The Role of Democratic State in Inter-Religious Relations: Theoretical and Historical Considerations in Respect of Countries in Transition

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Since the end of the Cold War and the fall of the Berlin Wall in 1989, all the countries of Eastern Europe began a deep transition process characterized by the opening of their economies and changes in their political systems towards democracy. The new political framework directly affected the status and working conditions of churches and religious communities in many respects: First, the collapse of the socialist systems was mainly caused by the loss of political legitimacy of the ruling communist parties. New democratic values pushed back their socialist ideology together with its anti-clerical and anti-religious views. Secondly, the disappearance of an official state doctrine initiated a search for a new national identity in cultural and religious terms. Thirdly, people were no longer afraid to openly express their religious consciousness or affiliations, so that societies gradually developed forms of cultural and religious pluralism. Finally, all Eastern European countries adopted the European Convention on Human Rights (1950) and joined the European Council of Europe, ensuring freedom of religion as well as self-determination for religious groups and their institutions. In short, *identity*, *legitimacy*, *autonomy*, *cultural rights*, and *religious values* became key issues in transition countries describing and rewriting the relationship between state and churches and inter-religious relations. The first section of this chapter will give a short theoretical introduction to this topic.

This paper analyzes the new church/state and inter-religious relations in three transition countries characterized by their cultural, ethnic, and religious diversity: the Russian Federation, and two Balkan countries: Bulgaria, and Bosnia and Herzegovina (section 3). To this day, all these countries suffer from democratic deficits, which raises the question of whether the lack of democratic structures is responsible for the existing interethnic and inter-religious tensions; or, to pose the question another way: To what extent have state institutions and public bodies already developed concepts or strategies for managing and resolving social conflicts between groups with different religious consciousness, values, and identities? In order to understand the essential task of democratic states as a neutral authority in interfaith disputes,

the second section of this article covers Europe's experience with monarchies and authoritarian regimes, where ruling elites justified their power and privileged position through specific cultural or religious values. A further section examines the advanced democracies of Western Europe, which needed to adopt methods to integrate large numbers of immigrants of different faiths. This comparison may serve to illustrate that countries in transition—similarly to other modern societies—face choices between various approaches to mediating inter-religious tensions. Finally, we have to discuss not only the necessities but also the boundaries of governmental regulation, which are determined by norms of democracy and human rights.

The Meta-theoretical Framework in Shape of an Archimedean Spiral

In analyzing church/state and inter-religious relations, we can use well-known theories of social sciences dealing with the mentioned topics of: identity, legitimacy, autonomy, cultural rights, and religious values. An especially useful approach derives from the scientific work of Émile Durkheim (1858–1917), the founder of sociology as an academic subject in French universities and a representative of the Modernization Theory. Durkheim described the development of society as a process of differentiation initiated by the social division of labor (Degele and Dries 2005:52). In pre-modern societies, by and large, people perform similar activities and share the same values and religious beliefs. In accordance with their simple way of life, they have the sense of belonging to a group of individuals characterized by specific peculiarities such as language, religion, or profession, which Durkheim defined as 'mechanical solidarity'. However, the modern industrial society is highly complex and functionally differentiated by vocational specialization, whereby traditional costumes and beliefs have changed radically or even disappear. Religion as an important source of solidarity loses its function for social integration, thereby necessitating the creation of new forms of solidarity in order to ensure continuing social cohesion. Durkheim was convinced that only people's awareness of their mutual dependence leads to a so-called 'organic solidarity' that newly defines traditional religious beliefs and values in terms of trans-religious and secular norms.

Apart from this and individual awareness, he also assumed the existence of a collective consciousness representing the totality of opinions, beliefs, feelings, and customs among members of a society. With the further process of modernization, this collective consciousness weakens such that social cohesion and integration increasingly depend on individuals' consciousness and their personal willingness (Kruse 2012:79). Based on Durkheim's assumption of the social division of labor, we can state that individuals within modern societies experience a changing sense of social belonging. They create new identities concerning state institutions and

authorities that are responsible for the setting of social norms and ensuring compliance with these standards. Therefore, modernization processes involve the birth of national identities within the framework of a particular nation-state. Modern national identity may still be connected with the cultural and religious traditions of certain communities; or may be oriented towards the whole society, whose socioeconomic organizations and political institutions are replacing the roles of culture and religion in ensuring social inclusion.

The modernization of European societies at the end of the 19th century presented enormous social challenges such as migration to the cities and urbanization, unemployment, urban poverty, and the lack of housing and healthcare. All these factors undermined social cohesion and the creation of the necessary 'organic solidarity'. In particular, questions were raised regarding social reforms as well as political representation and the participation of underprivileged people. Increasingly, social movements and political parties throughout Europe demanded the democratization of their political systems and constitutions. Until the beginning of the 20th century, most European empires had a ruling elite comprising the monarch followed by the military and the aristocratic nobility. As a result of the general decline of religious doctrines and institutions due to modernization, the new political forces had serious doubts about the legitimacy of kingdoms, which derived their legitimacy from the supposed divine right of their sovereigns. It was proposed that the monarchal structure should be replaced by democratic legitimacy, guaranteeing the free expression of the will of the people through a free and undisclosed vote.

Although such demands for democracy appeared especially impressive between the two World Wars, social sciences focused their primary research interest on the theory of democracy until after the end of the Second World War. The reign of the Nazi terror required a deeper analysis of the social and political origins of authoritarian and totalitarian rule in searching for democratic alternatives. In this historical context, important scientific contributions included the 'The origins of totalitarianism' (1951) by the German sociologist Hannah Arendt (1951/1986) and 'A Preface to Democratic Theory' (1956) by the US political scientist Robert Dahl, which even today remains one of the most important works in this field. Dahl defines democracy as the self-government of citizens (demos), and regards it as a normative model which is yet to be realized anywhere. For that reason, his actual subject is the democratization process and the question of the extent to which democratically governed states, which Dahl regards as "polyarchies", tend to approximate this model.

The necessary conditions for such a 'polyarchal' democracy are "popular sovereignty" and "political equality" (Dahl 1956/2006:75), from which follows the legitimacy of a democratic government. Dahl considers that political legitimacy

has nothing to do with a religious belief in the "divine right" of monarchs, nor does it have an ethical background. Instead, it has a psychological meaning, in the sense of "a belief in the rightness of the decision or the process of decision-making" (Ibid:46). In other words: the legitimacy of modern democratic governance depends on the attitudes and opinions of the people of one country. In addition, the citizen is the focus of the following five criteria, according to which we can describe and evaluate the democratization process and the level of development: 1. Effective participation, 2. Voting equality, 3. Enlightened understanding, 4. Control of the agenda, and 5. Inclusion (Schaal 2006:248–274, 260). This means that a highly developed democracy must guarantee all citizens equal opportunities not only for expressing their preferences but also for validation their choices.

Of special interest for our considerations is the fifth point that "the demos must include all adult members of the association" (Ibid:261). Currently, the question being discussed in intercultural and inter-religious conflicts is: Who belongs to the 'association' of a certain country? Obviously, in his fifth criteria of inclusion, Dahl refers to people of an identical citizenship having the same entitlements and duties towards a certain country. Whereas the Democratic Theory deals with 'demos' as an abstract term in the sense of a political community, Systems Theory pays attention to the complexity and diversity of society. The American sociologist Talcott Parsons is regarded as the founder of this approach in social sciences, which first appeared in the 1950s and dominated until the end of the Cold War (1989). Of prime importance is the internal diversification of modern society into further sub-systems such as social classes and professionals, as well as different milieus, lifestyles, and ethical values. Talcott assumes that all these social sub-systems are—to a certain level—self-controlled or "self-sufficient" and affected by each other (Parsons 1963:232–262).

For optimal development of the politically-, socially-, or culturally-oriented sub-systems, it would appear necessary to guarantee the inclusion of all these communities into a comprehensive civil society with its system of common values termed the 'demos' by Robert Dahl. This implies, however, common political institutions as 'regulating systems' and 'communication media', which permit the free transfer of political power to representatives regardless of their race, ethnic origin, mother tongue, religion, age, or sexual orientation (Münch 1995:625–635, 628). But there is another reason why social integration is an important commitment by a state with respect to peaceful and friendly relationships between different cultural and religious communities: During their internal diversification, modern societies are becoming more complex—a trend that tends to overburden the capacity of the public sector. Therefore, greater decision-making power is transferred from the central administration to stakeholder communities. This creates not only new

political power but simultaneously delegates it to various social sub-systems that lack political legitimacy.

This legitimacy deficit has been taken up and broadly developed by the theory of Multiculturalism. According to this relatively new approach, which appeared after the end of the East–West conflict, Dahl's criteria for evaluation of democratic systems are insufficient. As the Canadian political philosopher Charles Taylor argues, the condition of equal opportunities for participation led to an 'equalization' that affected only civil and voting rights but which has not been expanded into either the socioeconomic or the cultural spheres. For this reason, Taylor (1994:25–74, 38) calls for a "politics of difference", recognizing not only the identity of individuals but also of groups and their right to "distinctness from everyone else". Whereas the classical ideas of Liberalism that were recently presented by the American philosopher John Rawls have generally ignored cultural differences, the multicultural concept attempts to re-establish the importance and social function of communities as social sub-systems.
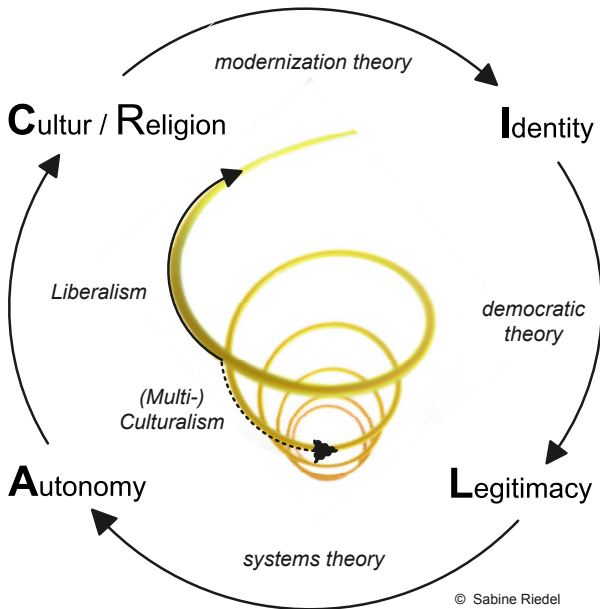

Figure 2.1: Meta-theoretical framework represented as an Archimedean spiral for the analysis of inter-religious relations in modern societies

Another prominent exponent of the Multicultural Theory also mentioned as Communitarianism is the Canadian academic Will Kymlicka. According to Kymlicka (1995), the recognition of cultural differences is not only a philosophical question or a moral obligation but, foremost, a political imperative of democratically constituted states. The fundamental point is the implementation of additional collective rights for such cultural communities that are in a minority position. He confirms that only the legal guarantee of positive accommodation of group differences would ensure the equal treatment and equal opportunity for political participation promised to citizens of disadvantaged and marginalized groups. From the perspective of the Systems Theory, Kymlicka attempts to solve the lack of legitimacy caused by the internal diversification of modern society and the transfer of political power to differentiated sub-systems. New group-differentiated rights for cultural, ethnic, or religious minorities ought to ensure the needed political legitimacy in favor of the newly created authorities.

If we take the above theories together—Modernization Theory, Democratic Theory, Systems Theory, Multiculturalism, as well as Liberalism, we are able to examine the question of how to combine them coherently in order to analyze inter-religious relations in modern societies. Figure 2.1 shows one possible combination in the form of a circle: The starting point is the pre-modern society as it existed in Europe during the 19th century. The Modernization Theory explains that the social division of labor created new national identities. At that point, the decline of traditional religious values already represented a significant threat to political institutions if they failed to ensure social inclusion in the absence of new social norms that were multi-faith, trans-religious, or religiously neutral. Whereas the democratic theory discusses the importance of equal political participation and voting in generating the necessary social cohesion in modern societies, the Systems Theory demonstrates the necessity for central political institutions elected by all citizens in supporting an optimum differentiation of social sub-systems and protecting their autonomy. Finally, the controversy between Multiculturalism and Liberalism about adequate legal structures to endure equal political participation leads us to a crossroad and the key question: Do group-differentiated political rights really support the integration of religious minorities, or do they risk new inter-religious conflicts? Our hypothesis here is that such collective rights tend to strengthen not only religious differences and contrasts but also their politicization, which could result in political and social stagnation and regression as well as in violent conflicts. In front of this consideration the circle of interconnected theories appears as an Archimedean spiral indicating different directions of social development.

Historical Background of Church/State Relations in Transition Countries

The transformation processes that started in Eastern Europe in 1989 and the political changes in North Africa since the beginning of the Arab spring in 2011 can be described as a global trend towards modernization and democratization. Many political and social forces calling for greater participation consider Western or European countries as exemplars of democratic values such as the rule of law, human rights; and fundamental freedoms, including the freedom of association, expression, culture, and religion. However, not for the first time in history, neighboring countries wish to orient themselves by Europe. As a consequence of colonialism, European empires became centers of socio-economic progress and scientific innovation, with the result that they are considered to epitomize modernization. This perception also concerned the political sphere, within which imperialist rule has established an absolutist reign of state power. Therefore, economically disadvantaged countries regarded the doctrine of absolutism as key for development, prosperity, and empowerment. We can conclude that there was a first attempt towards modernization in the form of 'Europeanization' during the period of imperialism.

What did this exemplary role mean with regard to church/state relations? The answer is that those monarchies with non-European territories began to orientate themselves according to the doctrine of absolutism. This legitimized the monarch's political power as deriving from the will of God, thereby creating the so-called divine right of sovereigns as one of the central components of their absolutist rule. The symbiosis between church- and state institutions, a typical element of pre-modern forms of society, was no longer an attractive model. Instead, the symbiotic relationship should become that of dominant state power subordinating the spiritual sphere, insofar as the monarch simultaneously became the leading authority of the official state-church or state religion. One of the best-known representatives of absolutist rule was King Louis XIV of France, who not only created a centralized state but also proclaimed a Catholic Church of France. According to the Gallican Articles (1682), the papal primacy was limited and the clergy nominated no longer by the Vatican, but by the monarch himself. This model of absolutism is well known as 'caesaropapism' in accordance with the Roman Empire, where the 'Caesar' was the secular emperor and at the same time the supreme head or the religious leader of the church (papa) (Linz 1996:129–170).

The French 'Sun King' was not the first absolutist to depose the powerful influence of the Roman Pontiff, nominating his own clergy and church doctrines completely independent of Rome. More than one century earlier, King Henry VIII founded the Church of England, declaring the English crown as its supreme head. Since his Supremacy Act (1534), the British monarch still bears the title 'Fidei

Defensor' (Defender of the Faith) and designates the government of the ecclesias-
tical hierarchy, comprising the bishops with the Archbishop of Canterbury as their
spiritual leader. This historical period also saw the Protestant Reformation and the
establishment of the national Lutheran churches in German-speaking and Scandi-
navian countries: In 1526, the Swedish King Gustav I officially broke with Roman
Catholicism; eleven years later, the Evangelical Lutheran Church of Denmark and
Norway was founded by Christian III of Denmark (1537). In the first decade of the
21st century the Swedish and Norwegian parliaments voted in favor of a separation
between church and state, whereas in Denmark both institutions remain closely
intertwined although the church is subordinate to the Danish Parliament.

About a hundred years later, Tsar Nikolas I appointed himself the official
As the Russian Tsar Peter the Great aimed to transform his country into a
modern European power, he started profound administrative reforms—adopting the
new model of church/state relations of his mighty European competitors, especially
from the Swedish empire. Thus ended the 200-year period in which both institutions
cooperated closely in a symbiotic relationship. The Tsars and the Russian Orthodox
Church (ROC: Русская Православная Церковь) pursued their common goal of
accepting the inheritance of the Byzantine Empire conquered by the Ottomans. For
this purpose, they had adopted insignia and regalia of power such as the double
eagle, which symbolized the dual rule of state and church. In 1700, the death of
Adrian, the Holy Patriarch of Moscow and all Russia, gave Peter I the opportunity
to keep the position vacant, replacing it two decades later by a Holy Synod whose
12 members were nominated by state authorities. State control of church-related
institutions by the absolutist ruler also extended to the education and salary of the
clergy (Кондаков (Kondakov) 2003:278). Monks and priests were required to
support the religious as well as the cultural conquest of newly occupied territories.

About a hundred years later, Tsar Nikolas I appointed himself the official
head of the ROC (1833) whereby state domination over the Orthodox Church not
only continued but was transformed into one of the three ideological pillars of
the tsarist empire, namely Orthodoxy, Autocracy and Nationality (православие,
самодержавие, народность). Their autocratic character became apparent in internal
as well as in external policies: On the one hand, the connection of Orthodox religion
and Russian nationality initiated a pre-modern nation-building process that created
a so-called 'confessional nation' in the sense that Russian nationals ought to be a
member of the Orthodox Church. This kind of Russification posed an existential
threat to other religious communities. According to the first census of 1897 only
two-thirds of the whole population belonged to the ROK, with 11 percent belonging
to an Islamic faith, 9 percent to the Roman Catholic Church, 4 percent Judaism, and
3 percent Protestants (Demoscope 2013). On the other hand, this nation concept
was designed to lay claim to the role of a protective power vis-à-vis the population

outside Russia belonging to Orthodox Christianity. This applied mainly to the Greek Orthodox Church, which was subordinate to the Ottoman Empire and included a large part of the Slavic- and Romansh-speaking populations.

At the turn of the 19th century, the Ottoman sultans followed a similar path to modernization. However, in contrast to the Russian tsars and their absolutist way of rule, the Ottomans adopted the model of enlightened absolutism. Even then, this model was represented by the Habsburg monarchy under its ruler King Joseph II, who declared the Patent of Toleration (Toleranzpatent, 1781) and recognized religious freedom. Nevertheless, Joseph II supported the Catholic Church in fulfilling its role as an official state-church by its transformation into a national institution controlled by the state. This model was a better fit than Russian autocracy for the diverse Ottoman Empire because of its millet-system, which recognized the autonomy of other religious communities. The Tanzimât reforms (1839–1876) initiated by Abdülmecit I aimed to adopt the millet system but, additionally to religious jurisdiction, an over-denominational legal system should be created in compliance with the principle of equal treatment. One result was the reform of the territorial administration (1864/67), which included political participation of all religious communities and the introduction of a citizenship beyond religious, ethnic, or linguistic boundaries with the elaboration of a new Civil Code (1869).

In order to implement these reform projects, even Abdülmecit I felt the need to take control of Muslim institutions such as their superior authority (the şeyhülislam) in order to break the resistance of conservative powers among Islamic theologians (ʿulamāʾ) and lawyers (fuqahāʾ). This also reflects the role of enlightened absolutism and the Ottoman's orientation towards Western and Central Europe. However, because this path of Europeanization would mean a substantial loss of privileges for Muslims, their critics enjoyed a wide measure of support within Muslim communities, which accounted for around two-thirds of the whole population. In this historic context, Islamist concepts of society appeared for the first time or became stronger, such as Wahhabism on the Arabian Peninsula and Salafism in Egypt. These presented new interpretations of Islamic culture and history, according to which Islamic law given by God would be incompatible with secular law. These narratives were not only a response to the Tanzimât reforms and therefore a part of the modernization process itself, but also contradicted historical reality: The Ottomans already created their new Civil Code on the basis of sharia law and the (secular) Sultans' Law (Plagemann 2009:102).

The European empires supported the Tanzimât reforms insofar as the rights of the Christian minorities were concerned. However, they were not interested in the consolidation of the Ottoman Empire through a modern nation-building process, and regarded the millet system as a welcome opportunity to interfere in the inter-

nal affairs of the Ottoman state as protective powers for the Christian minorities. In order to avoid losing their influence, they now aimed to convert the Christian millets into national states whose Orthodox population would form the nucleus of a new confessional nation according to the Russian model. In addition to Greece and Serbia, further examples include Bulgaria, which was first transformed as Danube Vilayet (Tuna vilâyeti) into an autonomous and tax-paying principality (1878). Its nation-building was based on religion, ethnicity, and language, and therefore disrupted the creation of the Ottoman nation as a political alternative. When Bulgaria declared its independence as a Christian kingdom (1908) with the Bulgarian Orthodox Church (ВОК—Българска православна църква) as its established church (Bulgarian Constitution 1879), the Muslim minority founded its own denomination (главно мюфтийство) and elected their own spiritual leader (Главен мюфтия). Subsequently, the Ottoman şeyhülislam only retained the right of veto in Bulgarian affairs for a matter of decades (The Muslim Denomination in the Republic of Bulgaria undated). Since that time, the clergy of the BOK as well as the Muslim community have been paid by the Bulgarian Government.

In the same year, 1908, Austria-Hungary as successor of the Habsburg Monarchy announced the annexation of Bosnia and Herzegovina, which at that time was still part of the Ottoman Empire but had been occupied by Vienna since 1878. In contrast to Bulgaria, where the BOK became an established church, the Orthodox and Muslim populations occupied minority positions, whereas Catholics were privileged but controlled by the Austrian government. This had caused tensions not only with the Ottoman Sultan, who officially served as head of state until 1908, but also with the Muslim population, whose spiritual leader was nominated by the Ottoman şeyhülislam. Lastly, Serbia claimed the right to represent the interests of Orthodox Serbs in Bosnia and Herzegovina, although they belonged to the Patriarchate of Karlovci (Vojvodina). Shortly after Austria's annexation, the First World War broke out, which ultimately ended with the dissolution of Austria-Hungary. From 1918, the newly established Kingdom of Yugoslavia pursued for the first time a neutral policy and equal treatment of the various religious communities. Under these conditions both Serbian Patriarchates could be united by relinquishing the position as the established church of the former Serbian Kingdom. The Muslim community also created a self-governing administration with the rais-ul-ulama as the spiritual leader for all Muslims in the former Yugoslavia (The Islamic Community in Bosnia and Herzegovina undated a).

We can summarize the historical review as follows: The first attempts at 'Europeanization' by the Ottoman and Russian Empires during the period of imperialism followed the model of absolutism, which was regarded as the key not only to economic growth but also for political stability. The adoption of absolutist rule

included the subordination of churches and religions under state control so that most of the religious groups lost their autonomy. Since the beginning of the 19th century the Russian tsar as well as the Ottoman sultan proclaimed themselves head of their state-churches. The nomination and payment of the clergy—including their spiritual leaders—as public officials enforced state influence on faith communities. This form of modernization during the period of imperialism was similar to the so-called 'development dictatorships' during the 20th century. Beside these similarities there were significant differences: Russia initiated a nation-building process by creating a Russian confessional nation and excluding one-third of their population which belonged to other faith communities; in contrast, the Ottoman Empire followed the model of enlightened absolutism, giving their religious minorities the same rights and Ottoman citizenship.

The Role of State in Inter-religious Relations of Transition Countries

Before we start our comparative analysis of inter-faith relations in Bosnia-Herzegovina, Bulgaria, and Russia, we have to mention the period of totalitarian and authoritarian rule during the 20th century. While the majority of the European monarchies were transformed into constitutional monarchies or democracies, in Central and Eastern Europe, democratization processes were halted after the Second World War by the imposition of one-party communist systems. Despite major structural changes, these new political systems ensured continuity of state control over faith communities (Riedel 2006:S 319–331). In contrast to the Russian tsars, who utilized the Orthodox Church to legitimate their absolutist rule, the Bolsheviks used state dominance to enforce their anti-religious ideology: First, they accepted the restoration of the self-government of the Orthodox patriarchate, but very soon after the October Revolution (1917) they started anti-religious campaigns and persecutions in which thousands of priests were victims. When the new Patriarch Tikhon died in 1925, the Bolsheviks barred a successor, as had Tsar Peter I. In order to ensure its survival, the ROK issued an official declaration of its absolute loyalty to the Soviet government. Nevertheless, the new Act on Religious Affairs (1929) limited the autonomy of all religious communities, leaving them to the arbitrary decisions of state authorities until the 1980s (Gassenschmidt and Tuchtenhagen 2000:156). From 1944, religious communities were placed under the direct state supervision of two government councils, which were unified into the Council for Religious Affairs (Совет по делам религий undated) in 1965.

Establishing a socialist system, Bulgaria fell under the sphere of influence of the communist Soviet Union following the Second World War. This also resulted in a change of church/state relations towards the Soviet model of state interference:

Initially, the new communist regime created the Directorate for Religious Communities (Дирекция на вероизповеданията) as a supervisory body of the Ministry of the Interior. This gave the opportunity to persecute priests and monks charged with crimes against the state. The subsequent death of the Soviet dictator Josef Stalin (1953) also brought substantial changes for Bulgaria: In the same year, the Bulgarian communists suddenly permitted the Orthodox Church to restore its Patriarchate, which had been dissolved following the Ottoman conquest (1393). Therefore, the BOK could now realize its vision since 1870, of achieving full autonomy and independence from the (Greek) Patriarchate of Constantinople, which had eluded the previous tsarist government. Obviously, this was a political stratagem of the communist party, strengthening its dominance over religions and restructuring the Directorate into the 'Committee for Religious Affairs of the BOK and Religious Cults' (2012), which was subject to the authority of the Council of Ministers.

The Kingdom of Yugoslavia, founded in 1918, differed from other monarchies with regard to its secular system: There was neither a state religion nor state control over various religious communities. This rapidly changed following the creation of the Socialist Federal Republic of Yugoslavia (1943), which included Bosnia and Herzegovina as one of five republics. Although the new constitution guaranteed religious freedom, the Yugoslavian communists, like their brother parties in Eastern Europe, first started anti-religious campaigns and soon changed their priorities towards political instrumentalization of religions. In contrast to Bulgaria, Tito's administration in Yugoslavia founded not only the Republic's commission for religious affairs at the federal level, but additionally ministries of religious affairs in every republic as well as offices at the local level (Perica 2002:134). Since the 1960s, the various ethnic national movements started to utilize these structures for their own benefit. In this historical context, Bosnian communists demanded national status, which indeed led to the recognition of Muslims not as a religious group but as a sixth nation within the former Yugoslavia. This can be described as the return of the confessional nation model of the 19th century, which in addition to the ethnic nation concepts of Slovenians, Croats, Serbs, Montenegrins, and Macedonians, weakened the process of Yugoslav nation-building.

Inter-ethnic tensions were able to build up over more than two decades and finally broke out after the end of the Cold War. The main venue of these violent conflicts in the early 1990s was Bosnia and Herzegovina, which still suffers from the rivalry between the three main ethnic groups: the Serbs, Croats, and Bosniaks. Whereas this ethnic nation concept previously only had legal status within the former Yugoslav Federation, the international Dayton Peace Agreement (1995) officially recognized them as "constituent peoples" instead of fostering the citizenship of Bosnia and Herzegovina (Sarajlić 2013). Ten years later, the Progress Report of the

European Commission (2005) noted that this legal framework has proven to be an obstacle *"towards a State based on citizenship rather than on ethnic representation"*. However, there is another critical point: As a consequence of the national status as 'Muslim' within the former Yugoslavia, the ethnicity of 'Bosniak' refers today more to religious consciousness than to linguistic differences, so that the Bosniak community of about two million citizens is polarized: Secularist politicians defend the Bosnian Law on Freedom of Religions (Official Gazette of Bosnia and Herzegovina 2004) and its principle of separation between state and faith communities, which is the only way to conserve state unity. In contrast, the Islamic community (Islamska Zajednica—IZ) and its grand mufti (Rais-ul-ulama) expect to play a leading role in Bosnian society as well as in the European Muslim community.

Mustafa Cerić, the former grand mufti of Bosnia, and his successor, Husein Kavazović, represent a Bosnian Islam that follows a policy of exclusion and expansion similar to that of Croatian and Serbian nationalists: First, their association structure is similar to state institutions, consisting of a 'Council' as their representative and legislative body, which elects the Riyasat, the highest Islamic religious and administrative organ; as well as the 'constitutional court' based on their Islamic 'constitution' (The Islamic Community of Bosnia and Herzegovina undated b). Furthermore, about twenty percent of the 83 elected members of the Council come from abroad: 13 members are representatives of former Yugoslav territory (Sandžak/Serbia and Montenegro, Croatia, and Slovenia), and five additional members are from Germany, Norway, Australia, and the USA. The Bosnian Islamic Community therefore has a transnational orientation and missionary activity, although it *"regards itself a part of the universal Islamic community of Muslims around the world, a part of the Umaah"* (The Islamic Community of Bosnia and Herzegovina undated c). Vice versa, Islamic groups of Salafists or Wahhabists are present in Bosnia and Herzegovina, who immigrated during or shortly after the Bosnian war. Their religious activities are financed by the ministries of religious affairs or by foundations based in the Gulf States like Saudi Arabia and Qatar, which export conservative and fundamentalist interpretations of Islamic doctrines and culture (International Crisis Group 2013).

In addition to Bosnia and Herzegovina, Bulgaria—with its Muslim population of about 13 percent or about one million citizens—is within the sphere of influence of such oil states governed by absolutist monarchs. Similarly to European empires until the 19th century, they legitimate their political power through God, and with the support of a fundamentalist clergy under the leadership of the Saudi Arabian Wahhab dynasty. By the beginning of the 1990s, these groups had begun financing fundamentalist groups in order to penetrate the Bulgarian Muslim community—an aim in which they have achieved some success. On the occasion of charges against

13 muftis from Pazardzhik in South Bulgaria accused of fundamentalism (2012), Grand Mufti (The Muslim Denomination in the Republic of Bulgaria undated) Mustafa Hadzhi rejected any Islamist influence on his community (TV7 2012). However, he has come under pressure about his close ties with the religious ministries of Qatar, Saudi Arabia, Turkey, and Kazakhstan. Bulgarian public opinion and the state authorities have expressed concern about direct subsidiaries of foreign ministries. The result would not be a reconstruction of Bulgarian Islamic traditions but the importation of new Islamic doctrines embedded in political ideologies. To resolve this dilemma, the newly elected President, Rosen Plevneliev, recommends the accreditation of the High Islamic Institute as a research and educational center, a claim which was dismissed for a long time (Vissi Islamic Institute undated). Bulgarian Muslims have to go abroad in order to study Islamic theology and respective Islamic law.

The work of the Bulgarian Directorate for Religious Communities (the former Committee for Religious Affairs during the socialist period) is problematical, as Article 13 (3) of the Bulgarian Constitution (1991) mentions the Bulgarian Orthodox Church as the traditional faith community. However, this privilege and the state support benefits have their dark sides—namely the direct influence of the state, as occurred at the beginning of the post-socialist transition period. The first elected democratic government uncovered the entanglements of Patriarch Maxim in state security during the socialist regime and accepted Metropolitan Pimen as the new head of the BOC—who was elected in 1996 as rival patriarch by an alternative synod (Pravoslavieto 2013). This schism within the Church is a heavy burden and was not resolved either by mediation attempts on the part of Patriarch Bartholomew I of Constantinople and Patriarch Alexy II of Moscow, or by the death of Pimen himself (1999). First, a complaint by the canonical synod led to a judgment by the European Court of Human Rights (2009), which found the Bulgarian government had violated the neutrality of religious affairs. Furthermore, in 2012 it emerged that Pimen was also closely involved with state security during the socialist period. These backgrounds explain the current problems within the Church community under its new Patriarch Neophyte, who was installed in 2013 (Bulgarian Orthodox Church Undated): The organizational structures are weak, ineffective, opaque, and susceptible to corruption (Arndt 2013).

The democratization progress within the Russian Federation had already begun with Gorbachev's policies of glasnost and perestroika in the mid-1980s and specifically affected church/state relations. When the Russian Orthodox Church celebrated its thousand-year anniversary in 1988, the Soviet state officially participated in a number of festive events (Behrens 2002). This laid the cornerstone for new Acts on Religious Affairs at both federal and regional levels (1990) giving

faith communities the freedom to practice religion, as a result of which the Council for Religious Affairs was dissolved. Shortly afterwards, the Russian Federation as the successor of the former USSR established a new Council for Cooperation with Religious Associations (2013) administratively attached to the Russian President. Although the new legislation has not led to an established church, there is preferential treatment of the ROC; the personnel composition of this advisory body also reinforces this hierarchy of faith communities (traditional and non-traditional). This plays to the interests of the Orthodox clergy under the new patriarch Kirill I of Moscow (installed 2009), who seeks to play a greater role in Russian society as lawyer and defender of ethical and moral values. In this context, there is also talk of *"crafting 'symphony' with state"* (Interfax 2011), which reminds more of the Middle Ages than of modern pluralistic societies (Mitrokhin (Митрохин) 2004).

One of the few state representatives on this Council is Alexander Ignatengo, the president of the 'Institute of Religion and Policy' (undated) and an expert on political Islam. His personality reflects the external dimension of inter-religious relations, namely the threat of Islamist ideology and extremism, mainly in Tatarstan and Bashkortostan. As a result of their oil and gas deposits, these republics are amongst the richest areas in Russia and enjoy substantial autonomy. Moreover, the majorities of their populations are Muslim (about four million) and are represented in the Russia Muftis Council under its Chairman Grand Mufti Rawil Gaynetdin (RMC—Совет Муфтиев России undated). In contrast to Bulgaria, Tatar Muslims have their own centers offering academic training for imams and theologians, for example the Central Spiritual Administration of Muslims of Russia (Центральное духовное управление мусульман России). Its chief, Talgat Safa Tajuddin, bears the title of Grand Mufti and Shaykh al-Islam from the Soviet era (Biography of Grand Mufti, Shaykh al-Islam 2003), which provokes tensions. Further potential for conflict arises from Salafists or Wahhabists abroad, which puts the Tatar Muslims under pressure and divides their community (Поляков (Poles) 2003). Nevertheless, one cannot ignore the fact that the political systems of these republics represent a new form of authoritarianism appearing in democratic garb (Hunter 2004), which reinforces the political abuse of Islam (Interfax 2013).

In conclusion, after the dissolution of the former Soviet Union and Yugoslav Federation, the representative bodies of their churches and religious communities suddenly found themselves in a new transnational phase, and in the dangerous position of potentially being misused in order to advance national interests or separatist objectives. The result was a substantially closer connection between state authorities and their privileged churches respectively, between political actors and their preferred faith groups. As the case of Bulgaria shows, such preferences cause increasing polarization between different religious communities. This tendency is

reflected by the conversion of the former councils or ministries of religious affairs into an advisory body with the task of moderating inter-faith relations rather than controlling them. This kind of transition did not lead to separation between church/religion and state but, on the contrary, to increasing interdependence of both spheres. Against this background, state institutions really cannot play a neutral role—for instance by preserving the religious pluralism of their societies and guaranteeing inter-religious freedom. Instead, due to their partisanship and preference for a specific religious community, they lose authority and legitimacy with respect to the whole society, thereby promoting social and national disintegration rather than fostering a democratic process of nation-building.

European Democracies as Models for Church/State and Inter-religious Relations?

In this final section, we examine different models of church/state relations among Western European democracies to determine whether or not a democratic model developed during the 20th century. At this juncture, it should be pointed out that there is nowhere a genuine democracy in the ideal sense used by Robert Dahl, but only attempts to approach this model. Within this process, the democratically governed countries of Western Europe represent three main models of church/state relations due to their historical developments: The first model is characterized by the existence of an established national church as in the United Kingdom, Denmark, or Greece. The second model has no official state-church but grants religious communities the status of a public body or corporation. As Germany and the Netherlands illustrate, this cooperationist model has given churches or faith communities the possibility to conserve their own social services in the health and educational systems. The third secular model rejects such state subsidies, regarding religion as a private matter so that church and state institutions are totally separated. Examples are France, which adopted its secular model in 1905 via the Law on the Separation of the State and the Church; and Sweden and Norway, which only recently abolished their state-churches (in 2000 and 2012 respectively).

In the 1960s and 1970s, Muslims emigrated as guest workers from the Balkans, Turkey, North Africa, and the Middle East to Western Europe. Large numbers eventually decided not to return to their countries of origin but to stay in their new host countries. The benevolent receptiveness of the state towards family reunification and the payment of social welfare benefits led to the further arrival of young people and women affiliated to Islamic communities. Today, the national statistical institutes of the member states of the European Union estimate the total number of Muslims to be over 16 million or four percent of the population. This is slightly less than the

proportion of Muslims among the Russian population (about 20 million), but more than that in the Balkans (about 9 million). Within the EU, Muslim communities have been established in member states that have completely different church/state relations: Germany and France each have approximately 4 million residents with a Muslim background, compared with approximately 2.5 million in the UK and 1 million in the Netherlands. Due to legislative differences, these countries developed very different approaches to integration of immigrant populations. The interesting question is whether these measures are successful, and how far they have an effect on church/state as well as on inter-religious relations.

In the 1990s, the United Kingdom tried out a new multicultural approach based on the theories of Canadian academics Charles Taylor and Will Kymlicka, although *"The British model of integration has never been clearly defined"* (Saggar and Sommerville 2012). The idea was to encourage representatives of the various Muslim communities to become more engaged in social integration; they should assume greater responsibility for improving education, employment, and social welfare within their communities. The British Government began to recognize and institutionalize Muslim organizations without establishing whether they were definitively faith communities, or instead represented cultural associations or political interest groups. This approach failed to meet those challenges of integration because although most Muslim representatives accepted this strategy, they tended to simultaneously oppose the social integration of 'their community' into the common British society. It became apparent that the multicultural approach mainly refers to the binding power of culture or religion but is not able to generate social cohesion beyond cultural or religious communities. A convincing argument in favor of the British integration policy is its commitment to awakening sensitivity and tolerance to cultural, ethnic, and religious diversity. However, it became clear that such cultural rights as freedom of religion or freedom of association can only be achieved if state institutions are created that transcend religious or cultural boundaries. In this respect, the 'established church' model has proved to be a hindrance.

In contrast to the UK, France has developed special integration measures on the basis of an etatist approach. On the one hand, this corresponds to the principle that state institutions have a duty to defend their neutrality concerning religious affairs as laid down in the 'Law on the Separation between State and Church' (1905)[1]. In this context, France has initiated an anti-discrimination policy within the European Union, following the example of the European Convention on Human Rights

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1 See: "La République ne reconnaît, ne salarie ni ne subventionne aucun culte", in: Loi du 9 décembre 1905 concernant la séparation des Eglises et de l'Etat. Version consolidée au 01 janvier 2006. http://www.assemblee-nationale.fr/histoire/eglise-etat/sommaire.asp#loi [5.7.2013].

(1950). This policy of equal treatment is the most convincing aspect of the etatist approach, because it rejects any limitation of human rights and fundamental freedoms. However, on the other hand, the etatist approach contradicted the principle of state neutrality because the French government institutionalized the French Council of the Muslim Faith (Conseil Français du Culte Musulman—CFCM) under the then Minster of the Interior and future president, Nicolas Sarkozy (2005). The government's promised financial support has its price: The French president appointed the first chairman of this new council, thereby exerting influence over the CFCM as during colonial times. This approach also failed to deliver positive results: on the contrary, it strengthened the authority of Islamist organizations among French Muslims, marginalizing imams who were born and educated in France (Riedel 2010).

The current German approach to integrating Muslims could be described as a socio-cultural one; it differs from culturalism—with its linkage between ethnicity or religiosity and nationality; as well as from multicultural concepts, which are based on the same principle but adopt an egalitarian approach. One reason for Germany's own specific concept is the coexistence of two major Churches—Catholic and Protestant—which necessitated achieving a balance of power within state institutions founded at the end of the 19th century. The other reason is Germany's experiences of totalitarianism and authoritarianism during the 20th century: The self-determination of churches is one of the key benefits of democracy after the Nazi period and the socialist regime of the former East Germany. Facing the new challenges of integrating immigrants from Muslim countries, the German Federal Ministry of the Interior created the German Islam Conference (Deutsche Islamkonferenz—DIK). Since 2006, state authorities and Muslim representatives regularly discuss key items of social integration. However, Muslim umbrella organizations demand recognition as public bodies in order to acquire state subsidies. The state has rejected such demands on the grounds that many Muslim organizations operate more as cultural associations or interests groups than faith communities.
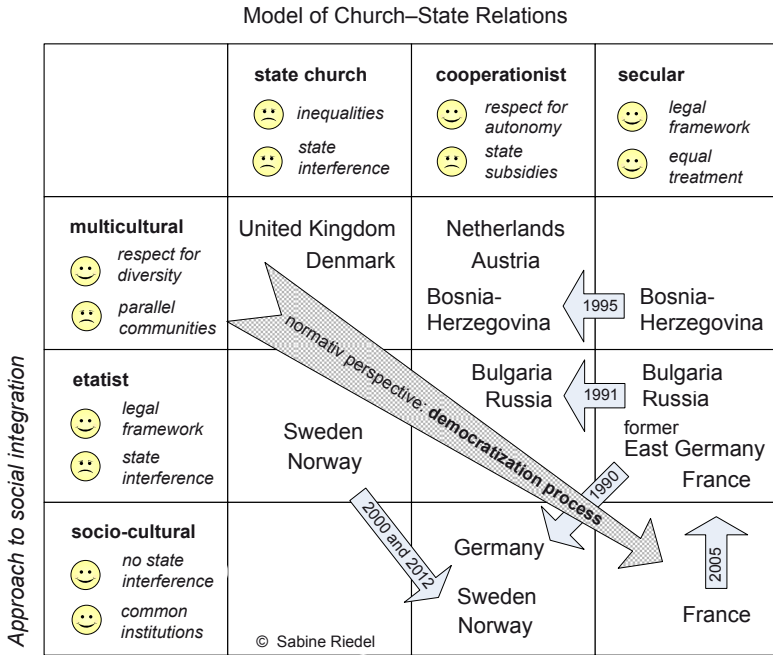
Model of Church–State Relations

	state church	cooperationist	secular
	😐 inequalities 😕 state interference	🙂 respect for autonomy 😕 state subsidies	🙂 legal framework 🙂 equal treatment
multicultural 🙂 respect for diversity 😐 parallel communities	United Kingdom Denmark	Netherlands Austria Bosnia-Herzegovina	← 1995 Bosnia-Herzegovina
etatist 🙂 legal framework 😕 state interference	Sweden Norway	Bulgaria Russia ← 1991	Bulgaria Russia former East Germany France
socio-cultural 🙂 no state interference 🙂 common institutions	© Sabine Riedel	Germany Sweden Norway	France ↑ 2005

Approach to social integration

normativ perspective: democratization process

1990 · 2000 and 2012

Figure 2.2: Democratization processes in Western and Eastern Europe in terms of social integration and church/state relations

Another way to guarantee the equal treatment of faith communities in Germany could be to replace the current cooperationist model of church/state relations with a secular model. The Christian churches would then have to relinquish subventions worth approximately 19 billion euros per year, in addition to the church tax (DRadio Wissen 2011). Such reform of the constitutional law on church/state relations is difficult but possible—as demonstrated by the examples of Sweden and Norway, which both recently revised their established church models to cooperationist models (Figure 2.2). Furthermore, since German reunification in 1990, Catholic and Protestant churches located in the eastern part of Germany receive state subsidies as well as church taxes collected by the state. At that time there was no public debate about alternatives, although only 26 percent of the population of eastern Germany today belongs to one of the two established churches (Catholic and Protestant) compared with 59.4 percent for Germany overall (Statistisches Bundesamt 2011).

There is a further argument in favor of the secular model: Even the recognition of Muslim organizations as public bodies within the framework of the cooperationist model does not promise any solution to their unequal treatment. An interesting example is provided by Austria, which also follows the cooperationist model and a multicultural approach to integration. In 1912, during monarchist rule, the Islamic Community of Austria (Islamische Glaubensgemeinschaft in Österreich—IGGiÖ 1912) was officially created and recognized as a public body via the Law on Islam (Islamgesetz). Today, it is responsible for training teachers of Islamic religious education at public schools. However, the largest Muslim organizations reject this form of cooperation, instead demanding recognition as a faith group and public body of their own. In the Netherlands, a further example of the cooperationist mode, there is no need for such a legal recognition by state authorities: In accordance with their multicultural approach to integration, every cultural community has to be publicly funded. One result is that it is very difficult to prevent the abuse of cultural and religious rights by associations with an Islamist political agenda.

How should we view the examined countries in transition and their models of church/state relations and social integration? The earlier discussion illustrates that these countries have recently given up their special secular model under which state institutions have been involved in inter-ethnic and inter-religious disputes. Since the 1990s, Bosnia and Herzegovina, Bulgaria, and the Russian Federation have introduced cooperationist models but with quite different results. If we consider the various approaches to social integration of their multi-religious populations, Bosnia and Herzegovina is in a situation similar to Austria or the Netherlands. Its multicultural approach, which goes back to the socialist period of the Yugoslav Federation as well as to the Habsburg Monarchy, has led to the formation of parallel communities along ethnic and religious lines. However, it must be concluded that the criteria of tolerance and respect for diversity inherent in the multicultural approach are yet to be fulfilled in this Balkan state. Inter-religious tensions persist in Bulgaria and the Russian Federation, where the Orthodox Churches are in the position of the traditional Catholic and Protestant Churches in Western Europe. Their new cooperationist model enables these churches to demand a dominant role within their societies and serves as a pretext for perpetuating state influence on religious affairs and their associations.

Conclusion: Boundaries and Necessities of Government Regulations

State control over religious communities provided an instrument for authoritarian systems to control civil society and prevent the emergence of oppositional forces. The simple transformation of the relevant controlling authorities into advisory

bodies with the cooperation of faith communities will not be enough to meet the challenges of democratization. With a view to Bulgaria and the Russian Federation, we can draw the conclusion that indirect state influence on faith communities could indeed prevent further escalations of interreligious tensions. Without a neutral state authority and functioning state institutions as in Bosnia and Herzegovina, faith communities will still be misused for political purposes. However, even moderate state influence does not provide a sustainable solution to inter-religious conflicts, because in the long term the state can only retain its authority while it heeds the principle of autonomy and self-governance of religions. Furthermore, the new co-operationist model of church/state relations gives the illusion that state interference has almost disappeared, whereas in reality it continues indirectly through public subsidies. These financial handouts strengthen and intensify the competition among faith communities by demonstrating their unequal treatment.

Apart from these abuses of state influence, there is a need for government regulation in order to guarantee the neutrality of public institutions involved in religious affairs. A legal framework is necessary simply because some method is required to define church/state and inter-religious relations. In democratic states, this legislation dealing with various religions and cultures must first respect the European Convention for the Protection of Human Rights and Fundamental Freedoms as well as internationally accepted standards of human rights. Furthermore, it must guarantee high priority to the secular law in the sense that religious traditions and religious rights must be permitted their place within their respective communities but must accept secular legislation as a superordinate and final authority. Otherwise, the domination of a religious legislation would lead not only to situations of conflict with other faith communities but also to social disintegration. This is the most important point of criticism related to the multicultural approach that connects cultural or religious belonging with specific collective rights. The respect shown towards religious differences alone is worth nothing if faith communities do not treat other groups with the same respect, whether other churches, religious groups, or humanist communities.

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