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# The Treatment of Religious Minorities in South-Eastern Europe: Greece and Bulgaria Compared<sup>1</sup>

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For societies undergoing transition from an authoritarian to a more liberal political order, the consequences of pluralism are often hard to cope with. Under the old system political repression may have been the norm, but at least the previous regime offered some form of protection against the waves of pornography, violence and social collapse which often appear to accompany liberalisation. Such problems are even more acute for religious organisations, many of whose leaders may have played a role in bringing down the old authoritarian regime but now find themselves wondering about the democratic beast they have unleashed. In the changing political system they have to compete with new ideologies and faiths, but also with the more colourful pleasures of the flesh now available to the average citizen. Amongst the new arrivals may be an array of alternative or minority religious movements which compete with more traditional religious communities in a religious free market. Simultaneously many of the minorities already active in the country may acquire a greater public profile and becoming increasingly active as a result of political liberalisation. In response the national churches, often in alliance with conservative or nationalist politicians, may seek ways to privilege the national religion or restrict the rights of the minority religions so as to preserve their influence on the wider society.

In this article I compare the ways in which two neighbouring countries, Greece and Bulgaria, have responded to the question of religious pluralism during a time of transition. Both are nations where Orthodoxy has played a key role in shaping national identity, both are countries which in the last three decades have made a transition from authoritarian to more or less democratic rule and both are countries in which religion's contribution to change was negligible. Of course the starting-point of their transitions was very different. Greece was ruled from 1967 to 1974 by a military junta which deposed a quasi-democratic state and defined its mission in terms of saving Christian civilisation from the threat of communism and radical democracy. Bulgaria was ruled from 1945 to 1989 by a communist party ostensibly committed to removing all traces of religious influence from public and even private life. In nature, the rule of both was often inefficient, but Greek authoritarianism was short-lived and far less brutal than that of the communists to the north. In 1974 the Greek junta fell following an ill-timed intervention in Cyprus, whilst the Bulgarian regime fell as an almost accidental consequence of developments in the USSR and other parts of Eastern Europe. Following the collapse of the Greek junta a more

genuinely liberal democracy emerged, albeit one with some distinctively Greek features, whilst in Bulgaria the process of democratisation is still under way and incomplete.

### **Greece: ‘European But Not at the Cost of Our Souls’<sup>2</sup>**

Contrary to the claims of American separationists the formal recognition of a national or established church need not entail the restriction of religious freedom. Indeed there have been situations where religious minorities defend the idea of maintaining establishment, as in England during the Rushdie affair when some Muslim and Jewish spokespersons argued that only establishment ensured that the religious voice would be heard in the public square. Nonetheless, it is often the case that attempts to promote the position of one religious community do have the symbolic effect of defining others as second-class and that this in turn may lead to restriction of their rights. This would clearly appear to be the case in Greece where the dominance of the Orthodox Church has for many decades caused problems for religious minorities, even though some of these have eased in recent years.

The Orthodox Church has historically been central to the formation and protection of modern Greek identity, though the relationship between the hierarchy and the political order has often been problematic. During the struggle for independence at the beginning of the nineteenth century church leaders remained ambiguous, whilst the leaders who dominated newly-independent Greece wanted a national church but one which would serve the political sphere. The 1844 constitution gave Orthodoxy status as a national church, but subordinate to the king who was a Bavarian Roman Catholic. The synodal form of government promoted remained in place more or less unchanged until the Second World War, after which time the church gained a degree of internal independence and some role in controlling family life and education.<sup>3</sup> During the rule of the colonels the church by and large remained silent, and after 1974 the hierarchy focused on internal reform with occasional interventions into the political realm, as when a PASOK government proposed the nationalisation of church lands in the late 1980s. In April 1998, following the death of Archbishop Serafion, the bishops selected Christodoulos as archbishop of Athens; he was to prove highly controversial in Greece and has not hesitated to intervene in the political arena.

Constitutionally and legally the Orthodox Church remains the church of the nation, though most Orthodox spokesmen would deny that it is a state church comparable in status to the established Church of England. Following the collapse of the military junta the special position of the church was clearly spelled out in the 1975 Constitution, despite the efforts of a few politicians on the left to promote the separation of church and state and to remove the invocation to the Trinity which prefaces the document. Article 3 states that:

The prevailing religion in Greece is that of the Eastern Orthodox Church of Christ. The Orthodox Church of Greece, acknowledging our Lord Jesus Christ as its head, is inseparably united in doctrine with the Great Church of Christ in Constantinople and with every other Church of Christ of the same doctrine. ...

The same article makes provisions for church governance and rules that only translations of the Scriptures approved by the Orthodox Church will be allowed in Greece. Article 13 of the Constitution goes on to provide for religious liberty for all

'known religions' but follows previous practice in expressly forbidding proselytism, whilst Article 16 requires the state to ensure the 'development of the national and religious consciousness' of Greek citizens.<sup>4</sup> Though some within the church were unhappy about the partial equality granted to all known religions and the removal of the requirement that the head of state be Orthodox – though he or she does have to swear a Trinitarian oath (Article 33.2) – in most respects this document confirms the *de facto* dominance of the church in many spheres of life. Moreover, it goes much further than any other European constitution in protecting the established doctrines and practices of the church and, together with other acts in force, gives it considerable powers to regulate the religious life of the country.<sup>5</sup> Orthodox spokesmen have rejected the notion that this entails any privileging of the church. Rather it entails a 'recognition' of the sociological 'fact' that the vast majority of Greeks are Orthodox.<sup>6</sup>

Much discussion of the 1975 Constitution focused on the concept of 'known' religions. These were defined elsewhere as those with no secret doctrines and which did not worship in secret – though as with the notion of 'traditional' religions in some of the postsoviet states no definitions are offered in the text of the document. Leaving aside the Orthodox, clearly the predominant known religion and effectively a state church, much depends upon the interpretations offered by the state and the courts and, as Pollis points out, on the vagaries of time, place and individual preference.<sup>7</sup> The 'known' religions are also further subdivided. First come corporations under public law, such as the Orthodox, Muslims and Jews – though this seeming 'plural establishment' does not imply equal treatment. Then come corporations under private law, which include most of the Protestants, Adventists, Old Calendarists, Buddhists, Mormons, Baha'is and Jehovah's Witnesses. For those coming clearly within this category the constitutional provisions of freedom of religion apply, though the Orthodox Church is in a class of its own with state payment of clerical salaries and the maintenance of church buildings through the tax system. Equally, those which are not 'known' lack the same degree of constitutional protection: for example, the prosecutor would not seize papers which satirised or offended groups in this category.<sup>8</sup> The status of the Orthodox Church is reinforced through the Ministry of National Education and Religions whose task it is to regulate religious life in consultation with the Orthodox Church and to ensure that education is carried out in ways which strengthen the Orthodox identity of the nation.

As the Greek state entered the new millennium constitutional and legal texts continued to protect the Orthodox Church's 'prevailing religion' status and offer it a degree of formal 'recognition' and public prominence unparalleled in Western Europe. Though a minority of the political and social elite argue for change, Archbishop Christodoulos has remained implacably opposed to the separation of church and state.<sup>9</sup> The difficulty of introducing change was also made apparent in May 2000 when a government announcement of its intentions to implement an earlier decision to remove the section in Greek identity cards asking for religious affiliation provoked considerable hostility from sections of the religious and conservative elite.<sup>10</sup>

For many religious minorities it is hard not to see the position of the Orthodox as privileged and they express scepticism when the national church speaks about the 'threat' minorities pose to its position. By the early 1990s some 97 per cent of the population still thought of themselves as Orthodox – though perhaps less than five per cent attended church on a weekly basis – and only about 250,000 adhered to other religious communities. Of these about half were Muslim Turks numbering

around 100–120,000 and mainly situated in Western Thrace. These were mostly the descendants of those Turks, Pomaks and Romas who had been allowed to stay in Greece following the population exchanges with Turkey in the 1920s. There were also about 50,000 Roman Catholics – as well as many foreign Catholics – mostly located in the Athens area and on some of the Ionian and Cycladic islands. The 20–30,000 Protestants were mainly the descendants of Greeks who were converted as a result of missionary activity in the nineteenth century. Since the 1970s these communities have been more active in evangelistic work and have been supported by Evangelical and Pentecostal groups from outside Greece, but it does not seem that the latter have stimulated substantial growth. In addition there are over 50,000 Jehovah's Witnesses, a group which has faced particular difficulties with both the secular and religious authorities, around 5000 Jews and a host of new religious movements with an unknown but relatively small number of adherents.<sup>11</sup>

The democratisation process in Greece did not produce any law explicitly devoted to religious liberty and critics suggest that in this sphere Greece retains the distinction of having the most restrictive legislation (and practice) in Western Europe – although church and government agencies sometimes suggest that minorities exaggerate their difficulties.<sup>12</sup> Though the 1975 Constitution guaranteed freedom of worship and belief to all citizens, in practice ambiguities in the text as well other legislative or administrative acts have created a situation where religious liberty has been severely compromised on occasions, though arguably the situation has gradually improved during the 1990s.<sup>13</sup> In terms of the Constitution the category of 'known' religions has thrown up several problems and much seems to depend upon the decision of the Ministry of National Education and Religions, or other state agencies. This problem has affected the Jehovah's Witnesses more than any other group and for a long period their status has been open to debate within the Greek legal system. Since the mid-1980s the Council of State has consistently taken the view that they represent a 'known' religion, but civil courts and local authorities have taken the opposite view in many cases. Equally, the leaders of the Orthodox Church have failed to accept this recognition and a circular from the Holy Synod in the late 1997 disputed their recognition as 'known' and the use of the word 'Christian' in front of their official designation.<sup>14</sup>

Further problems are created by the so-called 'Necessity Acts' passed during the Metaxas dictatorship in 1938–39 and still remaining in force. These ban proselytising and give local Orthodox bishops the right to be consulted and to object to the opening of non-Orthodox places of worship in their dioceses. Though their provisions are decreasingly used, there are still occasions when they are referred to by Orthodox bishops seeking to prevent the opening of minority places of worship. For example, in December 1997 the police in Thessaloniki opened a case against Rev. Giorgos Goudas, pastor of the Greek Evangelical Church, claiming that he was operating a church without the appropriate 'house of prayer license' required under the 1939 legislation.<sup>15</sup> In December 2000 a court in Thessaloniki heard the case of several Protestant and Catholic church leaders in Thessaloniki who were charged with 'unauthorised operation of a house of worship'. Though the judge acquitted those charged with the offence and the district attorney suggested the need for some modernisation of the Metaxas legislation, the court avoided making any precedent-setting statements about the 1930s legislation.<sup>16</sup>

Perhaps the most controversial issue has been the question of proselytism. The 1939 Necessity Act, which specifically banned proselytising activities aimed at the

Orthodox Church and is still supported by that church, defined the offence in terms of intrusion

... on the religious beliefs of a person of a different religious persuasion, with the aim of undermining those beliefs, either by any kind of inducement or promise of an inducement or moral support or material assistance, or by fraudulent means, or by taking advantage of his inexperience, trust, need, low intellect or naivete.<sup>17</sup>

Penalties for the offence were severe, ranging from fines and police surveillance to terms of imprisonment or expulsion from the country in the case of foreigners. Under the 1975 Constitution the emphasis was changed slightly insofar as all religious groups were protected from proselytism and in theory even the Orthodox were not allowed to engage in such activities.

In practice the cases which have come to court have been directed at smaller religious communities, including the Protestants, Pentecostals, Hare Krishnas, Buddhists and Jehovah's Witnesses. Of these the latter have suffered the harshest treatment, with some 20,000 arrested at various points since 1939 and those sentenced serving over 700 years in prison. Nonetheless, the number of arrests has been declining in recent years, with some 2000 prosecutions in 1983–88, 71 arrests in 1993, just 11 in 1998 and none in 1999, a trend that has much to do with the Kokkinakis case. This revolved around the activities of Minos Kokkinakis (d. 1999), a Witness who had been prosecuted some 60 times since the late 1930s and served over six years in prison for proselytism. In this particular case the charges related to a conversation he had with the wife of an Orthodox cantor, which led to charges that he had exerted undue pressure upon a poorly educated woman. This case eventually reached the European Court of Human Rights, which deliberated at length in an explicit effort to balance the right of Kokkinakis to propagate his beliefs and the right of the state to protect citizens from unwanted pressures. Though the judges adopted a variety of positions, the eventual outcome was that the Court found against the Greek government in this case, though it offered little comment on the older legislation. In essence, it suggested that the acts of 1938–39 were not necessarily incompatible with religious freedom, but argued at the same time that they lacked specificity in defining what constituted 'improper' pressure. They also questioned the Greek state's right to arrogate to itself the decision as to whether an individual was too weak to resist the importunities of the proselytiser.<sup>18</sup> In consequence of this decision, the Greek Ministry of Justice issued instructions to subordinate legal institutions at all levels to adapt their practice accordingly,<sup>19</sup> though as we have noted such a ruling has not been accepted throughout the legal and administrative system.

A second case – Larissis and others v Greece – related to three Pentecostal air-force officers who had been carrying out evangelistic activities between 1986 and 1989 both amongst civilians and amongst airmen in their units. Charged with proselytising Orthodox Christians under the act, they were tried and sentenced to suspended periods of 12, 13 and 14 months. After a process of appeals through the Greek courts they went to the European Commission on Human Rights and then on to the European Court. Here the judges basically found that their rights had been contravened to the extent that the charges related to civilians, but found for the Greek government in the case of attempts to proselytise those subordinate to the officers as here there might have been undue pressure owing to the hierarchical nature of military units. Nonetheless, the court expressed regret that the earlier ruling in the 1993 Kokkinakis case had not been followed by any serious attempt on the part of

the Greek authorities to clarify the situation regarding legitimate propagation of one's beliefs. In response to some of these developments, in 1998 a group of prominent Greeks proposed that these laws should be abrogated as a remnant of an out-of-date era and that the Constitution should be amended to remove the ban on proselytism.<sup>20</sup>

Further issues which have arisen regarding the treatment of religious minorities relate to the questions of identity cards, employment rights, conscientious objection, state surveillance of religious communities and child custody in situations where divorcing parents have different faiths. Under a law of 1986 all Greeks were required to indicate their religion on their personal identity cards. For the UN Rapporteur on Religious Tolerance this issue was problematic, for the compulsory declaration of religious adherence would appear to violate various international conventions.<sup>21</sup> In 1997 parliament approved a law which would have removed this question from the list of questions referred to on personal ID documents, though nothing was done to implement the decision. Only after elections in the spring of 2000 did the government make the announcement, perhaps rather tactlessly without warning the archbishop of Athens and perhaps deliberately whilst he was out of the country, that the religious question was to be omitted from future documentation. This provoked an instant response from the outspoken church leader and a chorus of protest from many conservative politicians who saw the move as one more step on the road to the erosion of Greek identity. For minority representatives, however, this was a welcome move which might serve at least to reduce the perception – and reality – that a failure to mention religious affiliation effectively denied them access to certain employment opportunities.<sup>22</sup>

Under legislation in force at the time of the transition there were no provisions for conscientious objection, though after 1975 ministers of 'known' religions were exempt from military service. Until very recently, however, the Greek state was reluctant to consider the possibility of alternative civilian service, citing Article 13 of the Constitution which denied that religion could serve as a reason for not performing obligations to the state, or arguing that if there were different provisions for different people this would in effect undermine equality under the law. A draft law produced in the late 1980s was rejected, whilst a draft drawn up by the Ministry of Defence in 1991 permitted unarmed military service. At the same time the authorities rejected the more comprehensive exception desired by the Jehovah's Witnesses, who refuse to wear a uniform, salute the flag or accept the proposed longer period of alternative service. Their commitment to this line was further reinforced by the fact that in total Witnesses served a total of some 5000 years in military prisons between 1938 and 1992 for conscientious objection.<sup>23</sup> New legislation was eventually steered through parliament in 1997 permitting civilian service in places such as homes for the disabled and the elderly, though those involved would have to serve twelve months longer than the normal period for conscripts.<sup>24</sup>

In addition to all these problems, which stem from ambiguous or restrictive legislation, one should also point to the specific problems affecting the Muslim community, predominantly located in Western Thrace.<sup>25</sup> Under the terms of legislation approved in 1920 the Muslim community enjoyed the right to elect their own representatives, but the military dictatorship introduced a system, which continued to operate after 1974 and was confirmed by decree in 1990, giving the state the right to oversee the appointment of muftis in this region, albeit from a list provided by a committee of prominent local Muslims. The Greek president also retains the right to remove a mufti should he be rendered incapable of carrying out

his task or commit criminal acts. In 1991 religious communities in Xanthi and Komotoni decided to elect their own muftis, a decision opposed by the state, which imposed its own candidates, and the courts, which sentenced the two elected muftis to short prison terms for usurping the titles. From the government's perspective the existing arrangement was both practically and constitutionally essential, for on the one hand they chose from a list provided by the Muslims and therefore could not be seen to be imposing unwanted candidates, and on the other hand, given that the muftis performed certain judicial functions in their territories, the muftis could not be exempted from the constitutional provision that judges be appointed. Nonetheless, this issue continues to cause problems as many within the communities recognise only the elected muftis. At the same time the government shows no sign of backing down on this issue and in early June 2000 Mehmet Emin Aga, the elected mufti of Xanthi, was sentenced to seven months imprisonment for 'usurping the function of a religious minister'.<sup>26</sup> Though the official view was that the election of rival muftis was likely to stir up religious and ethnic tensions, the European Court of Human Rights saw no reason why a group of believers should not be able to elect their own leaders.<sup>27</sup> The state's dealings with the Muslim community have a political resonance which makes seemingly rational solutions problematic and this has led the UN Rapporteur on Religious Intolerance to point out that the state's treatment of Muslims in Thrace should not be subordinate to considerations concerning Turkey.<sup>28</sup> Problems persist, however, not just in Thrace but also in metropolitan Athens, which has acquired a larger Muslim population in recent years and where intense debates have arisen over the building and location of a mosque to meet their needs.<sup>29</sup> In addition to these more formal difficulties, the Muslim community has to face occasional assaults from activists, who daub anti-Islamic slogans on its buildings, and occasional anti-Islamic outbursts from Orthodox radicals. Insults do not always come from fringe actors, but from the Orthodox hierarchy, as in Western Thrace where in 1993 Orthodox leaders offered special payments to Greek families in the region who had a third child in order 'to fight the area's major demographic problem'.<sup>30</sup> In the face of such actions, the public affability of the first meeting between the head of the Orthodox Church and the leadership of the Thrace Muslims in September 1999 should not perhaps be taken at face value.<sup>31</sup>

## Bulgaria: In Search of an Identity

### *An Orthodox Nation?*

Orthodoxy came to Bulgaria in the ninth century when Boris I accepted the faith and imposed it on his subjects. At first dependent upon Byzantium, Bulgaria fell under the ecclesiastical leadership of the ecumenical patriarch in Istanbul during the Ottoman period. The achievement of Bulgarian independence in 1878 proved something of a mixed blessing, for as in Greece, the new leaders sought to ensure that the church served the interests of the new political elites.<sup>32</sup> Communist rule brought new problems as several Orthodox leaders were murdered and many hundreds of priests sentenced to lengthy terms in labour camps. In response, surviving hierarchs opted for compromise with the regime, an attitude symbolised by the leadership styles of Kirill of Plovdiv, appointed patriarch in 1953, and his successor Maksim, appointed in 1971. Even as the system crumbled in 1989 the Orthodox Synod was able to make a public proclamation of its faith in socialism and declare that religious freedom was available to all in Bulgaria. With the collapse of the communist system came

growing public criticism of the Orthodox leadership for its past compromises and very quickly there developed a schism within the church. The subsequent struggle for influence between two rival synods rapidly descended into farce as words led to unseemly fisticuffs and occupations of competing institutions. Not until the autumn of 1998 did it appear that a pan-Orthodox Council had resolved the issue, but even then the schism persisted and continued to undermine the attempts of the Orthodox Church to revive its influence.<sup>33</sup>

For all this the Bulgarian Orthodox Church retained a legal and constitutional ‘recognition’ dating back to the Turnovo Constitution of 1878 which recognised Orthodoxy as the ‘prevailing religion’. Under the 1949 communist-era Denominations Act – still partially in force in mid-2001 – the Orthodox Church was referred to a ‘the traditional religious denomination of the Bulgarian nation’, which as such was a ‘national, democratic church in structure, character and spirit’.<sup>34</sup> When the ruling Bulgarian Socialist Party set about adopting a postcommunist constitution in early 1991 the church was struggling to heal its own divisions and made little contribution to the brief debate. Nonetheless, Article 13 did at least give it some recognition in stating that ‘Eastern Orthodox Christianity in considered the traditional religion in the Republic of Bulgaria’.<sup>35</sup>

Whilst the early measures promoted by the post-1989 government did little to give the Orthodox formal privilege, it is probably also true to say that in this period the church gained fewer *de facto* advantages than in some other postcommunist states. True, black-robed priests became a more common sight at public and state gatherings, and new institutions and buildings were often the object of clerical blessings. In the media, however, press coverage was a mixed blessing, with many of the papers emerging in the early 1990s finding it hard to resist exploring the church’s past relationship with the old regime or focusing on the divisions and scandals besetting the institution through most of the decade. The one other area where it did appear that the Orthodox Church might acquire some privileges was in the field of religious education. In April 1993 deputy Stefan Stefanov of the Union of Democratic Forces (UDF) introduced a bill to replace the 1949 Denominations Act which, amongst other things, would have ensured that only Orthodoxy could be discussed in schools or the media.<sup>36</sup> By 1997 religious education had been introduced into schools at the request of parents, with the formal possibility for non-Orthodox to gain teaching in their own traditions, but as most schools had few representatives of minorities it was hard to see how this might be realised in practice.<sup>37</sup> Many Protestants took the view that if they excluded their children from religion classes this would subject them to unacceptable pressures from their peers. The situation appears to have been less problematic in the Muslim areas. In most cases the minority populations were concentrated in specific areas and thus sufficient teachers could be found, and in early 2000 the government introduced elective classes in Islam in elementary schools in 22 cities with large Muslim populations.<sup>38</sup>

Until the late 1990s the search for a formal recognition of a special status by or for the Orthodox Church was less evident in Bulgaria than in Greece and other transitional societies. In the Bulgarian case the all-too-recent history of subservience and lack of resistance to the old regime weakened the church’s moral case for recognition. Equally important was the institutional weakness of a church which, despite its claims to be national, found its priests outnumbered by Protestant pastors – some figures suggest a total of around 700 active priests to over 1000 pastors.<sup>39</sup> Unlike its Russian counterpart, the Bulgarian Orthodox Church lacked any significant degree of public confidence. Where opinion polls in the aftermath of communist collapse

suggested that around two-thirds or more of the population had confidence in the Russian Orthodox Church, the corresponding figure in a 1992 survey in Bulgaria was only 38 per cent.<sup>40</sup> Despite this, by the end of the 1990s there were a few signs that elements within the church and the political elite might seek to strengthen the formal position of the Orthodox establishment. This was particularly apparent in three draft laws on religion circulating in the summer of 1999. The one proposed by several UDF deputies and reportedly drafted by the Directorate of Religious Affairs reaffirmed the equality of all before the law but in practice offered the Orthodox Church a special status. According to Article 8 of this proposed legislation '(i) Eastern Orthodoxy is the traditional religious denomination of the Bulgarian nation. Its mouthpiece and its only representative is the Bulgarian Orthodox Church. (ii) State institutions shall support and pay special attention to Eastern Orthodoxy as the traditional religious denomination of the Bulgarian nation.' A supplementary clause gave the Bulgarian Orthodox Church the sole right to produce and sell church accessories and candles at prices set by the Holy Synod, a provision which might affect many other religious communities. The most radical draft was put forward by the nationalist Internal Macedonian Revolutionary Party (IMRO), which suggested that religious groups be divided into three categories. Under this scheme, Orthodoxy would be the state religion, followed by all those groups existing in Bulgaria prior to 1944 and, finally, all those registered since 1989 which would face a series of restrictive regulations severely limiting their rights.<sup>41</sup> For religious minorities all the versions were inadequate insofar as they offered symbolic and actual privileges to the Orthodox Church and entailed the restriction of minority rights. Whilst the minorities did not necessarily have an objection to a description of the majority church as 'traditional' they did oppose any reference to a church of the nation with its implication that those who did not belong were somehow not really Bulgarians. They also feared that a law resembling any of the three drafts under consideration might create the conditions for the reemergence of some of the problems which they faced during the middle of the 1990s and which we outline below.

### *Restricting Minority Rights*

The Bulgaria which broke with the communist system in 1989 contained a number of religious minorities, the largest of which was the Muslim population, representing 12 per cent of the population. In the census of 1992 a question was asked about 'traditional religious adherence' and this recorded 85 per cent of the population as Orthodox and around one per cent in total from the other Christian communities. Orthodox strength was doubtless overstated as those with no belief were automatically assigned to the 'Orthodox' category. Of the non-Muslim minorities the largest group were the Catholics (both Latin- and Eastern-Rite) numbering perhaps 70,000, the various Protestant groups (including Pentecostals, Baptists, Methodists and Adventists) numbering perhaps 30,000, around 5000 Jews, and several thousand Jehovah's Witnesses.<sup>42</sup> With the advent of political and religious pluralism many of the existing Protestant groups were able to revitalise their activities and gain some converts. More importantly, from the viewpoint of the media and to some extent of the public, they were joined by, and often confused with, a vast array of preachers and organisations coming from the outside world to sell their spiritual wares. Thus a report produced by the Centre for Ethnic Conflicts and Regional Security at the beginning of 1996 pointed out that in Sofia alone there were some 250–300 active evangelists, with many more in other parts of the country. Leaving aside those

connected to the existing Protestant groups, these included a wide variety of ‘wealth and prosperity’ Pentecostals, the Word of Life movement, members of the Unification Church, Mormons, Baha’is, the Family, Hare Krishnas and others. In addition the report pointed to, or alleged, the growth of Islamic organisations of a ‘fundamentalist’ inclination.<sup>43</sup> Numerically all these groups remained small, but this did not prevent the emergence of an often virulent and generally misinformed wave of media attacks on ‘nontraditional’ religions during the mid-1990s, an assault often joined by politicians of a nationalist persuasion.

During the 1990s the life of religious organisations was regulated by a variety of legal documents and institutions.<sup>44</sup> Article 37 of the Constitution adopted in 1991 guaranteed religious freedom to all. There was also a clause suggesting that religious freedom could be curtailed under certain circumstances – for example, if it threatened an undefined concept of national security – but broadly speaking the text assigned the state no role in defining the philosophical or religious beliefs of its citizens.<sup>45</sup> On a daily basis the life of religious communities was, however, subject to a series of other regulatory acts, some pre-dating the new political system and others emerging in the early 1990s.

At the centre of these was the 1949 Denominations Act, which remained in force throughout the decade despite several attempts to replace it. This act required that all religious denominations or churches register with the Council of Ministers, whilst their local communities registered with regional or municipal administrations, and included a wide variety of restrictions on the life of religious communities. For example, it prohibited religious work amongst children and young people, and severely limited the activities of groups whose religious centre was outside Bulgaria – a provision specifically aimed at the Catholics. It also granted the government’s Directorate for Religious Affairs considerable powers to interfere in and control the life of religious communities. Some aspects of the act were undermined by a Constitutional Court decision of June 1992 which sought to bring its interpretation into line with international agreements. Soon after this the president tried unsuccessfully to persuade the Court to scrap the whole act. In 1995, however, the Court did state that certain articles were indeed unconstitutional, including Article 12, which gave the state the right to dismiss priests.<sup>46</sup> In the wake of the press campaign against ‘sects’ which gathered pace during 1993 parliament also amended the existing Law on Persons and the Family. Under the version approved on 3 February 1994 a new article 133-A was introduced which read: ‘Juridical persons with a non-profit purpose, performing activities connected with religious faith or dealing with religion and religious education, should be registered according to conditions here mentioned after the approval of the Council of Ministers.’

A further provision required the reregistration of all such existing organisations within a three-month period. Following this the government set up a special commission under the leadership of the head of the Directorate of Religious Affairs to supervise the activities of religious organisations and to oversee the reregistration process. In the past registration under this act had been preferred to recognition under the Denominations Act for it did not place religious organisations under the control of the government. As a result of this amendment a number of organisations were deprived of their registration and local authorities often used the act as a pretext for harassing minority groups they disliked. Though a formal appeals procedure was envisaged, during the mid-1990s many felt unwilling to protest publicly at a time when the media were attempting to stir up mass anger at ‘sect’ activity.<sup>47</sup>

In practice, during the mid-1990s the legal and political context created specific

difficulties relating to the question of registration, the opening of places of worship, the disruption of meetings, discrimination in the workplace, media assaults on the integrity of minorities and the question of conscientious objection. On the question of registration many groups have faced difficulties stemming from the requirement to reregister under the 1994 amendment of the Law on Persons and the Family. In particular problems have arisen over Article 133-A's failure to define what are activities of a 'religious or related' nature and the lack of clarity over the procedures to be followed by those applying for registration. In consequence, whilst some 30 denominations and 22 associations have been reregistered, another 20 or so have been denied registration on the grounds that their statutes infringe Bulgarian law. These include the White Brotherhood, various Pentecostal groups, the Jehovah's Witnesses and Gideon's International (they regained registration in 1997).<sup>48</sup> In many cases, the denial of registration appears to rely on spurious arguments. Thus the Swedish-based 'Word of Life' movement had its loss of registration confirmed by the Supreme Court on the grounds that its beliefs were 'vague'.<sup>49</sup> In the Plovdiv region local authorities deprived a Pentecostal community of registration after it changed its name, though the group concerned had been legally recognised since 1935 and had over 1000 members.<sup>50</sup>

In this sphere the Jehovah's Witnesses have faced particular problems, being denied registration in 1994 though present in the country for a century or more. Official objections have been couched in terms of their refusal to undertake military service, whilst their resistance to blood transfusions has been said to represent a threat to public health. There have also been frequent charges in the more sensationalist media that Witnesses engaged in the kidnapping of children. As early as 1995 the Jehovah's Witnesses took their position to the European Court of Human Rights, which ruled that they had a case, and this led the government to settle the issue, as well as that relating to the registration of a number of Protestant organisations. In 1998 the Witnesses were officially registered with the Council of Ministers, but at the local level they have continued to face many problems with at least one local mayor publicly expressing his unhappiness at the government's decision to recognise them.<sup>51</sup>

Closely related to the problem of registration is the issue of opening church buildings, a process very much dependent upon the attitude of local authorities. Most minority groups, and not just the more controversial ones, have faced official obstructionism at one time or another. Thus Baptists, Adventists, Pentecostals and Methodists, some having a presence in Bulgaria dating to the nineteenth century and all pre-dating the Denominations Act, have all on occasion faced difficulties in building or developing their premises. The Baptist headquarters in Sofia faced difficulties in the mid-1990s when the local authorities threatened to confiscate land which had already been partially developed as a school, orphanage and church complex. The argument voiced by local administrators turned on the proximity of the centre to a school and the project was delayed for several years until, perhaps under the pressure of the central government as well as the threat of legal action, the city authorities relented.<sup>52</sup> There have also been extensive inconsistencies in relation to church property confiscated under the communist system. For example a law on the restitution of Catholic properties was passed as early as December 1992. Yet at least half the property claimed is yet to be returned and there have been cases where the Catholics have had to pay taxes on buildings formally restored to them but in fact still used by other agencies.<sup>53</sup>

Alongside obstructionism several minority groups have faced persistent disruption

of their activities, sometimes in ways that clearly contravene the articles of the Penal Code cited earlier. In many cases during the mid-1990s attacks were incited by representatives of small nationalist organisations such as the Bulgarian National Radical Party or the Internal Macedonian Revolutionary Organisation (IMRO), but on occasion representatives of the local police or security services were involved. During the course of 1997 police officials were responsible for the arrest of numerous Jehovah's Witnesses distributing literature, beat up several Adventist evangelists, raided alleged Muslim fundamentalist study groups and were used by local authorities to 'protect' those demonstrating against the 'sects'. During May 1998 police in Burgas and Kyustendil broke up Jehovah's Witnesses meetings in private apartments and fined those involved.<sup>54</sup> Such problems were especially acute where IMRO was well organised, as in the Plovdiv region where their members sought to prevent the registration of Pentecostal communities and where they disrupted several services.<sup>55</sup> Though such cases could be seen as the work of extremists, the frequency with which they affected religious minorities in some areas during the mid-1990s and the lack of serious official response suggest that the authorities are unwilling or unable to deal with discrimination. Moreover, harassment was not always the product of nationalist agitation, for there were repeated cases in 1999 and 2000 when the police were involved in breaking up Mormon meetings or fining Jehovah's Witnesses for holding meetings without having official permissions.<sup>56</sup>

There were also continued reports during the mid-1990s of discrimination against members of religious minorities. On several occasions mothers were denied parental rights over their children on the grounds that the group to which they belonged represented a danger to the infants. In February 1995 the Supreme Court upheld a lower court decision against a woman who belonged to the 'Warriors of Christ' on the grounds that her 'behaviour threatened the interests of the child', though the decision made no reference to whether she was a good mother or not. Another case to attract some legal attention was that of two would-be students at the Sofia University Theological Faculty. Both had been refused entry, one for not showing his Orthodox baptismal certificate and the second for showing one issued by the Bulgarian Church of God, a Pentecostal group. In court, their lawyer argued that since this was a state institution religious tests were inappropriate and with some qualifications the judge did accept their case. Yet after the event the university reportedly changed its rules so as to allow their exclusion.<sup>57</sup>

A further issue which has disproportionately affected religious minorities has been the question of conscientious objection, with several Jehovah's Witnesses subject to imprisonment in the years after 1993. Under the communist regime there was no provision for alternative service and for most of the 1990s refusal to take an oath to the flag remained a criminal offence.<sup>58</sup> During the course of 1997, however, a draft law on alternative military service was under discussion, which enabled conscientious objectors to undertake unarmed service, though this law was still deemed inadequate by many. In particular, it appeared to restrict the grounds for objection to religious beliefs alone, defined annual quotas for such alternative service and provided that alternative service would be twice as long as military service.<sup>59</sup> This law was confirmed by the National Assembly at the end of October 1998, though its provisions appear not to have altered the fate of those imprisoned prior to its approval, and the one religious prisoner still detained in Bulgaria in early 1999 was a conscientious objector from the Jehovah's Witnesses.<sup>60</sup>

For the Muslim community the collapse of communism brought an end to attempts

at enforced assimilation and, despite state interference in the affairs of the religious leadership, an opportunity to rebuild their religious life. Though perhaps only around 15 per cent of the population regularly involved themselves in religious practices, attempts were made to familiarise the younger generation with the tenets of Islam. One consequence of this, however, was a growing fear on the part of the state that the increasingly active Islamic teaching fraternity would encourage a growth of 'fundamentalism' amongst Bulgarian Muslims.<sup>61</sup> This fear led to growing pressure on Islamicists from the police who utilised national security fears to justify breaking up study circles and Muslim schools. For example, in July 1999 Daruish al-Narif was expelled from the country for teaching Islam to underage children in the town of Smolyan, despite the fact that his activity had the approval of the Bulgarian muftiate and that, though stateless, he had two children with Bulgarian citizenship. In early 2000 another six Islamic preachers were expelled from the Shumen region for preaching without a permit from the Directorate of Religious Affairs, though the permit requirement of the 1949 Denominations Act had been invalidated by the 1992 Constitutional Court judgment.<sup>62</sup>

In addition to these legal and semi-legal infringements of minority group rights, religious communities in the mid-1990s often faced a virulent media and political campaign which reinforced negative public images of their activities. From 1993 onwards numerous articles denounced the foreign sects making inroads into the country; they were alleged to bribe officials, buy converts, corrupt the young and destroy families. This campaign reached such a pitch that even leaders of the more established Protestant communities, who generally preferred a low political profile, began to protest publicly.<sup>63</sup> Such articles became ever more lurid in their descriptions of 'sectarian' activities, accusing them of kidnapping, drug trafficking, causing suicides and sexual deviance. This seemingly concerted media campaign died away after the UDF election victory in 1997, though antisect articles continued to appear on a more occasional basis, generally accompanied by a 'something needs to be done' message. Towards the end of 1997 the government proposed a new law on religion, the *declared* aim of which would be to bring order into this sphere. Early versions of this law failed to satisfy human rights commentators who noted that it continued to assume a government right to control religious life and proposed restrictive requirements for the legal recognition of religious groups.<sup>64</sup> Pressure also came from other sources, with the Sofia city council in early 1999 adopting new restrictions on the activities of religious groups. These were criticised by minority representatives, with the Bulgarian Evangelical Alliance expressing unease about the wording of clauses on the participation of children under 16 in religious services and the advertising of religious events, whilst the Catholics were wary of a proposal that only Bulgarian citizens could preach in Sofia.<sup>65</sup>

In July 1999 several deputies from the ruling UDF placed a draft law on religion before the National Assembly. At a meeting held on 18 July 40 representatives of minority religious communities rejected this draft, broadly supporting the critique offered by human rights groups. Commenting on this text the Bulgarian Tolerance Foundation noted that whilst the text had some positive features which enhanced religious liberty, there remained major deficiencies. In particular, they criticised the continuing discretion given to central and state authorities in interpreting the law and the special privileges given to the Orthodox Church.<sup>66</sup> American legal expert Cole Durham also pointed out the dangers of the politicisation of registration decisions likely to stem from the failure to grant the final decision to the courts.<sup>67</sup>

In response to this document the Tolerance Foundation and the Bulgarian Helsinki

Committee commissioned Plamen Bogoev, a former legal adviser to President Zhelev, to draw up a new and much simpler draft law which laid the foundations for what they saw as a genuine realisation of religious freedom. This relatively brief text promised religious equality to all, prohibited the state from privileging any religion, and made the registration of religious communities simply a process of recognition requiring minimal bureaucratic procedures. It also denied the state any right to intervene in the daily life of religious communities, banned religious groups from supporting political parties, and elaborated a broad range of rights for all religious communities in the country. These included the right to create educational institutions, carry out charitable work, have equal access to the state media and receive tax-free donations. At the same time the draft proposed to replace the Denominations Act and Article 133-A of the Law on Persons and the Family. This text was proposed in parliament by several deputies from the opposition Union for National Rescue but was swiftly turned down by the parliamentary commission on human rights and religion, whose chairman Ivan Sungarsky (the son of an Orthodox priest) has been unrelenting in expressing hostility to minority religious communities.<sup>68</sup>

As noted earlier, in early February 2000 three drafts were put before the National Assembly, given their first reading and then sent to a special committee for harmonisation. For those opposed to the drafts this was a disappointing decision, not simply because of the content of the three texts, which all shared the failings outlined above, but also because in the period since July 1999 there had been no serious consultation with minority religious groups.<sup>69</sup> During May 2000 the parliamentary committee began to go through the laws clause by clause, but around the same time a new draft was put forward by a group of experts drawn together by the Turkish-based Movement for Rights and Freedoms. This followed the Bogoev version in offering brevity and a focus on permissiveness rather than restriction.<sup>70</sup> In September the final version of the law prepared by the committee became available and in the following month was submitted to parliament for approval. According to human rights activists and religious minorities this version represented only a marginal improvement on the earlier drafts.<sup>71</sup> The outcome of this debate remains in doubt at the time of writing, but much may depend upon political struggles between those keen to assert Bulgarian distinctiveness and those keen to meet the human rights requirements of European Union membership and integration into a democratic Europe. Should the law be approved in its current wording the extent to which inadequate wording results in the restriction or otherwise of religious liberty remains to be seen.

### **Justifying Religious Privilege and Discrimination**

Many churchmen and politicians in Bulgaria and Greece would deny that the formal 'recognition' of the national church represents anything other than noting a socio-logical reality and would disagree with suggestions that there is any real discrimination against minorities. At the same time public discourse on these issues does tend to justify differential treatment of religious groups, though it is not always religious leaders who are at the forefront of such debates. In both these countries the promotion of a national religious community and denigration of minorities have been taken up by nationalist politicians in the context of wider debates over identity. In postcommunist Bulgaria these themes have been adopted by former communists keen to assert their commitment to the national ideal and by bureaucratic agencies accustomed to treating social phenomena as something to be controlled. As else-

where in Europe, the media have always found it hard to resist the world of unknown religious communities accused of performing strange rites and acts, or of preying on the vulnerable. In these debates a number of emphases repeatedly surface, focusing on the need to protect society from extreme sects and the needs of nation-building or national preservation.

#### *Moral Guardianship and the 'Invasion of the Sects'*

These are overlapping lines of argument, emphasising the role that the traditional churches might be able to play in the transmission of moral values and in the protection of the population from some of the more dangerous consequences of pluralism. To do this more effectively, it is suggested, the national church – in the postcommunist cases, weakened by decades of antireligious assaults – needs some form of 'protection' and, possibly, some limitation on the rights of competitors. Here the argument is that during the transition period the national churches are weak thanks to past atheistic policies (in the postcommunist cases) or the impact of 'modernisation' (Greece). At the same time the population is disoriented and vulnerable, inclined to fall prey to the blandishments of well-funded and organised religious groups from the outside world. Some of these debates came together in Greece, a country which is still not fully comfortable with its membership of the European Union and the implications this may have for its own distinctive cultural traditions. In the words of a 1990 encyclical issued by the archbishop of Athens:

It is not at all an exaggeration to say that from the time of the establishment of the Greek state in 1839, at no time has our nation faced a more serious crisis than today. Our problem is not located only in our weak economy ... our problem is spiritual, ethical and cultural. Our entry to the new world of a United Europe is connected with the agony and struggle for the safeguarding of our national, cultural and especially our spiritual and religious continuity. ... Various propagandas from East and West flood our country and create tragic victims amongst those who have no foundation in the faith and tradition of our fathers.<sup>72</sup>

In such conditions the new religious movements are seen to be taking advantage of a population which is highly susceptible to new ideologies because of the rapid social changes taking place in the wider society.

In Bulgaria, Romania and many of the former communist countries frequent contrasts are made between the situation of the national churches and that of religious organisations supported by or coming from the outside world. The former have reduced institutional structures, a poorly educated clergy and a shortage of material resources, and their primary task in the short term appears to be one of rebuilding. Against them, so it seems,<sup>73</sup> are pitted wealthy foreign missionary organisations which can mount huge evangelistic campaigns, afford large amounts of publicity and media time and offer 'inducements' of various sorts to those who join their communities. The question of the harm, real and imagined, caused to church and society alike by the activities of religious 'sects' or 'cults' has allowed churchmen to appeal more readily to popular opinion and policy makers. Throughout much of Europe considerable concern has been expressed in recent years about the activities of 'totalitarian' or 'destructive' cults,<sup>74</sup> and such concerns have been magnified in former communist countries where many of the religious movements concerned were poorly known prior to 1989. Leaving aside political manipulation of

the issue, there are also genuine fears and anxieties expressed by friends and families when their members join religious groups about which they know little. Yet it remains the case that the terms ‘destructive’, ‘totalitarian’, ‘cult’ and ‘sect’ are used very loosely in this debate and often selectively. Thus whilst many Orthodox might be happy to dismiss Baptists as ‘sectarian’ the latter in turn will use the same terminology when referring to Jehovah’s Witnesses or Mormons.

In Bulgaria the argument developed by politicians and the media has often taken an emotive and sensationalist style which exaggerates the problem and sometimes utilises it to justify attacks on almost any religious minority. All too frequently the rhetoric has stepped into fantasyland, as in the case of the Bulgarian parliamentary deputy who stated that: ‘... sects ruin the character, they brainwash, destroy the mind, and break up the values of the Bulgarians. ... The awful calamity is that along with many of the sects and behind the cover of faith come drugs, organised crime, terrorist groups and money laundering.’ Not one of the latter charges was accompanied by serious evidence and the words might be dismissed as the ravings of a fanatic had they not come from the mouth of the chairman of the parliamentary commission on religion and human rights.<sup>75</sup> In equally extravagant vein Bulgarian press articles have spoken of politicians ‘retained’ by the sects and forced to defend them, or have described charismatic preachers as ‘soul bastards ... turning our children into Janissaries’<sup>76</sup> – an image which might strike both antisectarian and anti-Islamic chords amongst the population. At the heart of this discussion is the assumption that it is healthier for church, state and society if the dominant or mainstream religion is given support and encouragement, and ‘sects’ or ‘cults’ are actively discouraged or constrained in their ability to organise.

#### *Nationalism and ‘Doing it Our Way’*

Arguments about the need to protect the national church and possibly to restrict the rights of the minorities are often couched in terms of the needs of nation-building and national self-preservation. It is stressed that this is the church of the nation and of the majority, though how this majority is defined is not unproblematic. Whilst it is true that in Bulgaria and Greece the majority would identify themselves as ‘Orthodox’, this bears little relationship to actual participation in religious activities. In Bulgaria most surveys show that perhaps 3–5 per cent of the population attend any religious service on a regular basis and one survey has suggested that in times of trouble only 3 per cent turn to God and only 0.7 per cent turn to a priest.<sup>77</sup> At the same time, of those who do regularly attend religious worship in Bulgaria it is not entirely clear that even half are visiting Orthodox places of worship. In Greece too, though the church is socially more deeply embedded than in Bulgaria, perhaps the same percentage of the population are ‘regular attenders’.<sup>78</sup> Public opinion surveys dealing with the Orthodox Church often produce ambiguous results. One such poll demonstrated that whilst two-thirds felt the link between nation and religion to be important, amongst urban Greeks respect for the institution itself was declining. Many operated a ‘pick and mix’ approach in responding to its teachings on morality and sexual matters, and perhaps as many as half the urban population supported a formal separation of church and state.<sup>79</sup> It might be argued that this focus on membership or attendance is a rather Protestant way of looking at belief, which ignores the cultural dimension, but does raise questions about majoritarian defences of privilege or restriction.

Nonetheless, there is clearly an argument made that the historical connection of

religion and nation overrides considerations of participation or the personal religious commitments of nationalist politicians who defend the traditional churches. For former Greek president Konstantin Karamanlis the nation and Orthodoxy 'had become in the Greek consciousness virtually synonymous concepts which together constitute our Hellenic–Christian civilisation'. In 1989 the prime minister, Mitosakis, stressed that whilst Greece respected the rights of all, '*Orthodoxia* ... constitutes the support of the nation'. Even the sceptical PASOK leader Andreas Papandreou was not above appropriating Orthodox symbols and language, as when he declared the Virgin Mary patron of the armed forces or sought religious recognition of his second marriage.<sup>80</sup> Article 25 of the 1975 Constitution points to the state's right to ensure that all citizens 'shall fulfil the duty of social and national solidarity'. This is a form of words which, according to Pollis, assumes a transcendent, holistic notion of Greek identity in which Orthodoxy plays a vital role, but it might also be taken to imply that only those who belong to the religious ethnos are entitled to rights.<sup>81</sup>

These arguments emphasise the protection of the national church as part of a wider process of nation-building, but on occasion they are reinforced by hostility to the outside world and even a xenophobic reaction to religious traditions seen as 'foreign' to the country. Such feelings were vehemently expressed at demonstrations by nationalist movements protesting against the activities of foreign evangelists in Russia, Bulgaria and Romania during the 1990s. At a Pentecostal conference in Sofia in the middle of the decade a group of Orthodox theological students denounced the 'arrogant aliens' who had nothing in common with Bulgarian traditions but presumed to bring their message across the Atlantic. According to other demonstrators from the Internal Macedonian Revolutionary Organisation 'We wanted to demonstrate that we belong to an ages-old civilisation and culture, with its own history of struggle and suffering in establishing its identity. ... We wanted to remind people across the Atlantic that they must conform to certain phenomena of the Bulgarian historical and political reality.'<sup>82</sup> Commentators in Bulgaria also quite legitimately rejected the views of outside critics who appeared to suggest that an American-style 'wall of separation' was the only model of church–state relations available to democratising states.

Their rejection of such views was part of a broader reaction to the perceived dominance of a liberal ethos which appeared to accompany liberalisation and the attempt to relegate religion to the private sphere. Konstantinos Skouteris, professor of church history at Athens University, argued that the Western European experience since the Renaissance had been characterised by a loss of awareness of the proper human relationship to the world around, tending to create a situation in which humanity viewed the cosmos as a possession. At the same time the impact of the last 500 years had destroyed any sense of community in Europe and created an undue emphasis on the individual pursuing his or her own rights regardless of context and consequences.<sup>83</sup> In Greece these arguments were increasingly tied into controversies over the country's role in the European Union. Whilst opinion polls in Greece during the 1990s showed a high degree of support for European integration, many suspected that this support was based on the hope of material benefit rather than on feelings of loyalty or sympathy for the EU. At the same time many conservative forces in Greek society remained suspicious of the possible consequences of such processes for national identity and the Greek way of life. From 1998 onwards this concern was articulately expressed through the speeches and addresses of the newly-appointed archbishop of Athens, Christodoulos. Even before his selection Christodoulos had pointed to the danger of 'subservient rulers sacrificing to the Moloch of European-

isation our native heritage, who lead us perilously into European channels and rabidly strike at the two remained fortresses left standing: church and family'.<sup>84</sup>

In May 2000 these arguments hit the political mainstream when the government announced its intention to implement a 1997 law which would have removed the question about religious identity from identity cards. Playing on the fact that the church had not been consulted, the archbishop, who knew how to handle the media, launched an offensive and pointed to surveys which showed that over half the population supported the retention of the religious question. Though some tried to calm the debate, hostile exchanges between church and government spokesmen pointed to major differences of understanding over the question of Greek identity. For Christodoulos this issue represented the thin end of the wedge, a first step in the campaign to marginalise the church in public life. Whilst he claimed to have no problems with involvement in Europe, the archbishop warned of the potential dangers ahead, for though

Europe may eventually fill our pockets, it may also empty our souls. We must struggle for this not to happen because, if it does, it will lead our country into decline and deterioration. We are at the heart of Europe. ... We are first Orthodox Christians and then Europeans. First comes the national identity, then come all the others.

Addressing a rally of 100,000 in mid-June, he stressed that europeanisation was part of a wider process of globalisation, which though having positive effects might also lead to the levelling of cultures.<sup>85</sup>

In the Greek context churchmen and politicians alike have tended to see the role of the Orthodox Church as more than simply meeting people's religious needs and therefore protection of that church as in some sense central to the wellbeing of the nation. This has led secular critics to suggest that the revival of religion in the country during recent years has had nothing to do with spirituality and everything to do with nationalism and what George Mavrogordatas calls a 'nation in danger mentality'.<sup>86</sup> This is why the emphasis of church spokesmen has increasingly been on the fact that threats to Orthodoxy represent threats to the nation. Thus the Synod has argued in one document on the sects that they are dangerous because their activities aim 'at the fading away of the national consciousness of their victims. This is why the matter is mainly a concern of the State, and not of the Church.'<sup>87</sup> This defensive or protective nationalism has also been strongly apparent in Greek and indeed Bulgarian attitudes towards Turkic or Muslim minorities whose demographic patterns are seen as threatening the integrity of the Orthodox nation.

## **Conclusion**

Though these two countries share an Orthodox heritage their recent political experience has been very different. Nonetheless, since their transition towards democratic governance both have struggled to develop regulatory regimes which provide full guarantees of religious freedom and in Greece the Orthodox Church has held on to most of the privileges it enjoyed when the authoritarian regime of 1967–74 was overthrown. Liberalisation in Greece formed part of the 'third wave' of democratisation which affected Southern Europe in the mid-1970s, whilst developments in Bulgaria were part of what might be called the 'fourth wave' affecting the communist world in the late 1980s and early 1990s.

Yet an examination of political responses to religious issues reveals clear

differences within each region. For example, in both Spain and Poland the dominant Catholic churches did seek some degree of constitutional recognition, but unlike the situation in Greece and Bulgaria this was not accompanied by serious efforts to restrict the rights of religious minorities. Explaining these differences as well as developments within the two countries surveyed here is not a straightforward matter. Accounts rooted in secularisation and modernisation approaches might point to the levels of socio-economic development as helping to explain differential responses to religious pluralism within similar regions. Within Southern Europe Greece is less ‘modern’ than Spain, and in the former communist world Bulgaria is far below Poland on most indices of modernisation. Hence one might expect poorer, less educated populations in nations where questions of identity and belonging are still important to be less open to the new pluralistic trends created by the opening up of these societies.

‘Rational choice’ approaches to religious studies might want to look more closely at the relationship between the levels of competition in these societies and the evolving regulatory regimes. Here there is something of a circular argument suggesting on the one hand that liberal regulatory policies allow competition to develop and flourish, whilst on the other suggesting that high levels of competition are likely to lead to liberal administrative policies in relation to religion. In our cases the situation is more complex, as in both the countries we have looked at there is a predominant national church to which the vast majority of the population profess allegiance. Yet the situation in the two countries varies considerably, for whilst few regularly attend Orthodox services in either, the Orthodox Church is much more deeply embedded in the fabric of society in Greece than in Bulgaria. Equally the levels of competition vary, with no serious numerical ‘threat’ to Orthodox hegemony in Greece but the number of practising ‘sectarians’ much higher in Bulgaria and the number of non-Orthodox religious personnel easily outnumbering those serving the traditional religious community.

A third approach might focus on questions of identity and belonging, for in both cases the arguments about the role of the national and minority religions form part of a wider discourse about what it means to belong to the nation. Here there are some similarities to countries such as Spain and Poland where identity is sometimes defined in terms of Catholic belonging, but in both these countries there is a much higher degree of national self-confidence and thus perhaps less need to ‘fear’ the activities of religious minorities.<sup>88</sup> Much of the rhetoric used in Greek and Bulgarian debates is framed in terms of the ‘nation in danger’ and of ‘threats’ posed to the nation by ‘sects’ – or by demographic developments amongst their Turkic populations. We might also focus on religious difference, as do some of those promoting the interests of national churches, though we should avoid slipping into a deterministic ‘clash of civilisations’-style argument. Here the focus might be on developments within the religious traditions, with the Catholic Church in Spain and Poland unlikely or unable to seek the restriction of minorities’ rights given the commitment of the international church to human rights for all. Conversely, the Orthodox Church, having had no comparable reform movements and a strong tradition of close ties to those in power, has no ideological ‘interest’ in promoting religious pluralism. Although, as Alfred Stepan and others have reminded us,<sup>89</sup> most religious traditions are multivocal when it comes to ideas about democracy and pluralism, at any single point in time the dominant voices within that tradition may choose to opt for or against pluralistic understandings of political development. For that reason, it might be argued, religious tradition does help to explain why an

acceptance of religious pluralism has proved harder to develop, and provide legal guarantees for, in European countries with an Orthodox tradition. Less clear is whether one can move beyond correlation to causation, for within their respective regions our countries score below average on most indices of ‘modernisation’ and both are countries where questions of ‘belonging’ and ‘identity’ are still under discussion. What is striking, however, is the fact that despite their differing political backgrounds, the discourses about the role of religion in public life and about the rights of minorities in these countries utilise very similar types of arguments.

## Notes and References

- <sup>1</sup> This article draws heavily on my forthcoming book *The Politics of Religious Liberty: Defining the Place of Religion in Transitional Societies*, where some of the issues raised here are explored in greater detail in relation both to Greece and Bulgaria and to other transitional societies. I am grateful to the Becket Institute at St Hugh’s College, Oxford, for giving me the chance to work on this project and to the Carnegie Trust for the Universities of Scotland for providing me with the funds to visit Greece and Bulgaria. In addition to the interviewees cited here I am grateful to several Orthodox priests and laypeople who spoke to me on a more informal basis during this visit.
- <sup>2</sup> This is a paraphrase of comments made in various speeches by Christodoulos, archbishop of Athens, during 1998–2000.
- <sup>3</sup> For a general survey see C. Frazee, ‘Church and state in Greece’, in J.T. Koumolides (ed.), *Greece in Transition: Essays on Modern Greek History, 1821–1974* (Zeno, London, 1977), pp. 128–44; Theofanis G. Stavrou, ‘The Orthodox Church of Greece’, in P. Ramet (ed.), *Eastern Christianity and Politics in the Twentieth Century* (Duke University Press, Durham, 1988), pp. 183–207.
- <sup>4</sup> Text at <http://www.hri.org/MFA/syntagma/artcl125.html#P1>.
- <sup>5</sup> For a general discussion of the constitutional provisions see K. Boyle and J. Sheen (eds), *Freedom of Religion and Belief* (Routledge, London, 1997), pp. 332–34.
- <sup>6</sup> This argument persists and was made to me by Vasilios Feidas, professor of Canon Law at Athens University. Interview in Athens, May 2000.
- <sup>7</sup> A. Pollis, ‘Greek national identity: religious minorities, rights and European norms’, *Journal of Modern Greek Studies*, vol. 10, no. 2, 1992, p. 181.
- <sup>8</sup> *Report of the UN Special Rapporteur on Religious Tolerance*, 7 November 1996 (henceforth cited as *Amor Report*), Sections 7–10; *Report from Human Rights without Frontiers*, 7 June 1997, found at <http://www.hrwf.net>.
- <sup>9</sup> G. Mavrogordatas, *Church-State Relations: the Greek Orthodox Case*, paper presented to the ECPR (European Consortium on Political Research) Joint Sessions on Church and State in Europe, Copenhagen, April 2000, p. 2.
- <sup>10</sup> See the reports in *Athens News*, 9, 11, 12, 16 and 17 May 2000.
- <sup>11</sup> For statistical data see Boyle and Sheen, *op. cit.*, p. 331; US State Department, *Greece 1999, Country Report on Human Rights Practices*, issued by the US State Department on 25 February 2000.
- <sup>12</sup> *Amor Report*, Section 80.
- <sup>13</sup> According to several Protestant spokesmen interviewed in early June 2000.
- <sup>14</sup> C. Papastathis, ‘Church and state in Greece in 1998’, *European Journal for Church and State Research*, vol. 6, 1999, pp. 68–69.
- <sup>15</sup> *Human Rights without Frontiers*, quoting a statement from the Greek Evangelical Alliance, 20 October 1999; report of Greek Helsinki Group, <http://222.greekhelsinki.gr/english/reports/ihf-greece98.html>.
- <sup>16</sup> Press release from Greek Evangelical Alliance, 12 December 2000.
- <sup>17</sup> S. Stavros, ‘The legal status of minorities in Greece today’, *Journal of Modern Greek Studies*, vol. 13, no. 1, 1995, p. 15.

- <sup>18</sup> Cf. Boyle and Sheen, *op. cit.*, pp. 335–36; Malcolm Evans, *Religious Liberty and International Law in Europe* (Cambridge University Press, Cambridge, 1997), pp. 282–85 and 332–34; D. Robertson, ‘The legal protection of religious values in Europe’, in *Religious Liberty and Secularism* (Vatican, 1998), p. 185. For more on the Kokkinakis case see Simon Barnett, ‘Religious Freedom and the European Convention on Human Rights: the case of the Baltic States’, *RSS*, vol. 29, no. 2, 2001, pp. 91–100.
- <sup>19</sup> *Amor Report*, Section 136.
- <sup>20</sup> *Human Rights Without Frontiers*, 2 June 1998.
- <sup>21</sup> *ibid.*; *Amor Report*, Sections 26–30.
- <sup>22</sup> See the persistent reports that Catholics and others could not get high-ranking posts in the army, police or diplomatic service. *Amor Report*, Section 65.
- <sup>23</sup> Boyle and Sheen, *op. cit.*, p. 338.
- <sup>24</sup> *Amor Report*, Section 137; US State Department, *Greece 1999* ...
- <sup>25</sup> On the wider problem see H. Poulton, ‘Changing notions of national identity among Muslims in Thrace and Macedonia: Turks, Pomaks and Roma’, in H. Poulton and S. Taji-Farouki (eds), *Muslim Identity and the Balkan State* (Hurst, London, 1997), pp. 82–92.
- <sup>26</sup> *Human Rights Without Frontiers*, 2 June 2000.
- <sup>27</sup> *Greece: Freedom of Religion and Expression on Trial: the Case of Mehmet Emin Aga, Mufti of Xanthi* (Amnesty International, 31 December 2000).
- <sup>28</sup> Stavros, *op. cit.*, pp. 22–23; *Amor Report*, Sections 41–51, 105–21 and 140.
- <sup>29</sup> *Athens News*, 10 July 1997.
- <sup>30</sup> *Religious Discrimination and Related Violations of Helsinki Commitments* (report on Greece produced by the International Helsinki Federation for Human Rights, 22 March 1999).
- <sup>31</sup> A brief factual report can be found in the church-sponsored website, 28 September 1999: <http://www.ecclesia.gr/English/EnNews/>
- <sup>32</sup> See some of the useful essays on the history of the Bulgarian Church in G. Bakalov (ed.), *Religiya i tsurkva v Bulgariya* (Sofia, 1999).
- <sup>33</sup> On these events see S. Ramet, *Nihil Obstat: Religion, Politics and Social Change in East-Central Europe and Russia* (Duke University Press, Durham, 1998), pp. 282–85; S. Raikin, ‘The schism in the Bulgarian Orthodox Church’, in J. Bell (ed.), *Bulgaria in Transition* (Westview, Boulder, 1998), pp. 207–31; and the articles by Janice Broun, ‘The schism in the Bulgarian Orthodox Church’, *RSS*, vol. 21, no. 2, 1993, pp. 207–20, ‘The schism in the Bulgarian Orthodox Church, part 2: under the socialist government, 1993–97’, *RSS*, vol. 28, no. 3, 2000, pp. 263–89, and a third part, forthcoming, which will take the story up to 2001.
- <sup>34</sup> K. Kanev *et al.*, *Report on Bulgaria* (English-language document edited by the chairman of the Bulgarian Helsinki Committee, late 1995 or early 1996).
- <sup>35</sup> The text of the Constitution can be found at [http://www.uni-wuerzburg.de/law/bu00000\\_.html](http://www.uni-wuerzburg.de/law/bu00000_.html).
- <sup>36</sup> Kanev *et al.*, *op. cit.*
- <sup>37</sup> *Tolerance*, January 1998, p. 2.
- <sup>38</sup> *Radio Free Europe*, no. 58, 22 March 2000.
- <sup>39</sup> Interview with Dr N. Nedelchev, general secretary of the Bulgarian Evangelical Alliance, June 2000.
- <sup>40</sup> J. Chin, ‘Political attitudes in Bulgaria’, *RFE/RL Research Report*, 20 April 1993, p. 40.
- <sup>41</sup> B. Bjelajac, ‘Appeal from the minority churches in Bulgaria’, *Keston News Service*, 10 February 2000.
- <sup>42</sup> Cf. Engelbrekt, ‘Bulgaria’s religious institutions under fire’, *RFE/RL Research Report*, 25 September 1992, p. 61; Boyle and Sheen, *op. cit.*, pp. 280–81.
- <sup>43</sup> *BBC Summary of World Broadcasts*, EE/2250, B/4, 27 January 1996.
- <sup>44</sup> For a broad overview see E. Cohen and K. Kanev, ‘Religious freedom in Bulgaria’, *Journal of Ecumenical Studies*, vol. 36, nos 1–2, 1999, pp. 243–64.
- <sup>45</sup> [http://www.uni-wuerzburg.de/law/bu00000\\_.html](http://www.uni-wuerzburg.de/law/bu00000_.html).

- <sup>46</sup> Kanev *et al.*, *op. cit.*; M. Koinova, *Catholics of Bulgaria* (Centre for Documentation and Information on Minorities in Europe – South East Europe, 1999), p. 25.
- <sup>47</sup> Kanev *et al.*, *op. cit.*
- <sup>48</sup> Boyle and Sheen, *op. cit.*, p. 284.
- <sup>49</sup> Kanev *et al.*, *op. cit.*
- <sup>50</sup> *Tolerance*, January 1998, pp. 4–5.
- <sup>51</sup> *Tolerance*, June–September 1997, pp. 11–12; HRWF, 2 July 1998 and 18 October 1998
- <sup>52</sup> *Obektiv*, September 1996–January 1997, p. 10; *Baptist Times*, 1 June 1995; interview with Lachezar Popov, Rule of Law Institute, Sofia, June 2000.
- <sup>53</sup> Kanev *et al.*, *op. cit.*; Koinova, *op. cit.*, p. 22; Cohen and Kanev, *op. cit.*, p. 250.
- <sup>54</sup> US State Department, *Annual Report on International Religious Freedom for 1999: Bulgaria* (henceforth *Bulgaria*, 1999) found at [http://www.state.gov/www/global/human\\_rights/irf/irf\\_rpt/1999/irf\\_bulgaria99.html](http://www.state.gov/www/global/human_rights/irf/irf_rpt/1999/irf_bulgaria99.html), p. 2.
- <sup>55</sup> Numerous examples can be found in the reports of the Tolerance Foundation and the Bulgarian Helsinki Group cited earlier.
- <sup>56</sup> US State Department, *Annual Report on International Religious Freedom for 2000: Bulgaria* (henceforth *Bulgaria*, 2000), found at [http://www.state.gov/www/global/human\\_rights/irf/irf\\_bulgaria.html](http://www.state.gov/www/global/human_rights/irf/irf_bulgaria.html)
- <sup>57</sup> See various reports from the Tolerance Foundation.
- <sup>58</sup> Boyle and Sheen, *op. cit.*, p. 286.
- <sup>59</sup> Tolerance Foundation, ‘Report on religious freedom in Bulgaria in 1997’, *Tolerance* (Sofia), January 1998, pp. 1–2.
- <sup>60</sup> *Human Rights Without Frontiers*, 22 December 1998.
- <sup>61</sup> For a general overview of the Muslim position see W. Hopken, ‘From religious identity to ethnic mobilisation: the Turks of Bulgaria before, under and since communism’, in Poulton and Taji-Farouki, *op. cit.*, pp. 54–81.
- <sup>62</sup> International Helsinki Federation, *Annual Country Report on Human Rights*, 1 June 2000, pp. 1–2. Found at <http://www.hrf.net/English/bulgaria2000.html#InternationalHelsinki>
- <sup>63</sup> European Baptist Press Service, 17 November 1993; *Baptist Times*, 23 December 1993.
- <sup>64</sup> *Tolerance*, January 1998, p. 7.
- <sup>65</sup> F. Corley, ‘Bulgarian churches protest against new religion regulations in Sofia’, *Keston News Service*, 18 March 1999.
- <sup>66</sup> Press release from the Tolerance Foundation, 6 July 1999.
- <sup>67</sup> For a detailed legal analysis see W. Cole Durham, ‘Analysis of proposed Bulgarian legislation restricting religious freedom’, *Obektiv*, January–April 2000, pp. 15–18.
- <sup>68</sup> Press release from the Tolerance Foundation, 17 December 1999.
- <sup>69</sup> See their appeal to the president, prime minister and chairman of the National Assembly, attached to a Tolerance Foundation press release of 9 February 2000, and Bjelajac, *op. cit.*; see also the detailed legal commentary produced by World Advocates, USA, and the Rule of Law Institute (undated document given to me by Lachezar Popov, chairman of the latter institution); further comments recorded by Cole Durham focused on the way in which all three drafts had the capacity to politicise registration decisions by assigning the final word to the Council of Ministers rather than the courts, offered occasionally vague terminology in describing what was permissible or not, vested excessive discretion in the hands of local officials, and appeared to discriminate against believers who were not citizens of Bulgaria. Cole Durham, *op. cit.*
- <sup>70</sup> *ibid.*, p. 18.
- <sup>71</sup> Press release from the Tolerance Foundation, 8 November 2000.
- <sup>72</sup> Quoted in N. Kokoslakis, ‘Greek Orthodoxy and modern socio-economic change’, in R. Roberts (ed.), *Religion and the Transformations of Capitalism* (Routledge, London, 1996), p. 261.
- <sup>73</sup> Whilst some of these groups are wealthy, it is not always the case, and in Russia it may well be that income from various speculations in oil products, tobacco, alcohol and mineral water render the Russian Orthodox richer than many of the foreign missions, though there

- is some controversy as to the amounts involved and on what they are spent.
- <sup>74</sup> For example, in the summer of 2000 the French parliament adopted tough antisect legislation which created a new crime of ‘mental manipulation’ punishable by up to five years’ imprisonment.
- <sup>75</sup> Quoted in *European Baptist Press Service*, 17 November 1993.
- <sup>76</sup> ‘*Hate Speech*’ in the Balkans (International Helsinki Federation for Human Rights, 1998), pp. 36–39.
- <sup>77</sup> Cf. S. White *et al.*, ‘Religion and political action in post-communist Europe’, *Political Studies*, vol. 48, no.4, 2000, pp. 688–89; I. Katarsky, ‘Bulgarskoto pravoslavie i imperativite na modernizatsiyata’, in Bakalov, *op. cit.*, p. 260.
- <sup>78</sup> I have been told that an internal Orthodox survey in the late 1990s suggested that perhaps three per cent of the population attend church services on a weekly basis but I have not been able to track down any evidence of this.
- <sup>79</sup> P. Dmitros, ‘Changes in public attitudes’, in K. Featherstone and D. Katsoudas (eds), *Political Change in Greece: Before and After the Colonels* (Croom Helm, London, 1987), pp. 72–75; N. Alivizatos, ‘A new role for the Greek Church?’, *Journal of Modern Greek Studies*, vol. 17, no. 1, 1999, pp. 23–40; yet such figures should not be overstated, because surveys taken during the conflict over the identity card issue in mid-2000 suggested that over half the population favoured retaining a reference to the holder’s religious affiliation on the cards. *Athens News*, 30 May 2000.
- <sup>80</sup> Kokoslakis, *op. cit.*, p. 260.
- <sup>81</sup> Pollis, *op. cit.*, p. 176.
- <sup>82</sup> *Obektiv*, February–May 1997, p. 24.
- <sup>83</sup> Interview, Athens, May 2000.
- <sup>84</sup> *Athens News*, 30 April 1998.
- <sup>85</sup> *ibid.*, 30 and 31 May, 1, 6, 9 and 15 June 2000. I was in Greece during the early stages of this debate and witnessed a demonstration of 3–4000 organised by an extremist parachurch group in which the identity card issue was linked to a variety of ills allegedly perpetrated by Masons, Satanists and Protestants.
- <sup>86</sup> Mavrogordatas, *op. cit.*
- <sup>87</sup> ‘*Hate Speech*’ in the Balkans, pp. 43–64.
- <sup>88</sup> I have explored these cases and explanatory arguments in much more detail in my book *The Politics of Religious Liberty* ... (forthcoming).
- <sup>89</sup> A. Stepan, ‘Religion, democracy and the “twin tolerations”’, *The Journal of Democracy*, vol. 11, no. 4, 2000, pp. 37–57.