, Pula)[64]. Hence there is a strong reason for the Government of Croatia to extend its grants to the newly established Catholic University, which is also the first private university in the country, and to treat it financially in principle on equal terms as public universities[65]. Another reason is that the "Church among the Croats" (as it referred to itself in the 1990s) and/or its numerous adherents had displayed for a long time, to put it mildly, a lack of both interest in and respect for social sciences[66].

However, there are unresolved issues between the "Church among the Croats" and university. As noted earlier, a minor point is that the new institution may run into difficulties in performing even routine university tasks, because its founder has not been able to respect university autonomy and even basic secular laws.

The Croatian Law on Institutions of Higher Learning of 1993[67] submitted university academic affairs to the State, thus violating Article 67 Section 1 of the Croatian Constitution of 1990., which guarantees autonomy of university[68]. Hence the Catholic Theological Faculty, whose full membership in Zagreb University was denied by the Communist regime in 1950 and restored after the first multiparty elections in 1990[69], became under the Law of 1993 part of a state university,

63   M. Cvrtila, "Izvrsnost je jedina šansa", *Slobodna Dalmacija* (20.01.2005.), at 3, www.slobodna dalmacija.hr/inc/print.asp?url = 20050120/temedana03.asp.
64   I. Padjen, "Prinos strategiji znanosti i visokog obrazovanja; s osvrtom na Nacrt rijedloga zakona o visokim učilištima Ministarstva kulture i prosvjete Republike Hrvatske, I. 1993." *Zbornik Pravnog fakulteta u Zagrebu*, vol.43, no.1 (1993), 103-134.
65   Id.: "Lucifer na Sveučilištu", *Feral Tribune*, vol.23, no.1076 (05.05.2006); also a letter of 21 January 2005 on central problems of Croatian universities to Slobodan Uzelac, state secretary of higher education, at his request.
66   Padjen, "Katolicizam i nacionalizam u Hrvata 1990-ih" (II.), *note 2.*
67   Zakon o visokim učilištima, *Narodne novine* 96/93, 34/94, 48/95, 29/96, 54/96.etc.
68   Ustav Republike Hrvatske NN 56/90, 135/97, 113/00, 28/01, 41/01).
69   Sveučilište u Zagrebu, *Sveučilišni vjesnik*, 41 (1995), posebni broj, at 73.

thus violating Article 41 Section 1 of the Croatian Constitution, which separates religious communities and the State[70]. To add insult to injury, the Minister of Science misused his competence to create and nominate national commissions for academic appointments by creating a single commission for philosophy and theology, and packing its seven seats with four Catholic priests[71]. The violation was rectified in principle by the Constitutional Court Decision of 2000, which found several provisions of the Law of 1993, including the Minister's power to interfere with academic appointments, in violation of the Constitution and declared them void[72]. However, consequences of the violation have not been rectified[53]. Even the new law on the matter, the Law on Scientific Activities and Higher Education of 2003, empowers a government body, the National Council on Science, to create and nominate national commissions for academic appointments.[73] The National Council has misused its power in turn by recreating a single commission for appointments in both philosophy and theology[74]. Thus the Republic of Croatia makes it possible for professors of Catholic theology, who are subject to approval and dismissal by Church hierarchy[75], to fire and hire professors of philosophy in Croatian public universities as if Croatia was still in the ages when philosophy was *ancilla theologiae*[76].

Croatia entered in the late 1990s into four treaties with the Holy See regarding the status and activities of the Catholic Church in Croatia: The Treaty on Spiritual Charge of Catholic Believers Who Are Members of the Armed Forces and Police

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70   As noted before adoption of the Law of 1993. Padjen, *note 59.,* at 124, t.1.1.
71   Odluka o ustroju matičnih povjerenstava i o imenovanju članova, predsjednika i zamjenika predsjenika matičnih povjerenstava, NN 43/99.
72   Ustavni sud, *note 47.*
73   Zakon o znanstvenoj djelatnosti i visokom obrazovanju NN 123/03, 105/04, 174/04, Article 6 Section 2 Subsection 4.
74   Pravilnik o ustroju i načinu rada područnih vijeća i matičnih odbora NN 76/05, 113/05, 118/05, članak 9.
75   e.g. Ugovor o pložaju i djelovanju Katoličkog bogoslovnog fakulteta u sastavu Sveučilišta u Zagrebu od 11.ožujka 1996., *Bogoslovska smotra*, vol.66, no.2–3 (1996), 538–543. See the comment Padjen, "Katolicizam i nacionalizam u Hrvata" (II), *note 2*, at.167 ff.
76   I. Padjen, "Hrvatska jest katolička država; odgovor na tekst "Dr.Marijan Valković: Tvrdnja da je Hrvatska katolička država nije dobronamjerna", *Jutarnji list* (16.11.1999.), 10.

Services of the Republic of Croatia[77], Treaty on Co-operation in Education and Culture[78], Treaty on Legal Issues[79], and Treaty on Economic Issues[80]. The treaties are not compatible with the provision of Article 41 of the Croatian Constitution stating that all religious communities shall be equal before the law: since the treaties create rights for a single religious community and not religious communities generally, the treaties violate the Constitution if the language of Art.41 is interpreted as meaning equality before the "law" in the material sense (i.e. general legal standards created by statutes, precedents, customs or conventions, which are applicable on equal terms to all legal subjects and/or to all religious communities), or before the "law" in the formal sense (i.e. legal standards created by legislative acts adopted in legislative procedures and termed laws or statutes); since Art. 134 of the Constitution states that "International agreements concluded and ratified in accordance with the Constitution and made public, and which are in force, shall be part of the domestic legal order of the Republic of Croatia and shall have legal force superior to law", the treaties with the Holy See are superior even to Croatian organic laws, which are adopted by a qualified majority of votes in the Croatian Parliament. For the reasons stated above, the treaties violate also Article 14 of the Constitution, which guarantees equality to everyone .

The interpretation that the draft treaties violated the Croatian Constitution was publicized not only by secular media[81] but also by the Croatian Catholic Radio[82]

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77 Ugovor o dušobrižništvu katoličkih vjernika, pripadnika oržanih snaga i redarstvenih službi Republike Hrvatske, *Narodne novine: Dodatak međunarodni ugovori* 2/97.
78 Ugovor o suradnji u području odgoja i kulture, *Narodne novine: Dodatak međunarodni ugovori* 2/97.
79 Ugovor o pravnim pitanjima, *Narodne novine: Dodatak međunarodni ugovori* 3/97.
80 Ugovor o gospodarskim pitanjima, *Narodne novine: Dodatak međunarodni ugovori* 18/98.
81 T. Gabrić, "Ivan Padjen, profesor na Fakultetu političkih znanosti u Zagrebu, govori o pretvorbi Hrvatske u katoličku državu: Ugovor s Vatikanom protuustavan", *Feral Tribune*,vol.15, no.690 (07.12.1998.), at36–38. See also Padjen, "Church and State in Croatia", *note 2*.
82 10. Ćorić, D., "Kultura dijaloga" (katolicizam i nacionalizam u Hrvata), razgovor s I. Padjenom, Hrvatski katolički radio, taped in December 1998, emitted 07.01.99., 15,15–15,45 /reviewed by "Pobudno iznenađenje na Hrvatskome katoličkom radiju: komentar", *Glas Koncila* (24.01.1998.), at.2.

and the Croatian Catholic Monthly *Kana*[83]. The leading Croatian Catholic Journalist commented the interpretation as "a bitter warning"[84]. Readiness of Croatian Catholic media to listen to a critical legal voice need not be overestimated. The Polish Concordat of 1993 created a similar problem[85]. The Polish stalemate was resolved after the ex-communist returned to power[86]. At the time Croatian Concordat was criticized, the Croatian Democratic Union, which was supported primarily by Catholic voters[87], could have easily changed the Croatian Constitution in a matter of days to make room for a privileged status of the Catholic Church.

Croatian Catholic Church became significantly less open to criticism after the Croatian Democratic Union lost power in 2000 and a new coalition government started mending fences with the West. The Croatian Conference of Bishops' Commission "Iustitia and pax"[88] and the Croatian Catholic Weekly *Glas Koncila*, i.e. *The Council Voice*[89] urged, in the summer of 2001, the Croatian Government to cooperate with the International Criminal Tribunal for the Former Yugoslavia only if authorized by Croatian as well as international law. *The Council Voice* did not accept for publication a criticism that questioned the professional competence of the two Church bodies to deprecate international law as well as moral implications and political consequences of Croatian disregard for international

83 Oršolić, N.M., "Liberalizam i katolicizam" /interview with I.Padjen/, *Kana*, vol.30 no.9/325 (September 1999), 32–34.

84 Ž. Kustić, "Jutarnja propovijed: Padjenova gorka upozorenja", *Jutarnji list* (24.11.1999.), 10.

85 See e.g.: K. Boyle and J. Sheen (eds.); Freedom of Religion and Belief: A World Report (London: Routledge, 1997), "Poland", at 358–365; Towarzystwo Humanistyczne, Constitutional Complaint regarding inconsistency of the Concordat with the Constitution. www.humanizm.free. ngo.p//complaint.htm (18.12.2006.).

86 See "Constitution Watch: Poland", *East European Constitutional Review*, vol.6, no.2 & 3 (1997). www.law.nyu.edu/eecr/vol6num2/constitutionalwatch/poland.html (18.12.06).

87 D. Sekulić and Ž. Šporer, "Regime Supporet in Croaqtia: Dterminants of regime Support in the Past, Present and Future", *Revija za sociologiju*, vol.28, no.1–2 (1997), at 56–59.

88 Repr. in "Međunarodnim faktorima upitni čak samostalnost i suverenost Hrvatske", *Jutarnji list* (24.07.2001), 3, "Iustitia et pax: Haaška kriza podijelila Hrvatsku", *Vjesnik* (24.07.2001.). www. vjesnik.hr/htm/2001/07/24/Clanak.asp?r=unu&c=7.

89 "Komentar: Tendenciozne interpretacije", *Glas koncila* (05.08.2001.), 2.

law[90]. However, *The Council Voice commented* not only the criticism, after it was published elsewhere[91], but also the correction of the criticism in *The Council Voice* itself[92]. The reaction of the leading Catholic paper is noteworthy for three reasons. First, the comment of the correction breached Article 35 Section 3 of the Croatian Law on Public Communication[93]. Second, the comment of the correction presented the author of the correction as the person that slandered the Church by qualifying the treaties between the Holy See and the Republic of Croatia as violating the Croatian Constitution. Third, the author could not sue *The Council Voice* for a slander or libel, since by that time the Croatian Constitutional Court had already adopted a version of the act of state doctrine[94], which would bar a Croatian court of law from tackling even as a prejudicial issue whether the Treaties were in accord with the Croatian Constitution.

The leading Catholic weekly as well as several other leading figures of the "Church among the Croats" have continued supporting Croatian suspects of atrocities committed in the war 1990–1995 even though the support may violate Croatian and international laws[95]. A Catholic bishop recently went as far as to condemn "individualization of crime as diabolic, pointing out that it serves to incriminate Croatia". In his view the *Rechtsstaat* functioned also when Jesus was crucified[96].

Disregard for secular laws, which is common among leading figures of the "Church among the Croats", and their reactions to criticism, need not be taken very seriously. However, they indicate that the newly founded Croatian Catholic

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90 "Ocjene Komisije 'Pravda i mir' i komentara *Glasa Koncila* mogu Hrvatsku i njezine građane odvesti u politike nevolje i moralno zlo", *Novi list* (11.08.2001.), 47.

91 "Što zapravo hoće profesor: komentar?", *Glas Koncila* (19.08. 2001), 2.

92 "Što zapravo hoće profesor?", *Glas Koncila* (09.09.2001.), 21.

93 Zakon o javnom priopćavanju, NN 83/96.

94 Ustavni sud Republike Hrvatske, Broj: U-X-2271/2002., Izvješće u povodu Inicijative Vlade Republike Hrvatske, klasa: 004–01/02–02/12, ur.broj:503019–02–2 od 10.listopada 2002. godine.

95 Esp. editorials (komentari), *Glas Koncila*, 2, e.g. I. Miklenić, "'Slučaj Glavaš' – veliki ispit", *Glas Koncila* (12.11.2006.), 2.

96 T. Lakić, "Bogović: individualizacija krivnje je đavolski čin", *Jutarnji list* (09.12.2006), 6–7.

University can hardly function as an ordinary university let alone make a positive contribution to the development of the Croatian legal system and Croatian participation in the European Union and international community.

Conditions

Conditions that have affected Church decisions raising dilemmas of this paper defy analysis. From an extreme Catholic internal point of view, conditions equal the history of salvation. From a slightly different point of view, conditions have been shaped decisively by centuries of perverting the Church from a means to an end of salvation. From an external standpoint, the two internal points just mentioned may easily look like the same bigotry. Given the range of options, it may be useful to keep it as simple as possible by addressing only the first position, which is probably dominant in Croatia.

Since the 9/11 the dominant position can hardly be challenged. Indeed, why should Croatia, which was the major victim of the War of 1990–1995, second only to Bosnia and Herzegovina, obey the international legal order, which is being broken time and again by the only remaining superpower[97], while major Serbian perpetrators of crimes against humanity, starting with Radovan Karadžić and Ratko Mladić, have not been even captured? Without denying the perplexity of the question, it is submitted here that one might wish to address another question first: why should the Catholic Church, when it dislikes incumbent rulers, act as if they had already vacated the seat of power so that the Church should step in as its regent?

The remaining part of the first dilemma might be resolved by the following anecdote: "When I was thrown out of the Catholic University of Tilburg by

97   See e.g. Murphy, *note 16.*

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Marxists, I had no other place to go so I went to Harvard"[98]. Unless the Founder of the Croatian Catholic University provides room for such a contingency, its more senior colleagues should advise the Founder to settle for a lesser target (say, a college of advanced technology, with the power to award even professional doctorates, such as D.S.W., D.Ed. or D.B.A.), which does not have to excel in *Freiheit* as well as in *Einsamkeit* [99].

Future and Alternatives

It is highly unlikely that the minor dilemma of this paper can be solved in a manner suggested above in the foreseeable future without a miracle. However, the foundation of a Catholic university must assume God's special presence in the project. Hence a responsible alternative to the most probable bleak future is not necessarily a mere fancy. In the alternative screenplay the Catholic Church defines a mission of the new university that is explicitly concerned with social problems of contemporary world, including the state of social sciences in post-modernity. The plot in the script is outrightly subversive: instead of fighting both the modern and post-modern world by lapsing into pre-modernity[100], the Catholic University practices the post-modern departure from Cartesianism[101]. The consequence is startling. In the beginning there is recognition that I can learn I am in pain only by learning how you feel when you are in pain[102]. In the

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98 F.A.M. Alting von Geusau, now again at Tilburg as its professor emeritus, at a private meeting with the author in 1995.

99 See Schelsky, *note 46*.

100 E.g. Patrick de Laubier, *Une alernative sociologique: Aristote-Marx; Essai introductif a la sociologie*, 2eme ed. (Fribourg: Editions Universitaires Fribourg Suisse, 1981).

101 Ludwig Wittgenstein, *Philosophische Untersuchungen* (Frankfurt a.M.: Suhrkamp, 1974). Henry Le Roy Finch, *Wittgenstein – The Latter Philosophy* (Atlantic highlands NJ: Humanities Press, 1977). Norman Malcolm, *Wittgenstein: A Religious Point of View?*, ed. by P. Winch (London: Routledge, 1993).

102 See e.g. early contributions in H. Morrick (ed.), *Wittgenstein and the Other Minds* (New York: McGrow Hill, 1967).

next step, Catholics no longer indulge in their own pain, not even the great suffering they had experienced in trials of the Croatian heroes of the Home War of 1990–1995, the Home War itself, 55 years of communist rule + 4 years of the fear of communist rule, persecutions of priests under Zapata and Pancho Villa, mass murders of pious priests and nuns by Jacobins, three and a half centuries of wars with the Turks, self-sacrifices in Crusades, or human sacrifices in the Colloseum. While "bracketing" appropriately private pains away, the Founder of the new university capitalizes by reversing the Croatian self-understanding as *antemuralia Christianitatis*, which has been bleading for centuries to save the West from the East, into *extramuralia* Christianitatis. In other words, instead of building a national university, the Church opens the gates of its new university in Croatia to both foreign teachers and foreign students, especially from the troubled region surrounding Croatia, to tell not so much how they feel their historical pain but how they are well and kicking right now that they are in Croatia.

Religion in Macedonia and Euro-Integration

DIMITAR MIRČEV

Macedonia is a historical and. geographical area well known from the classic period. This is a land were different civilizations and regions have come into contact, which resulted in early appearance of the Christianity. Here the Christianity is prevailing beginning with the fourth century onwards. Archeological discoveries of numerous Christian churches, Episcopal cathedrals, basilicas and other sacral objects with immense dimensions, show that Christianity has been deeply rooted and well organized in Macedonia since the very beginning. The appearance of the Christianity in Macedonia begins with the coming of Apostle Paul in Phillipi, Aegean Macedonia in the 1st century. From there he started to preach the Christianity as a religion.

Nowadays, the Orthodoxy is prevailing in the Republic of Macedonia, personified in the face of the Macedonian Orthodox Church. According to the data from the 2002 Census of the populations, households, dwellings and the agricultural holdings in the Republic of Macedonia, the percentage of the orthodox believers is 64,78 of the total number of population.

As a branch of the Christianity, besides the orthodoxy, the Catholicism is being present, as well. The number of catholic believers and sacral temples where the religious rituals are being performed is considerably smaller relating to the number and churches of the orthodox confession.

The Islamic religion in Macedonia appears in the 14th century. The Islam is being confessed by 33,33 of the population, who satisfy their spiritual needs through the Islamic Religious Community.

Out of the other world religions, in Macedonia also exists the Judaism. The Jews had come here in the past from Spain. Today a very small percentage of the believers belong to the Jewish Community as a result of the Holocaust in

1943. Their religious objects – synagogues built in the larger cities in Macedonia, were also destroyed.

The appearance of the Protestantism in Macedonia is related to the appearance of the missionary work to the end of the 19th century and the beginning of the 20' century. As a result, today in Republic of Macedonia acts the Evangelic-Methodist Churches well as other religious groups.

Taking into consideration the fact that the Hinduism as a religion in the Republic of Macedonia has emerged in recent times, the number of believers, that is, followers of this religion is inconsiderable.

In 1991, after the change of the political, economic and legal system in Macedonia and introducing of the pluralism, multiparty system, parliamentarian democracy and market economy, it was secured total freedom of the acting of the religious communities in the Republic of Macedonia. With the 1991 Constitution it is determined the position of the religious communities by which it is guaranteed the freedom of religion, the freely and publicly, individually and jointly with others, expression of the religion. The religious communities and groups which exist in Macedonia are separated from the state and equal before the Constitution and the law. Furthermore, it is determined that the religious communities and groups are free to establish religious schools and social and charity institutions in a procedure prescribed by law.

The religious pluralism itself, first of all, requires religious tolerance among the believers of different confessions, mutual understanding, respect of the differences, mutual dialogue and non-discrimination of the people on the grounds of religion and belonging. Herefrom, the variety of religions and faiths should be understood as a spiritual phenomenon in which the believers will tend to secure peace and safety in the country where they live and wider, and through it, a free development and life.

The existence of the religious pluralism should also be understood as a mosaic of cultural wealth, civilization achievements, customs, traditions and all of these should be a basis for progress, and not a motive for intolerance, discrimination, mutual conflict and destruction.

1. The relations between the religious communities and groups and the state are regulated by the Constitution of the Republic of Macedonia, the Law for State Authorities and the Law for Religious Communities and Groups.

The 1991 Constitution of the Republic of Macedonia, has given a great contribution to the realization of the democracy, and by it, of the religious feelings and the freedom of the citizens. As a result, today in our country there are five religious communities (the Macedonian Orthodox Church, the Islamic Religious Community, the Catholic Church and the Evangelical-Methodist Church) and 21 religious groups which have their particular religious teachings, sermons and rituals.

In Article 9 of the Constitution it is guaranteed the equality of all citizens in Macedonia by sex, race, skin colour, nationality, social position and political and religious belief. This means that each citizen privately, personally determines himself in which religious community or groups he is going to satisfy his spiritual need. The state has no right to privilege or to discriminate somebody on that ground.

In Article 16 of the Constitution the state guarantees the freedom of the religious belief of each citizen, the freedom of speech, public appearance, thought, expression of the faith and so on.

Article 19 of the Constitution regulates that the Macedonian Orthodox Church, as well as the Islamic Religious Community, the Catholic Church, the Evangelical-Methodist Church, the Jewish Community and the other religious communities and groups are separated from the sate and equal before the law. It means, in the Republic of Macedonia there is no state religion. The state is secular and the religion is separated from it. Neither the state has the right to interfere the church matters, nor the church has the right to interfere the state matters.

In the Article 19 paragraph 2 the state guarantees to each citizen that he can express his faith by himself, freely, publicly or together with others. In Article 19 paragraph 3 the state declares itself as a laic, secular one and all religious communities are separated from the state, which means that the state has no right to interfere the state matters, but also, the church has no right to interfere the state matters and to run a state policy. In this article it is stated that all the religious

communities are separated from the state, but at the same time, equal before the law. No religious community can be privileged due to its being in majority or minority.

Paragraph 4 gives the possibility to the religious communities to establish religious schools and social and charitable institutions in a procedure prescribed by law.

By Article 20 of the Constitution it is guaranteed the freedom of associating, which means that the citizens can express the faith freely and publicly by themselves, but they can also associate in associations, communities, religious community, religious group and jointly satisfy their spiritual needs.

By Article 48 of the Constitution it is secured the protection of the religious identity both of the individual and of the communities in the Republic of Macedonia. It means that the identity of a group of citizens is being protected on the grounds of their language, culture, ethnos, as Macedonians, but at the same time, to this group of citizens it is also guaranteed protection of their Muslim religious identity, because they are islamized Macedonians who confess Islamic religion. By this, a group of citizens has two identities regarding their belonging protected. This can be also stated about the believers of the Catholic Church, Evangelical-Methodist Church and the others, who, as Macedonians enjoy that identity although behind the catholic, the evangelical-Methodist and the other religious communities and groups does not stand an ethnic community as it is case with the Islamic and orthodox community. By this Article of the Constitution, the religious identity of the Macedonian citizens is guaranteed, regardless their ethnical, linguistic and cultural identity.

The Constitution secures limitation of the discrimination upon the religious belief, as well (Article 54), by stating that neither a program nor a statute of a community of a state authority, institution etc., can stipulate in their normative acts a limitation of the believers' rights concerning the realization of their constitutionally guaranteed right of free expression of religion.

One of the greatest achievements of the 1991 Constitution for the religion, believers and the religious communities is the Article 110 by which the believers and the religious communities, in case of violation of their constitutional right, can ask for protection directly before the highest court, the Constitutional Court of the Republic of Macedonia.

2. The rights and freedoms of the religious communities and groups, the rights and freedoms of the believers, as well as the relation of the state towards the religious communities and groups are more precisely determined by a separate Law for religious communities and groups, brought in 1997.

The Constitutional Court in Macedonia, in 1998 and 1999, deciding upon the initiatives of the Christian Baptist Church from Skopje and the Helsinki Committee for Human Rights in Macedonia has cancelled a number of regulations from the Law on Religious communities and Groups, by which this law became inapplicable.

In order to overcome this situation and to adjust the Macedonian legislation to the legislation of the European community, the Commission for Relations with Religious Communities and Groups is preparing a new law, where the regulations of the 1981 UN Declaration concerning the freedom of religion and non-discrimination on the grounds of the religion are completely implemented.

After the preparation of the Draft law for religious communities and groups, were organized round tables with the representatives of the religious communities and groups, as well as with the representatives of NGO-es. The comments taken out during these meetings are being implemented in the draft text of the law.

3. In the Republic of Macedonia legally exist and act 26 religious communities and groups, out of which the Macedonian Orthodox Church is the largest one. This is due to the number both of believers of the Macedonian Orthodox Church and the sacral objects.

After the democratic elections in Macedonia it can be felt a greater presence and strengthening of the religious communities and groups. In the period from 1945–1991 the religion in Macedonia was formally allowed to some extent, but

always under control, while after 1991 the religious communities gained their total freedom.

One of the most actual issues in the relations between the state and the religious communities is the introducing of the religious instruction in the educational system. According to the Law on Religious Communities and Groups, "Religious instruction may be performed only in public facilities where religious rituals and activities are performed." It means that the religious communities can perform religious instruction only in the churches, monasteries, mosques, synagogues and in other religious' objects where they perform religious ceremonies and activities.

According to Article 18 of the Law on Religious Communities and Groups, religious activities and religious rituals are performed in churches, mosques, and other temples, as well as in yards that are part of these facilities, on cemeteries and other facilities of the religious community or group. Performing religious activities and religious rituals cited in Paragraph 1 of this Article cannot violate the public order and peace, as well as the religious feelings and other freedoms and rights of the citizens who do not belong to the religious community or group.

Above cited regulations of the law, in fact, mean operalisation of the constitutional determination prescribed in Article 19 of the Constitution, about the guarantee of the state concerning the providing the freedom of the religion and the freedom of public, individually or together with others expression of the religion.

So, it comes out that the religious activities and religious rituals are being mostly performed in the churches, mosques and other temples. In order to perform their religious duties toward their believers the religious communities and groups should have their objects built and intended for these goals. However, the building of such objects requires previous procedure in order to be legalized. According to the statistical data, the Macedonian Orthodox Church possesses about 1,700 object, the Islamic Religious Community about 470. The Catholic Church, the Evangelical-Methodist Church and the other religious groups have

only few religious objects in different cities of Macedonia. The Jewish Community has only one synagogue located in Skopje.

4. Regarding the inter-confessional relations of the religious communities and groups, their good relations and mutual cooperation should be emphasized. In this context it should be mentioned the signing up of the joint Declaration by the representatives of the religious communities in the UN on the occasion of the military conflict which took place in 2001 in Macedonia, when, as a result of the firing, destruction and destroying of the religious objects, the national and religious hatred among the citizens began to deepened. It produced the need, the religious leaders in the Republic of Macedonia to call on the believers to mutual understanding, respect, tolerance and joint life in order to stop the conflict and the destruction of the cultural and historical wealth.

5. Concerning the promotion of the dialogue between the religions in the Republic of Macedonia, the Commission for Relations with Religious Communities and Groups has especially intensified its cooperation with the NGO-es and has held several debates on issues from the religion, with the participation of the representatives of the NGO-es. The NGO-es, as promoters of the dialogue of the religions in Macedonia, have given a great contribution to the mutual acknowledgement and promotion of the positive and ethnical values of each religion existing in Macedonia.

The NGO-es which have contributed to the development of the dialogue between the religious communities and groups in Macedonia, first of all, are the Macedonian Center for International Cooperation, Helsinki Committee for Human Rights, European Youth etc.

The Commission for Relations with the Religious Communities and Groups, upon its initiative and in cooperation with the NGO-es and the religious communities and groups in Macedonia has held several debates on the development of the dialogue between the religious communities, introducing the religious instruction in the educational system, as well as on the Draft-law on religious communities, because of informing of the NGO-es and the religious subjects

about it and bringing a more adequate law which will suit the real situation of the religious life in Macedonia.

In April 2003 the Macedonian Center for International Cooperation began to realize the Program for Inter-religious Cooperation in Macedonia. The goal of the Program was the increasing of the mutual understanding among the religious communities, and it was directed to the members and activists of the religious communities in Macedonia, with focussing to the students (and professors) of the educational institutions of the religious communities. Within the project, visits of the both theological faculties were organized, as well as exchange of lectures, visits to religious objects and services, inter-religious summer camp, Days of the religious communities etc.

The goal of these projects of the NGO-es is improvement of the mutual confidence and understanding between the different religious and ethnic groups. The program has made an important step in this direction, by focussing to pretty important, but also neglected target groups.

Review of the religious belonging of the Macedonian population according to the 2002 Census data:

Orthodox	64,78
Muslims	33,33
Catholics	0,35
Protestants	0,03
Adventists	0,02
Baptists	0,01
Evangelists	0,01
Methodists	0,06
Witnesses of Jehovah	0.05
Jews	0,00
Atheists	0,17

Religious communities and EU Integration Processes: Some Reflections on the Romanian Case

SILVIU E. ROGOBETE

Summary

The main goal of this paper is to present a critical up-to-date overview of the data on religion in post-communist Orthodox Romania and to suggest some possible implications for the process of European integration. Emphasis will be placed on the role and place of religion in everyday life, in politics, on questions on neighbourliness and difference.

1. *Against the Prophecies*: Current Data on Religion in Romania

The twentieth century, for at least its first seven or eight decades, was undoubtedly marked by a strong sense of suspicion and scepticism towards religion. The so called 'prophets of suspicion' Marx, Freud and Nietzsche, who in some ways marked our modern age in undeletable ways, have not only predicted, but also forcefully prophesised the final end of the age of religion. In the Eastern part of Europe, the communist regimes launched open battles against religion, seeing in it the most dangerous enemy. In one way or another, the recurring 'prophecy' was that with the process of the 'emancipation' of man, one thing was certain: the

inevitable and complete fading away of religion from our lives.[1] However, with the passing of time, our current context seems to prove such prediction dramatically wrong. It was wrong at local and global levels, in the West and in the East, in the Northern and in the Southern hemispheres. 9/11 is a proof of the global magnitude as well as of the potentially violent reality of what Anthony Giddens, a more astute interpreter of our times, predicted. Using Freudian language, he announced the return of religion as 'the return of the repressed'.[2]

That religion is alive and here to stay is identifiable not only in the overall and diffuse *Geist* of the postmodern age with its irresistible inclination towards spirituality, but also in more precise terms, quantified and reflected in current data offered by various opinion polls. What can be surprisingly noted from such data are the tremendously high levels of religiosity scored in areas where, for more than half a century (and even in some places like the former Soviet Union for almost an entire century) the population was under fierce and overt atheist indoctrination. Eastern Europe, particularly Romania, is singled out in every report on religiosity and/or values.[3] The report of the latest findings of the GfK[4] survey on religious attitudes in Europe and the USA (2004), for instance, shows that an average of three in four people indicated that they belonged to a religion. At 80%, the number of believers is above average in the countries of Central and Eastern Europe. In Western Europe, two in three people identified with a specific religion, irrespectively of whether they live in rural or urban areas. The same survey reports

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1   See such 'prophecies' regarding the future of religion in brief in my article 'Between Fundamentalism and Secularization: the Place and the Role of Religion in Post-communist Orthodox Romania', in Devetak, S., Sirbu, O., Rogobete, S., (eds), *Religion and Democracy in Moldova,* ISCOMET, Maribor – Chisinau – Timisoara, 2005, pp. 103–134, pp. 104–5.
2   Giddens, A., *Modernity and Self-Identity. Self and Society in the Late Modern Age,* Cambridge, Polity Press, 1997, pp. 202.
3   See for instance the *GfK Custom Research Worldwide* on behalf of The Wall Street Journal Europe, Nuremberg/Frankfurt, 2004 (GfK); World Values Survey, http://www.worldvaluessurvey.org/, 24 March 2006 (WVS), Romanian National 2002 Census; *Barometrul de opinie publica* (BOP – Public Opinion Barometer), Open Foundation-Gallup Romania 2002, 2004, etc. We will come back to some of these findings later in this work.
4   *GfK* 10 December 2004.

that 'the percentage of religious people is particularly high in Romania (97 per cent), Turkey (95 per cent) and Greece (89 per cent). While the majority in Greece (98 per cent) and Romania (88 per cent) belong to the Orthodox Church, almost all people in Turkey stated that they were Muslims.' Also, similar scores are clearly reflected in the results of the World Values Survey.[5]

At a national level, as a relevant example, Romania provides us with some unexpected and particularly high levels of religiosity – giving the fact that it has been under one of the most inhumane and repressive regimes during its fifty years of totalitarian communist-atheistic ideology. Let us briefly present some of the findings. Religiosity according to the latest National Census in Romania (2002) shows a shocking figure of 99.96 % of the population claiming to belong to an officially recognized religious denomination, while only 0.03 % declaring themselves as atheists and a 0.01 % claiming no religious affiliation. In terms of denominational distribution, the Romanian Orthodox Church has 86.8% of the Romanian population.[6]
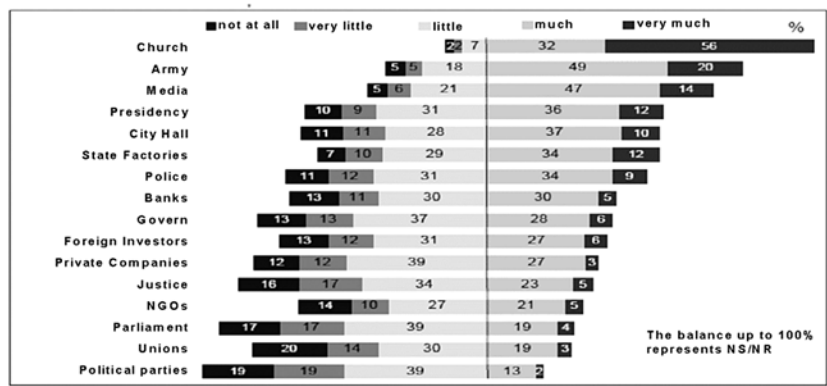
In terms of the trust placed on religion and religious institutions, the church ranks at the top of the Romanians' list, with 86% compared to other institutions, followed by the army with 69% (Fig. 1).[7] At the bottom of the list are political parties, the judiciary, the parliament, and the markers of the free market.

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5   Source: WVS, http://www.worldvaluessurvey.org/, 24 March 2006.
6   For a detailed presentation of the distribution see Rogobete 2005, pg. 106.
7   BOP 2002.

Fig 1.

Fig 1.   How much trust do you have in …?

	not at all	very little	little	much	very much	%
Church		2	7	32	56	
Army	5	5	18	49	20	
Media	5	6	21	47	14	
Presidency	10	9	31	36	12	
City Hall	11	11	28	37	10	
State Factories	7	10	29	34	12	
Police	11	12	31	34	9	
Banks	13	11	30	30	5	
Govern	13	13	37	28	6	
Foreign Investors	13	12	31	27	6	
Private Companies	12	12	39	27	3	
Justice	16	17	34	23	5	
NGOs	14	10	27	21	5	
Parliament	17	17	39	19	4	
Unions	20	14	30	19	3	
Political parties	19	19	39	13	2	

The balance up to 100% represents NS/NR

In terms of the practice of religion, scores are also very high by any European standards, comparable only with the Catholic Poland. Here is the information relevant to Romania using the same source (Fig. 2, 3: BOP 2002, 2004).

Fig. 2.   Besides attending funerals and baptismal services, how often do you go to Church? (BOP 2002)
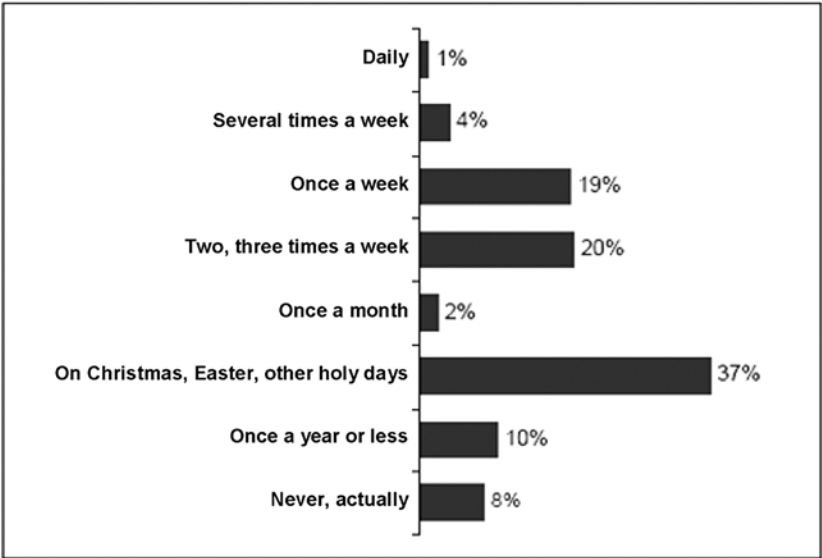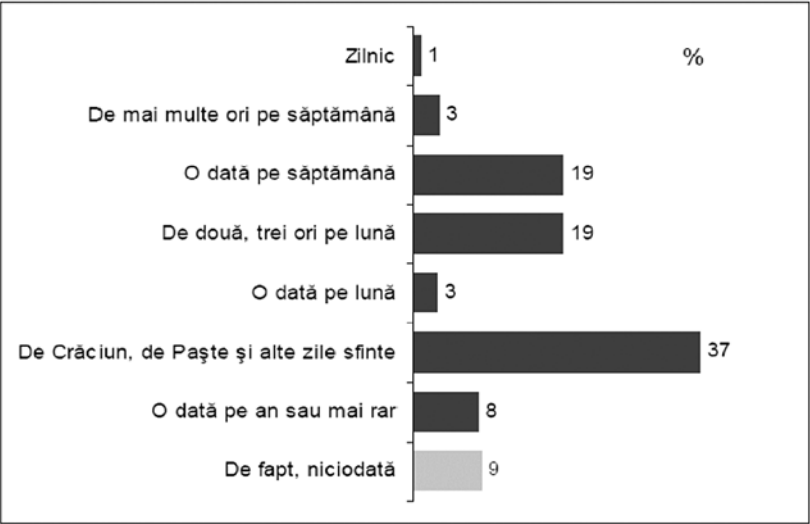
Fig. 3.   Besides attending funerals and baptismal services, how often do you go to Church? (BOP 2004)


Before assessing the implications of such attitudes, we shall note that the above figures seem to emphasize the social and somehow extrinsic side of the religious life of the contemporary Romanians. Let us now add more information by focusing on the content of such religiosity, on its intrinsic value. We can do so by looking at some of the findings of the World Values Survey which, although neither complete nor very recent, still offer us some hints into the matter.[8] Thus, let us look at some questions related to personal faith in God, the nature of the 'God' in whom people believe, the importance of religious faith for daily life and its influence in daily politics.

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8   WVS ibid., Footnote 5 above.

For instance in terms of personal religion, the respondents where asked **(Fig. 4)**:

Fig. 4.   Independently of whether you go to church or not, would you say
you are…
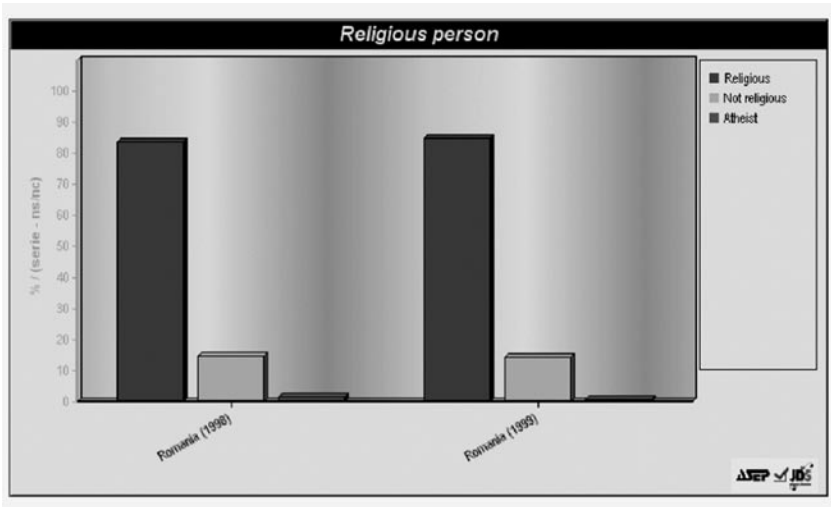
Such answers do match with the high levels of religiosity presented above. How-
ever, is this personally appropriated belief, independent of a formal attachment to
institutionalized religion, or is it more a cultural identity conferred by belonging
to a new socially acceptable group, or perhaps to a new identity marker in the
absence of the communist ideology (which in communist times claimed to have
the acceptance, at least at a formal level, of over 50% of the Romanian popula-
tion)? The next question helps us partially clarify this (Fig. 5).

Fig. 5.   Do you belong to a religious denomination?
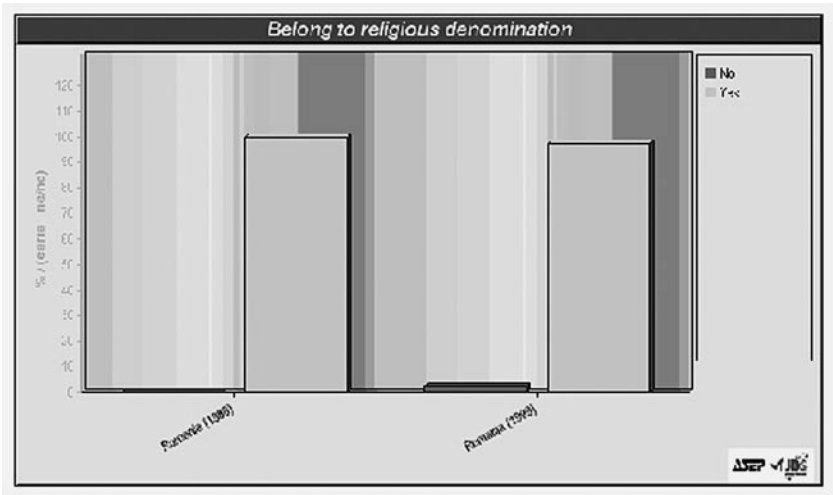
With virtually 100% in 1998 and 99.9% in 1999 of the population claimed to belong to institutionalized religion, one can suspect a rather extrinsic type of religiosity which is often used as means towards other ends (G. Adler) than profound levels of personal appropriation of the faith and religion for its own sake. It seems to be more a cultural identity marker conferred by formal affiliation to strong a socially established, respectable group than personal interest on the faith on its own merits. This is revealed also in the way God is perceived. Here are some relevant figures.

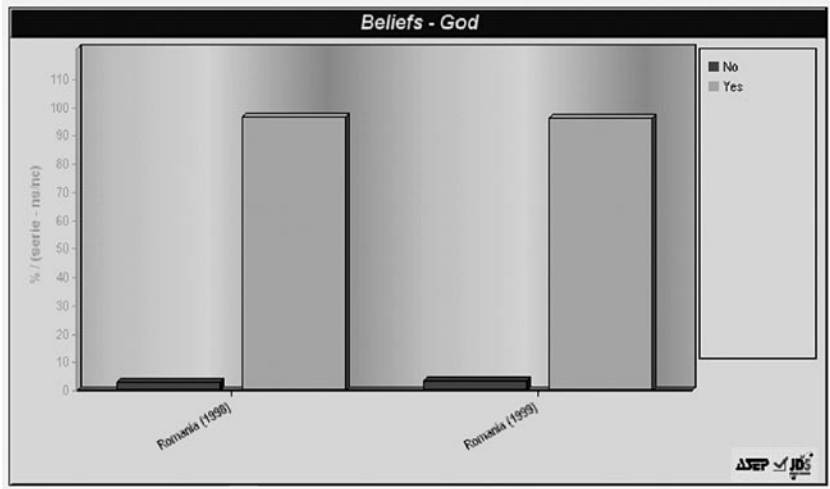**Fig. 6.** Do you believe in God?

Beliefs - God

Fig. 7 How is the God you believe in?

Statement of your belief - Statement of tour belief

If almost 100% of the respondents who claim to belong to institutionalised religion claim to believe in God too (Fig. 6), 65% do not perceive God as the Personal God described by the doctrines of their own denominations (Fig. 7). This, among other things, suggests a strong disconnection between the cultural/formal aspect of religiosity on the one hand and its content and personal appropriation on the other. Yet when correlating such dominant views and beliefs on an impersonal supernatural force with the high percentage of people considering God as a very important aspect of their life (Fig. 8) it is also obvious that religion is primarily used to offer identity, comfort and strength (Fig. 9) in a very insecure environment where about 60% of the population lives at the limit or under the limit of subsistence.

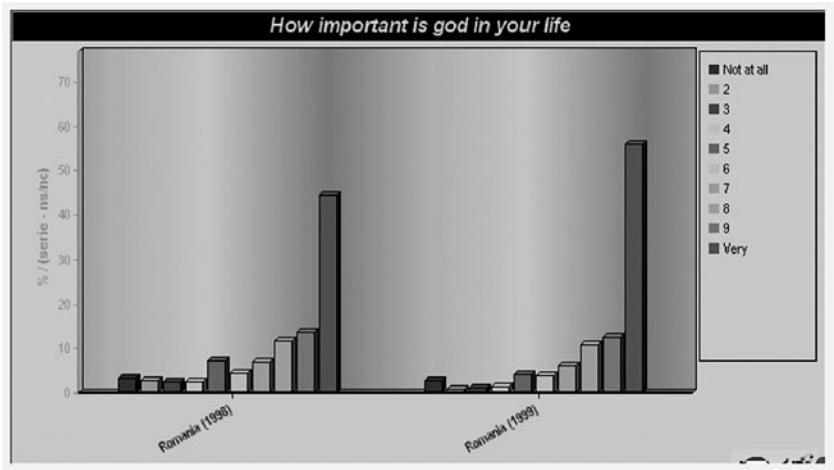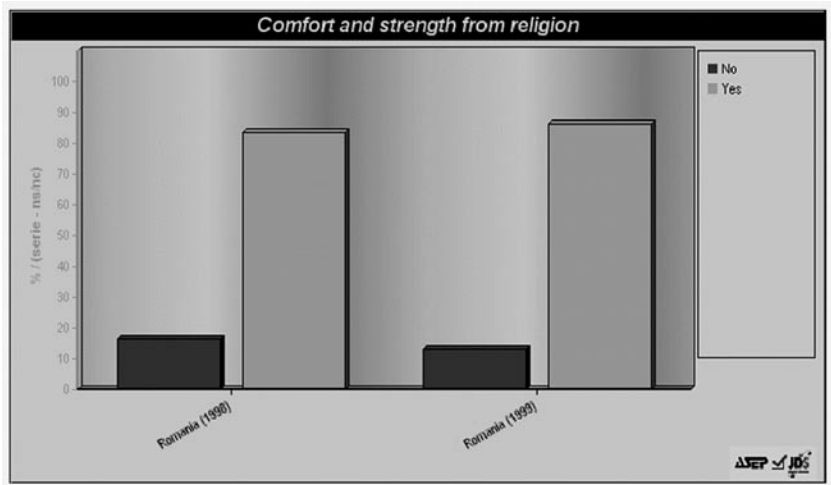**Fig. 8.**   How Important is God in Your Life?

Fig. 9.   Do you receive Comfort and Strength from religion?

If we move to an assessment of the relation between religion and politics, the results seem contradictory again. For instance, if a vast majority agrees with the idea that politicians who do not believe in God are not fit for public office (Fig. 10) and even a larger majority think that the country will do better if more religious people would be in office (Fig. 11), neither religious leaders nor the church are expected to be involved in politics (Fig. 12, 13).

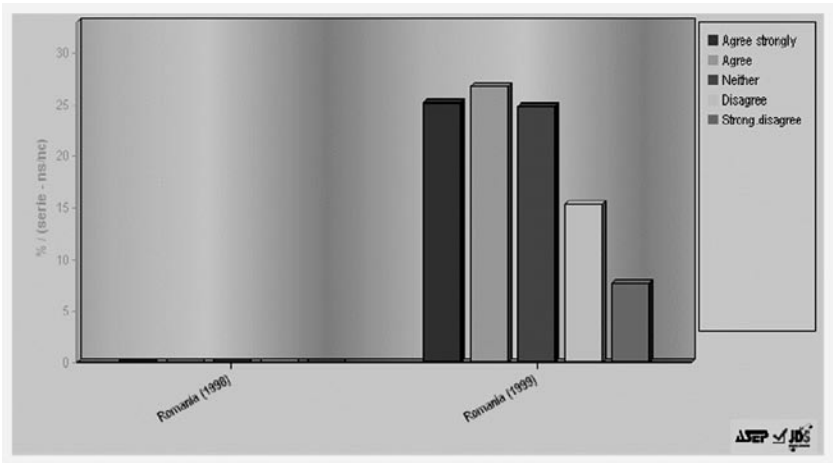**Fig. 10.**   Politicians who do not believe in God are unfit for public office.

Fig. 11.   It would be better for this country if more people with religious beliefs
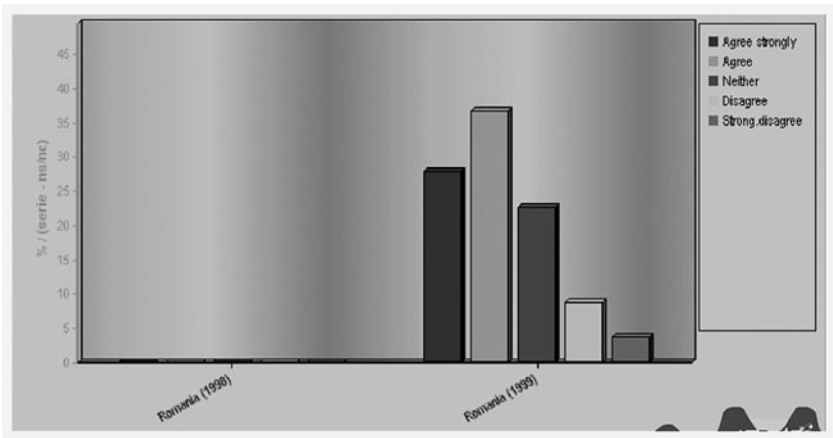held public office

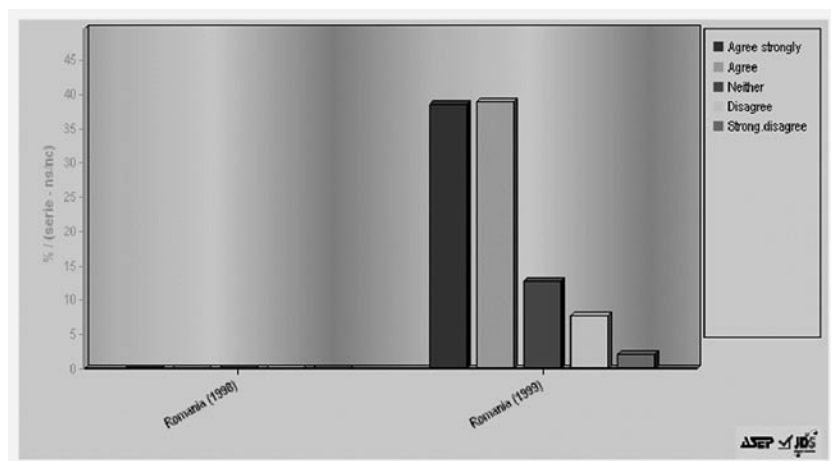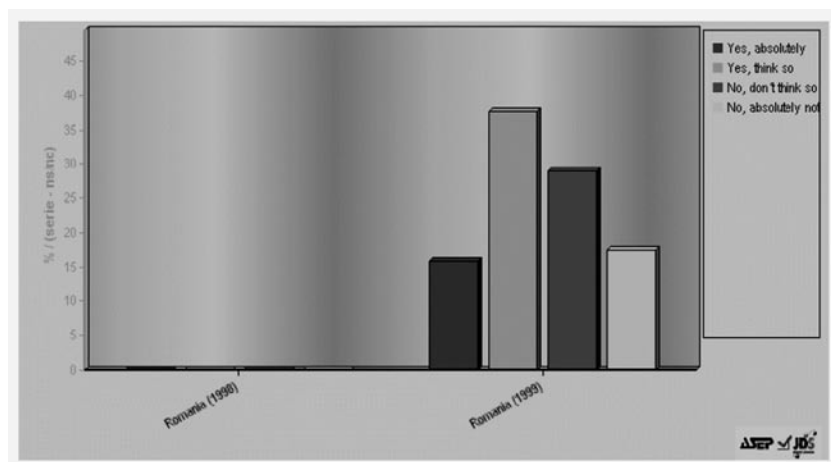**Fig. 12.** Religious leaders should not influence government.

Fig. 13. The Church influences national politics.

When such contradiction between on the one hand high expectations from the decision making people to be religious and yet a significant rejection of the implication of the church in public life is connected with extremely high levels of trust Romanians place in the Church as an institution (as seen above), things complicate even more. Is this a reflection of the way in which Romanians seem to operate with faith/religion, seeing it as a somehow miraculous, salvific agent acting in an almost mysterious, unearthly, irrational way? Do Romanians tend to believe in the mysterious office of the church and its priests while at the same time not trusting the immediate actions of those who represent the church or those who work for it? Moreover, what are the implications of such contradictory and yet high levels of religiosity in regard to the new political, social economic context given by the imminent prospect of EU integration? Is there any potential in such high data? Moreover, if there is any, is it for good or bad? What conclusions can we trace from such data showing highest levels of trust in Church and Army and lowest in some of the most important institutions related to modern democracy? Without claiming to answer all these questions, we shall briefly however, have a closer look at the contemporary situation of the Romanian society and the place of religion and its afferent tradition have at this time of intensive social, political and economical change.

2.   Between Feudalism and (Post)Modernity

Predominance of National/majority religion

What constantly came out in the data of the various opinion polls for the last fifteen years since the anti-communist revolution, as we have seen, was a striking and significant contrast between, on the one hand, lack of trust in democratic institutions (political parties, justice, government), while on the other, high levels of trust in pre-modern entities (church, army). Some commentators have rightly seen in this a lack of development, a 'deficit of modernity' and thus a form of *feudal*

approach to politics. Characteristics of such politics are an uncritical submission to and longing for strong leadership, lack of individual initiative resting on other higher institutions to provide identity and vision for the future.[9] Within such context, religion and its implied tradition became one of the highest marks of identity, collective and individual alike. To this we shall return later. For the time being, we should note that such attitudes are well seen in reflexes requiring or uncritically accepting, at mass level, high and unjustified state intrusion in and control of the internal affairs of the individual, particularly at the level of his or her religious life. Moreover, Orthodoxy – the majority religion is in a continuous attempt to monopolise the support offered by the state and to limit the presence of other potential rivals to the notion of defining Romanian identity. As a relevant example here I shall present a new critical look at what elsewhere I called the 'unfinished odyssey of a new Law of religion'.[10]

State Control and Manipulation of Religious/ethnic Groups; Legal Issues

It is a well known and perhaps highly symptomatic fact that the 'hottest potato' in terms of legislation after the fall of the communist regime in 1989 is a highly necessary and yet much disputed new law of religion (Rom. *Legea Cultelor Religioase*, Egl. 'The Law of Religious Cults').[11] What should be first mentioned is that to the date of the writing of this present article (February 2006), things are not

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9   See 'Raport de analiză politică. Aşteptările românilor de la statutul de membru al Uniunii Europene' (Engl. *Political Analysis Report regarding the Romanian's expectations from becoming a member state of the EU)*, Institutul Ovidiu Şincai, www.fisd.ro, Bucuresti, Oct 2005: ''the high levels of trust given to the church and the army against the democratic institutions of a sate of law prove a deficit of modernity, doubled by an alienation of society from the political class.'
10 See Rogobete, S., 'The Unfinished Odyssey of a New "Law for the General Regime of Religion" in a South European Country: The Romanian Case', in Devatak, S.,and all, (Edts), *Legal Position of Churches and Religious Communities in South-East Europe,* ISCOMET, Ljubljana-Maribor-Vienna, 2004, pp. 129 – 143.
11 See also Pope, E. A., E, 'Ecumenism, Religious Freedom and the "National Church" Controversy in Romania', *Journal of Ecumenical Studies* vol. 36 Wint/Spr 1999, pp. 184–201

settled and *de facto* the law in action is still the highly abusive 'Law of Religious Cults' issued in 1948 by the atheistic communist regime. Second, the various proposals for new legislation issued by various governments in the last fifteen years, regardless of the political 'colour' of the legal initiators, all represent significant violations human rights, of religious freedom as well as major attempts both to discriminate minorities while favouring the majority and to make almost impossible the registration of new religious movements. Since this is relevant within the newer context of the European Union and its implied multiculturalism of which Romania intends to be a part, such issues are worth our extended attention.

In this regard, I shall exemplify with some information related to the latest version of the *Project of Law regarding religious freedom and the general regime of the cults* which is currently being discussed in the Deputies Chamber, after passing unchanged through the Romanian Senate (in December 2005, not by being discussed in the Senate but through a juridical procedural trick)[12]. The following assessments are based on the comments offered by the Venice Commission of the Council of Europe regarding this Project of Law.[13] Despite its overall polite tone, the Commission identifies 'certain excessive interferences with the autonomy of the religious communities' which include 'too many imprecise references to other laws. Expressions like "in the conditions of the law" or "according to the law" are frequently used, and without more precise indications, the law becomes subjective leaving far too much space for abuses.'(III.11). Also, the procedures required for the registration of new religious groups include both excessively high levels of quantitative threshold requirements and potentially abusive substantialist

12 The time frame within which the Draft was possible to be voted expired and thus it passed unchanged through the Senate, going to the Deputy Chamber to be discussed.
13 'OPINION ON THE DRAFT LAW REGARDING THE RELIGIOUS FREEDOM AND THE GENERAL REGIME OF RELIGIONS IN ROMANIA', EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW (VENICE COMMISSION), Opinion no. 354/2005 adopted by the Commission at its 64th plenary session (Venice, 21–22 October 2005) on the basis of the comments by Mr Giorgio MALINVERNI, (Member, Switzerland) Mr Hans-Heinrich VOGEL (Member, Sweden).

interference with the content of the faith/doctrines/ teachings of the newly established religious communities.[14] Some examples will follow:

- Membership of at least 300 Romanian citizens residing in Romania is needed for a **religious association** to be registered. This poses two problems: firstly, it may be difficult to fulfil even for believers who belong to great religions of the world – as Hinduism or Buddhism – which may not have a great number of followers with Romanian citizenship residing in Romania but whose numbers are increasing, due to the EU mobility of the working forces,

- Secondly, the citizenship requirement seems at variance with the prohibition of discrimination on the basis of *inter alia* citizenship and national origin, a principle enshrined in a number of international instruments ratified by Romania.

- The membership requirement for **religious cults** according to Article 18 lit. c of the draft law is at least 0,1 % of the population of Romania according to the latest census. With a population of 22.3 million this provision means the presence of at least 22.300 members, all of which have to be Romanian citizens residing in Romania.

- The stability requirements are described in Article 18 lit. a and c of the draft law: any religious association which applies for the status of cult has to provide documentary evidence that it is constituted legally and has been functioning uninterruptedly on the territory of Romania for at least twelve years.

- In terms of what I would call substantialist interferences, the commission's comments are: 'certain provisions of the draft law can be viewed as questionable state interferences, whose necessity in a democratic society is not established. For example, according to Article 18 lit. c of the draft law, documentation has to be provided by religious associations seeking state recogni-

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14 By substantialist interference of the state in matters of religious freedom I mean the state's unilateral request to analyse the detailed doctrinal content, organizational schemes, etc. of one's faith without offering any clear criteria as to why that should be done or what is to be expected. Such massive lack of clear criteria expected to be met in order to gain legal status leaves doors open wide for abuses and control.

tion concerning the applicant's "own confession of faith and the organisation and functioning statute […]; its structure of central and local organisation; the mode of rule, administration and control; […] the statute of their own personnel […]; the main activities which the cult cares to undertake with a view to reaching its spiritual goals". There is no indication in the draft law **why** and **for which purpose** this information has to be provided by the applicant, **how** detailed the information has to be and **for what use** it could be for the Government in reaching a positive or negative decision on the recognition's application. The same holds true for Article 41, paragraph 2 lit. b. Article 23 of the draft law, which deals with staff members recruited by cults, also seems too far-reaching in this context.' (IV.21., my emphasis)

Some of the conclusions of the commission are thus directly relevant for our argument. Hence, the commission notes: 'These high and rigidly written member-ship and stability requirements combined can make it very difficult for religious associations to acquire the status of cult.' (IV.16). Moreover, 'When dealing with the legal status of religious communities, it is of the utmost importance that the State takes particular care to respect their autonomous existence. Indeed, the autonomous existence of religious communities is indispensable for pluralism in a democratic society and is thus an issue at the very heart of the protection which Article 9 [of the ECHR] affords.' (IV.20). Before providing our own conclusions, let us add some data on Romanians' approach to others reflected in answers to questions on neighbourliness. This particularly bearing in mind that the majority religion in Romania is Christianity, a religion expected to have high and positive views on issues related to the respect and the love of the other, especially when 'the other' is not one of your own – as the classic Parable of the Good Samaritan so vividly shows it (Luke . Here are some relevant recent data related to co-habita-tion with different categories of people in Romania.

**3.   Data on Questions of Neighbouring; EU and the Changing Face of
       Neighbouring (Fig. 14, 15)**

Fig. 14.   Would you be bothered having as your neighbours … ? (BOP2002)
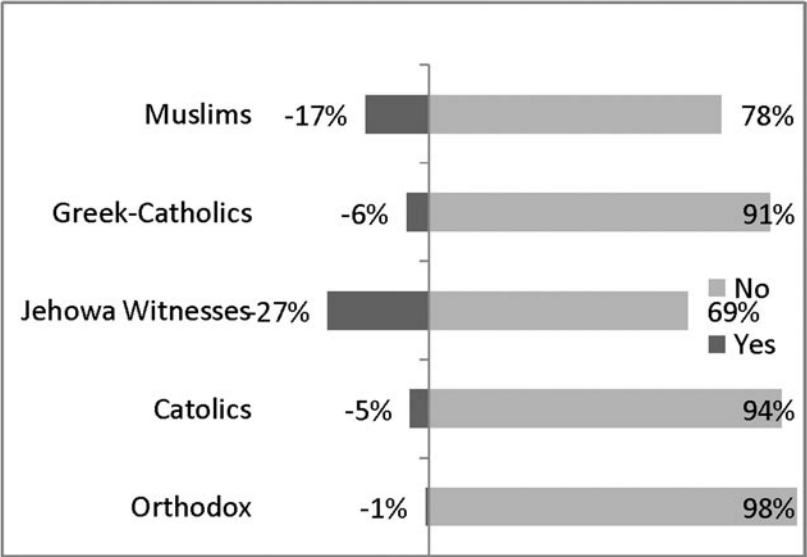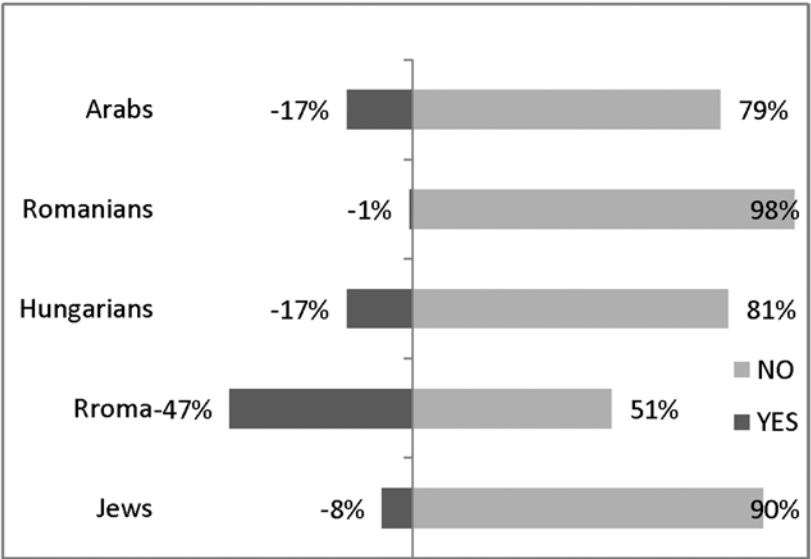
Fig. 15. Would you be bothered having as your neighbours … ? (BOP2002)

The results are surprising again, to say the least. Both in religious and in nationalist terms, the levels of lack of acceptance of differences are still significantly high. Where does such information place us in relation to the declared openness to and desire for joining the European Union? For it is also known from opinion polls that Romania is one of the most pro-European countries of Europe.[15] How can we interpret such contradictory information and what is the role religion plays in this?

First of all, one may suspect a significant lack of proper information about the European Union and its complex, highly competitive and engaging character. Second, considering that other recent opinion poll places the European Union membership between the Church and the Army in terms of the Romanian's trust

15 According to the INSOMAR opinion poll run between 16–21 Feb. 2006, 64% of Romanians are very interested or quite interested in Romania becoming a EU country.

in various institutions, we can conclude that all three are seen as somehow having a salvific character as well as being strong identity markers as we noted above in this study. However, what is very likely to present us with significant difficulties is the new multicultural and multireligious context in which Romania will have to find its place. It will be a context requiring the art of cohabitation with people, groups and individuals who are different. The European construct, a postmodern idea, is a new challenge Romania can not afford to ignore.[16] An assessment of this becomes another study in itself, beyond the scope of this present work. Before concluding, we shall nevertheless suggest that such high levels of religiosity with considerably high levels of inconsistency as seen in this study can be seen as a hindrance for the process of European integration.

However, instead of an academic conclusion please allow me to state, on a rather personal note, that I am strongly confident that such levels of religiosity, despite their internal inconsistencies, also have an inbuilt capacity to positively contribute to such painful processes of change like ours today. For this to happen there is nevertheless a significant need for change in the perception and the promotion of religion, its teachings and traditions. Of such changes, I shall only enumerate a few. First of all, the predominant Christian faith needs to be assumed by its adherents at a personal, ethical and not only collective, ritualistic level. Secondly, the tradition should not be seen a strong 'national identity provider/marker' or cultural garb but rather it must be seen addressing the concrete political, social and economic present – with all its inequalities, injustices and suffering – with the hope of the eternal life offered in the resurrected Christ for us here an now, not only in 'a life to come'. For Jesus's legacy – and for that matter the Christian legacy – regarding self-vulnerability and love for the sake of the other, in fact the very definition of who 'my neighbour' is, are so revealing for our current times.[17] Yet so

16 On the postmodern character of the European construct, see Cooper, R., *The Postmodern State and the World Order,* London, Demos, The Foreign Policy Centre 2000 (first edition 1996).
17 The Christian parable of the Good Samaritan (Luke 10:25–37), for instance, deals with such issues and can be taken as an excellent example and an answer to the impasse in which we

often this is at the opposite of what we see in our today's religious discourse and practice which seems to be dominated by the love of power rather than reflecting the power of love. Therefore, thirdly and perhaps most importantly, those who control the religious discourse and the grammar of its symbols and traditions need to change. They need to learn more how to make themselves vulnerable for the sake of the unprotected rather than seeking the protection of the most powerful, they need to experience the power of love thus giving up entirely the love of power. If things start moving in this direction, than religiosity, high levels of trust in the Church can become for Romania helpers not hindrances in the difficult process of change from a life of misery, poverty and submission to a life with dignity when everyone is treated and regarded not only as an equal, but even perhaps, in the 'foolishness of the Cross', better than oneself.

find ourselves regarding the complex question of living in a multicultural, more and more complex and yet smaller world.

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Searching for the new Law on Religious Freedom in Serbia

SIMA AVRAMOVIĆ

More than ten years have passed since the Parliament of the Republic of Serbia has abrogated the Law on the Legal Status of Religious Communities of 1977.[1] In response to initiative from the Serbian Orthodox Church, the old communist created law on religious freedom was abrogated in 1993.[2] Since that time there is no particular law regulating relationship between the state, on the one side, and churches and religious communities, on the other. After the political changes of October 2000, the new democratic Serbian government undertook measures to prepare and pass the Act on Religious Freedom, which would regulate Church-state relations and harmonize Serbia's and Yugoslav law on religion with existing E.U. legislation in the area. Ambitious and industrious attempt to enact a new modern law on the topic, carried out both by the then Federal Ministry of Faiths and the then Ministry of Faiths of the Republic of Serbia, has failed in the last moment: the Law on Religious Freedom was on schedule at the last session of the Federal Parliament Council of Republics (being previously adopted by the Council of Citizens). During the parliamentary discussion on the Law the session was broken off, and was never continued.[3] It was the last item on the agenda

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1   After the World War II, the Yugoslav communist government proclaimed formally religious freedom in various constitutions (1946, 1963, 1974), but its realization was quite limited in practice. In 1953 the Law on Legal Position of Religious Communities was enacted on the then federal level, while in 1965 and 1977, what was then the Socialist Republic of Serbia, enacted two laws on the legal status of religious communities, with a rigid conception of separation of the State and religious communities. The very word "Church" was avoided in the title of those laws.

2   The Law on the Legal Status of Religious Communities (March 25, 1993).

3   For more details see: Susret države i Crkve – Izveštaj Saveznog ministarstva/sekretarijata za vere 2001–2002 (Meeting of the State and Church – Report of the Federal Ministry/Secretary

at the last meeting of the Parliament of the Federal Republic of Yugoslavia ever held: the unborn Law died all together with the State itself.

The unborn Law on Religious Freedom of 2002 was rather general, leaned upon an idea to regulate the fundamental principles of religious freedom, and to take care only of a few particular topics with more details.[4] It was basically inspired by the German model of cooperation between the State and Church, and was a kind of a *Grundgesetz* in religious matters, leaving a lot of space for particular laws to regulate details of specific issues.[5] It was prepared meticulously and solidly, in consultations with many foreign scholars and experts, contacts with U.S.A. officials and authorities, discussions with representatives of all existing Churches and religious communities, including consultations with the s.c. small religious groups. However, there was no luck for that project.

The second democratic Government of Serbia was elected in 2004. Its Ministry of Faiths has continued working on a new Draft Law on religious issues, but on a bit more extensive foundations. In March of 2006 the Draft Law, titled now as "Law on Religious Freedom and Legal Position of Churches and Religious Communities", was adopted by the Government of the Republic of Serbia, and it is now waiting to be scheduled and discussed by the Parliament of Serbia. Main goals of the new Draft are to establish democratic and cooperative relations

of Faiths 2001–2002), Belgrade 2003, 36. The Draft Law was prepared by the group of national and international experts, and was adopted on April 4, 2002 at the session of the Federal Government. It was moved to the Federal Parliament, and was adopted by the Council of Republics on November 13, 2002. However, it failed at the last step in the Council of Citizens, and appeared never more.

4   More about the Draft Law of 2002 see in Avramović S (2003) Church and State in Serbia. In: S. Ferrari, W.C. Durham, Jr. (eds.) Law and Religion in Post-Communist Europe, Peeters, Leuven – Paris – Dudley, MA, pp. 295 – 309; Avramović, S (2004) Chiesa e stato in Serbia. In: S. Ferrari, W.C. Durham Jr., E. Sewell (eds.) Diritto e religione nell'Europa post-comunista, il Mulino, Bologna, pp. 395 – 414; Avramović, S (2005) Das Recht der Religionsgemeinschaften in Serbien und Montenegro. In: W. Lienemann – H-R. Reuter (eds.) Das Recht der Religionsggemeinschaften in Mittel-, Ost- und Südosteuropa, Baden – Baden, pp. 419–442.

5   Very useful and influencing in drafting process were comparative experiences from member countries of the E.U., and above all some solutions from Germany, see particularly Robbers G (1996) State and Church in the European Union. Nomos Verlagsgesellschaft, Baden – Baden, pp. 57–73

between the state on the one side, and churches and religious communities, on the other, to guarantee individual and collective rights of churches and religious communities in the society, and to harmonize the legal system of the country with the E.U. standards in religious freedom issues.

Many elements of the previous Draft Law are basically included in the new one. However, there are many new topics regulated in more details than before: rights of priests and clerics (particularly social rights, such as medical, social and pension insurance of priests and clerics, monks and nuns which may be funded from the state budget), protection of property of Churches and religious communities, protection of religious premises and more detailed regulation of religious construction activities, issues of social, cheritable and religious educational activities of religious comminuties, legal framework for cultural activities of Churches and religious communities, etc. Among the basic differences belongs an attempt to denote openly seven traditional Churches and religious communities. Each one of them (Serbian Orthodox Church, Roman Catholic Church, Slovak Evangelical Church a.c., Reformed Christian Church, Evangelical Christian Church a.c., Islaamic Religious Comunity, Jewish Religious Comunity) are specificaly mentioned by name in particular articles, with refferences to previous, pre-communist laws regulating their legal status. The general legal and ethical ground of the lawgiver is that, after the World War II, those Churches and religious communities were deprived of rights guaranteed by the laws, as the communist regime abolished all the pre-war religious legislations. The aim and main point of the new Draft is that Churches and religious communities have right to restore and re-establish their previous legal position which was guaranteed by particular laws, enacted for each of them before the World War II, in the similar way as Churches and religious communities have righ to restitution of nationalized property.

The Draft also mentions by name some other confessional communities, such as Christian Baptist Church, Christian Adventist Church, Evangelist-Methodist Church, Pentecostal Church, Evangelic Christian churches and other religious organizations, which were registered in accordance with the Law on Legal Position of Religious Communities ("The Official Gazette of the Federal National

Republic of Yugoslavia" of May 27, 1953) and with the Law on Legal Position of Religious Communities ("The Official Gazette of the Socialist Republic of Serbia", No. 44/1977). The basic standpoint in issues of registration is that all churches and religious communities registered before, will obtain full continuity with the status of a legal person acquired in accordance with previous laws on religious communities. The former legal position will be entirely recognized to Churches and religious communities registered.

However, the expected "Law on Religious Freedom and Legal Position of Churches and Religious Communities" has just entered the parliamentary procedure, and it is not favorable to foresee when it might be enacted. So, in the moment, there is still no legislation on the topic, and there is currently quite an extensive gap in legal framework of church-state relations.

Maybe the new Law will be already adopted by the time when this article appears, but during the last decade the situation with lack of religious freedom legislation was quite frustrating. For the most part as regulation of religious issues and freedom has a long legislative tradition in Serbia. Freedom of religion was guaranteed in Serbia's first Constitution of 1835,[6] as well as in the Constitutions of 1869[7], 1888[8], 1901[9], and 1921[10]. The Kingdom of Yugoslavia, which grew out of

6   Constitution of 1835, Article 97: "Everyone in Serbia has a freedom of religion, to perform worship freely according to his rituals, and everyone will be protected by the Serbian government."

7   Constitution of 1869, Article 119: "Freedom of public worship and religious rituals of confessions recognized in Serbia or those that are recognized by special law."

8   Constitution of 1888, Article 18: "Freedom of conscience is unlimited. All recognized confessions are free and are protected by law, if performance of their worship does not offend public order or morals.")

9   Constitution of 1901, Article 33: "Freedom of conscience is unlimited. All recognized confessions are free and are protected by law, if performance of their worship does not offend public order or morals. Every action (including proselytism) against state religion is forbidden. Serbian citizens cannot be freed from their civic or military duties by their religious beliefs."

10 Constitution of 1921, Article 12: "Freedom of conscience and religion is guaranteed. Recognized confessions are equal by law and are free to perform their worship in public. Performance of civic and political rights is independent on religious practice. No one can be released from his civic or military duties because of the rules of their religion. All confessions already recognized by law in any part of the Kingdom are accepted. Other confessions can be recognized only by law. Accepted and recognized confessions indepen-

the Kingdom of Serbs, Croats and Slovenians, between two World Wars enacted in addition particular laws that regulated the relationship between the state and the most important and prolific religious communities of that time: the Serbian Orthodox Church, the Catholic Church, the Muslim religious community, the Jewish religious community, the Evangelic Christian Churches AC and Reformed Church. Also, the Constitution of the Federal Republic of Yugoslavia (1992) contained a few articles dealing with religious freedom,[11] but it became inoperable after formation of the State Union of Serbia and Montenegro in 2003.

Of course, the present legislative loophole on religious issues in Serbia is not so complete. Along with the Constitutional Charter of the State Union of Serbia and Montenegro, a new Declaration on Human and Minority Rights and Freedoms was adopted on February 26, 2003. Although it mainly reinterprets well-known international norms on religious freedom, worth noticing is wording of the first

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dently regulate their internal religious activities and administer their charitable organizations and funds within the framework of the law.

No one is obligated to publicly declare his religious convictions. No one is obligated to take part in religious worship, festivities, rituals, or exercises, except on occasion of state holidays and festivities as proscribed by the law for persons under paternal, tutorial, or military power.

Accepted and recognized confessions can keep relations with their supreme religious leaders outside the country if their religious rules so require. The way those relations are to be performed will be regulated by law.

If religious expenses are approved in the state budget, they must be distributed among accepted and recognized confessions in proportion to the number of followers and proven needs of each.

Religious representatives cannot use their religious authority, through worship services, religious publications, or performance of official service, for political reasons."

11 Constitution of the Federal Republic of Yugoslavia of 1992:
Article 18
Church and State shall be separate.
Churches are equal and free in conducting religious affairs and religious rites.
Article 43
Freedom of religion, public or private worship and performance of religious ceremonies shall be guaranteed.
No one shall be obliged to reveal his religious conviction.
Article 50
Any incitement or encouragement of national, racial, religious or other inequality, as well as the incitement and fomenting of national, racial, religious or other hatred and intolerance shall be unconstitutional and liable to punishment.

paragraph of Article 26, stressing not only the well known right to change religion or belief, but also the right to retain existing religious conviction.[12] Together with the State Union Charter, Constitution of the Republic of Serbia (1990)[13] and Constitution of Montenegro (1990),[14] in the still existing country, the constitutional framework of religious freedom is covered, although in quite general terms.

12   Declaration on Human and Minority Rights and Freedoms of 2003 (http://www.mfa.gov.yu/
     Facts/doc_e.html):
     Article 26
     Everyone shall have the right to freedom of thought, conscience, belief or religion, inclu-
     ding freedom to stand by his/her belief or religion or to change them.
     No one shall be obliged to state his/her religious and other beliefs.
     Everyone shall be free to profess, alone or in community with others, in private or in public,
     his religion or belief by worship, performance of religious rites, attendance of religious
     service and education.
     Freedom to profess religion or other belief may be restricted by the law if that is necessary
     to protect public security, public health, morality or the rights of other persons.
     Parents and guardians shall have the right to ensure religious and moral education of their
     children in conformity with their own beliefs.
     Article 27
     All religious communities shall be equal and separate from the state.
     Religious communities shall be free to independently determine their internal organiza-
     tions, to conduct religious affairs and to perform religious rites.
     Religious communities shall have the right to found religious schools and charities, in
     accordance with the law.
     Article 28
     Conscientious objection shall be recognized in the State Union of Serbia and Montenegro.
     No one shall be obliged to do military service or to fulfill other obligation that requires the
     use of arms, against his/her religion or belief. Such person may be called upon to perform a
     corresponding civilian service, in accordance with the law.
13   Constitution of Serbia of 1990:
     Article 41
     Religious freedom, which includes freedom of belief, confession of faith and performance
     of religious rites, shall be guaranteed..
     Religious communities shall be separated from the State and shall be free in the conduct of
     religious affairs and performance of religious rites.
     A religious community may establish religious schools and charitable organizations.
     The State may grant financial assistance to religious communities.
14   Constitution of Montenegro of 1990:
     Article 11
     The Orthodox Church, Islamic religious community, the Roman Catholic Church and other
     faiths shall be separate from the state. All the faiths shall be deemed to be equal and free in
     the performance of their religious rites and affairs.
     All the religious denominations will independently arrange their interior organisation and
     religious affairs within the legal set-up.

What are the reasons for such a long sterile legislative process dealing with religious issues? Are there so many controversies on that points, resulting in absence of particular law on religious freedom in Serbia? Waiting for the religious law resembles in a way on waiting for Godo – the law is on the way, but it does not arrive. Although the first sight answer could lead to a basically negative conclusion, that it might reflect hesitation to accept and install modern international and European standards in the field, the reality is not so gloomy as it might look like from that fact that the law is still missing.

First of all, there are many fields and issues of religious freedom already regulated in particular existing laws on different questions, such as religious education in public schools, religious assistance in the army, public hospitals, penal institutions, old-age homes and other institutions of social care, right to conscientious objection and to alternative serving of military term without arms, tax exemptions for religious communities, free access to public media and right to establish their own, right to have a representative in public media policy making bodies (stipulated in media laws), etc.

Secondly, no one of modern basic principles of religious freedom was ever questioned all through the drafting processes, as well as in society and everyday life and relations between state and Church. Equality of Churches and religious communities was an essential starting point all the time. Nevertheless the Serbian Orthodox Church is predominant in the country, with about 85% believers in

The state shall offer material assistance to religious denominations.

the religious demographic structure,[15] both Draft Laws insisted strongly on the principle of equality of all Churches and religious communities before the law. Of course, an unavoidable problem was how to recognize in the same time the fact of absolute predominance of the Serbian Orthodox Church believers, without discrimination of other Churches and religious communities. An inevitable question was also a possible division in traditional religions, non-traditional ones and new religious movements and groups. Most of those tough questions were solved in interaction with representatives of existing different religious communities in Serbia. Representatives of all traditional Churches and religious communities (whose legal position was regulated by laws before the World War II) took place in drafting processes being consulted very often, including a few consultations on equality issues with other religious groups. The outcome was very favorable: Churches and religious communities were quite satisfied with expected legislative solutions, and gave a strong support for enacting the law. The principle of full recognition of legal continuity with the previous legal status of Churches and religious communities was a point that was almost universaly accepted and supported, so that tough decision on any categorization of Churches and religious communities did not provoke many disagreements. Also, among important innovations brought by the Draft Law is a change in legal position of Churches and religious communities. Although it is not formally expressed in the text, the

15 Out of total number of 7,498.001 inhabitants, the last religious picture of Serbia, according to the census of 2002, is as follows:

Orthodox Christians	6,371.584	-	84,97%
Catholics	410.976	-	5,48%
Muslims	239.658	-	3,19%
Protestants	80.837	-	1,07%
Jews	785	-	0,01%
Oriental cults	530	-	0,007%
Other religions	18.768	-	0,25%
Believers of no confession	437	-	0,005%
Atheists	40.068	-	0,53%
Unanswered	197.031	-	2,62%
Unknown	137.291	-	1,83%

tendency to grant them a kind of status similar to the one of legal person of public law is evident, quite differently than in previous decades, when Churches and religious communities were treated as associations of citizens.[16]

Separation of state and church, without a state religion, was also an unavoidable and undisputable basic principle. Separation is, in addition, posted much more on modern cooperative basis, rather then being understood as a strict and hostile separation, so characteristic for the communist period in previous decades. The creators of the Draft were evidently influenced by the view, expressed most explicitly by S. Ferrari, that "cooperation is the keynote to today's relationship between church and state in the E.U. and, after the fall of the communist regime, all over Europe"[17], and by a modern concept of the principle of neutrality.[18] Prohibition of religious discrimination, freedom of religious assembly and gathering and other basic principles were also strongly guaranteed by all draft laws without any dissagreement at any side. So, where the basic obstacles and barriers were coming from?

It seems that a part of the answer lies in combination of internal socio-historical causes and tough international demands at some points. A very significant illustration of internal, domestic, historically based controversies was an issue of introduction of religious education in public schools. Although most of the E.U. countries have this practice adopted for long in their laws, with a very few exceptions like France and Slovenia, many of the most prominent and democratically

16 During the last decade religious communities and groups were able to be registered only as citizen groups with the Ministry of Interior at any level (community, district or republic), what visibly illustrates that Churches and religious communities were treated as legal persons of private law.

17 Ferrari S (2001) The Western European Model of Church and State Relations. Fides et Libertas, The Journal of Religious Liberty Association: 59–60. See also Campenhausen A (1994) Der heutige Verfassungsstaat und die Religion. Handbuch des Staatskirchenrechts der Bundesrepublik Deutchland I, Berlin, pp. 47 – 84.

18 Reuter H-R (2005) Neutralität – Religionsfreiheit – Parität. In: W. Lienemann – H-R. Reuter (eds.) Das Recht der Religionsggemeinschaften in Mittel-, Ost- und Südosteuropa, Nomos, Baden – Baden, pp. 15–31.

oriented intellectuals in Serbia were strongly claiming that religious education in public schools would violate the principle of separation of Church and State.[19] A negative attitude and a fear of religion abuse, as well as of the Church influence and interference in society and state, was very evident and strong in a part of the society. Therefore it took two years of public discussions before enactment of educational laws in Serbia, introducing finally religious education in elementary and secondary public schools in 2001 by a Decree[20] and in 2002 by two Laws.[21] The process included reviewing of two educational laws at the Constitutional Court of Serbia, with the final decision that religious education in public schools is not unconstitutional.[22] Moreover, the legal framework and practice in religious education has resulted in an excellent cooperation between Churches and religious communities, due to regulation that no manual for members of any Church or religious community could appear if not approved by all representatives of other Churches and religious communities in the body authorized to permit printing manuals for religious education in public schools. Shortly, the case of religious education in public schools reveals that a kind of dissagreement about the general position of Churches and religious communities in the society and state is still present..

The other reason is a kind of conflict between deeply implanted traditional (one may say even conservative) attitude towards religious issues in the society and quite tough international recommendations (even demands) at some points. The

19 Although the heated debate was lasting in media for long, the only academic legal text claiming unconstitutionality of laws on legal education in public schools was published by Draškić M (2001) Pravo deteta na slobodu veroispovesti u školi (Children's Right to Religious Freedom in School). Anali Pravnog fakulteta u Beogradu 1–4: 511–523. The response came by Avramović S (2004a) Pravno utemeljenje verske nastave u državnim školama (Legal Foundation of Religious Education in Public Schools). In: Devetak S, Trkulja J (eds) Bilanca tranzicije – Bilans tranzicije. Maribor – Beograd pp. 203–221.

20 Uredba o organizovanju i ostvarivanju verske nastave i nastave alternativnog predmeta u osnovnoj i srednjoj školi, Sl. glasnik Republike Srbije 46/2001, 27.07.2001.

21 Zakon o izmenama i dopunama Zakona o osnovnoj školi (Sl. glasnik Republike Srbije 22/2002, 26. 04. 2002.; Zakon o izmenama i dopunama Zakona o srednjoj školi (Sl. glasnik Republike Srbije 23/2002, 9. 05. 2002.

22 Decission of the Constitutional Court of Serbia (Sl. glasnik Republike Srbije 119/2003).

most prominent example of that kind is an issue of the minimum requirement number of followers needed for registration of a new religious community. Both the first and the second Draft Laws were strongly criticized either as too liberal, accepting a view that only 10 believers are enough to be registered as a religious community, or as too conservative, when the requirement number was raised up to 100. The controversy on that point was basically the main cause why the first Draft Law of 2002 has failed.

On the one hand loud arguments, like a fear of sects and other violent religious movements, dominated in public discussions and heated debates, claiming that a small requirement number for registration of religious organizations will lead to an easy access and import of dangerous religious groups. On the other side an argument was stressed that a higher membership requirement number violates religious freedom and right to manifesting religious beliefs of small religious groups, whose religious teaching encompasses an idea of a very small entity organized on a congregational basis. Even more important: the law and practice with respect to recognition and registration of religious organizations has emerged as a crucial test for evaluating a country's performance with respect to freedom of religion or belief.[23] Many U.S. scholars and officials in charge of religious matters claim that regulations on higher minimum requirement number result in religious discrimination against smaller religious groups and evident violation of religious freedom. Having in mind measures and possible sanctions set down by the *International Religious Freedom Act of 1998* enacted in the U.S.A.,[24] lawgivers, particularly in countries with vulnerable international position like Serbia, do not have an easy job to find a balance between internal and external demands.

23   Durham W.C (2001) Recognition and Registration of Religious and Belief Communities: What is Permissible in Law and Practice. Introductory Paper Presented at the Seminar on Freedom of Religion or Belief in the OSCE Region: Challenges to Law and Practice Sponsored by the Foreign Ministry of the Netherlands, De Ridderzaal, The Hague, Netherlands, June 26, 2001.
24   Public Law 105–292, 105th Congress, 112 Stat. 2787–2815. A variety of sanctions are prescribed against countries violating religious freedom by the *Section* 405 of the Act.

Of course, many other countries have been faced with the same problem. By the end of 1990's and in the first years of 2000's the requirement number of 10 adult followers was quite strongly suggested to national lawgivers, particularly in countries in transition of Eastern and South-Eastern Europe. Many of them have accepted that demand (e.g. Russia, Ukraine, Belarus, Azerbaijan), some of them have marked a bit bigger number (Estonia – 12, Poland –15, Latvia – 25, Lithuania – 30). However, recent development in legislation in the region and in the ex-communist countries around, particularly in Croatia (with requirement number of 500 adult believers) [25], Bosnia and Herzegovina (300 adult followers)[26], Check Republic (300 citizens)[27], and the solution from Hungary (100 members)[28], encouraged a Serbian drafting team to propose a modest, middle solution. According to the Draft Law, in order to be registered, a new religious group must have at least 0,001% of the country's population, what basically makes a figure of 75 adult citizens. For all Churches and religious communities registered before the proposed Law full legal continuity is guaranteed, so that they will retain their previous status of a legal person. The proposed solution considering requirement number of followers meets thus a kind of standards accepted in other legislations in the region, including some E.U. member countries. It seems that the hottest issue of previous legislative attempt, which basically failed on that ground, is solved in a compromising manner, trying to find an acceptable approach both for internal and international conditions.

In that way, if the Draft Law will pass the parliamentary procedure without dramatic changes, one may say that the problem of requirement number of believers

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25 A decree adopted by the Croatian Government in 2003 ("Regulation on Forms and Maintaining Records of Religious Communities in Croatia").

26 2004 Law on Religious Freedom.

27 2002 Law on Religious Freedom and the Position of Churches and Religious Associations. The Law have introduced a two-tier system, depending on the number of followers. The smaller religious groups must have at least 300 adult believers, and have limited tax benefits, while the second tier form bigger religious communities, with at least 0,1 percent of the population, which makes about 10.000 followers. Those religious groups may have a share of state funding.

28 1990 Law on the Freedom of Conscience.

for registration of religious communities seems to have been solved properly, in a manner that favors integration within the European religious freedom legislative family. Most of other solutions in the Draft Law, as have been noted, are also based upon universally accepted values and full respect for individual and collective religious rights, so important for a multireligious society. So, if adopted in the Parliament, it seems that the expected Law on Religious Freedom and Legal Position of Churches and Religious Communities may mark an important contribution to the European integration process of Serbia as a whole.

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