Religion and Human Rights
An International Perspective
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Christianity, Islam, and Human Rights in Bulgaria

Simeon Evstatiev, Plamen Makariev and Daniela Kalkandjieva

Abstract In Bulgaria, as in other post-communist countries of Eastern Europe, the restoration of civil and religious freedoms has often been accompanied by the rediscovery of religious roots. Southeastern Europe is involved in new types of networks of transnational relations, discourses and currents in which the influence of religion is expanding and becoming ever more visible. Within that process, the majority have preferred to return to traditional religious denominations after the fall of the iron curtain. Most Bulgarians are members of the Bulgarian Orthodox Church, but there is also a group of self-identifying ethnic Turks (about 10%).

Today, there are tensions between the Bulgarian Orthodox Church and the state especially concerning issues of education and family and also in dealing with the Muslim community of Bulgaria. The article mentions statistical findings about the relevant denominations in Bulgaria and explains the core problems of the relation between church and state.

Introduction

In Bulgaria, as in other post-communist countries of Eastern Europe, the restoration of civil and religious freedoms has often been accompanied by the rediscovery of religious roots—a process within which the role of the human rights paradigm needs further study. Within the on-going processes of globalization, the rapid transformations and re-negotiations of identities have brought about dynamic changes in the ‘social imaginaries’ (in the sense in which the term is used in Taylor 1993, p. 213) of the cultural misunderstandings shared by the religious communities in many different regions of the world. Indeed, there are multiple identities within every society, each with variations and sometimes conflicting subdivisions by status, class, occupation, profession, generation and gender. However, “for many, religion is the only loyalty that transcends local and immediate bonds”. (Lewis 1998, pp. 5–7)
Not only in the Middle East, but also in Europe, many Muslims in particular are increasingly turning Islam into a significant public and political force shaping and re-shaping social space. Accelerated to an unprecedented level by the new media and the internet, these developments have opened up new horizons for the formation of transnational public spheres in which religion plays an important social role, and migration and trans-locality become ever more consequential.

Southeastern Europe, like many other parts of the contemporary world, is involved in new types of networks of transnational relations, discourses and currents in which the influence of religion is expanding and becoming ever more visible. Religious revival and the increasingly visible presence of faith-based communities and groups in public and political life in many regions of the world, including secularist Europe, has been sharply described by Gilles Kepel as “God’s revenge” (Kepel 2003). On a global level, the most marked revivals are those of Islam and the powerful wave of Protestant-based Evangelical Christianity. Indeed, differing views on the presence of Muslims in the West have raised questions about Muslim marginalization and integration, their success and failure, their identity, culture, religion, and education, all of which have become issues within the last two decades” (Niyozov and Pluim 2009, p. 638). In this context, the tension between the human rights and religious values becomes increasingly significant in politics and society.

At the same time, traditional churches, such as the Catholic and the Orthodox, seem to face challenges unknown in their previous histories. In Southeastern Europe, particularly in Bulgaria and the former Yugoslavia, just as in other countries on this side of the former Iron Curtain, the mass influx after 1989 of religious emissaries and evangelizers from different denominations did not lead to the realization of expectations of the emergence of a ‘free market of religions’. The majority have instead preferred to return to traditional religious denominations (Hann 2006). This trend brings to the fore, among other things, the issue of how traditions are made and maintained, and how they interact with the human rights paradigm. In this regard, an important specificity of former atheist states like the Bulgarian one stems from the fact that the post-1989 religious resurrection meant not only a return of religion in the public sphere, but for the majority of their citizens there has also been a return in the private sphere. At the same time, the Bulgarian Orthodox Church (BOC) that represents the majority religion in the country does not have an official and coherently developed concept of human rights similar to the Basic Teachings of the Russian Orthodox Church on Human Dignity, Freedom and Rights, adopted in 2008 as a follow-up of its Social Concept. The Muslim community—the next considerable religious organization in Bulgaria also does not have a special concept, but relies on the inherent practices in Islam that promote religious solidarity such as zakat and various Islamic teachings for the life of Muslims in non-Muslim societies. Against the backdrop of the largely unstudied role of the Bulgarian Orthodox Church and the continuity and change among Muslims in Bulgaria, this makes the study of the processes at the intersection of religion and human rights increasingly necessary.
Empirical Findings

According to the results of the last census (2011) the proportions within the representation of the religious denominations in Bulgaria are as follows (see Tables 1–4):

<table>
<thead>
<tr>
<th>Religious Affiliation</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>East-Orthodox Christians</td>
<td>4,374,135</td>
<td>76.00%</td>
</tr>
<tr>
<td>Catholics</td>
<td>48,945</td>
<td>0.80%</td>
</tr>
<tr>
<td>Protestants</td>
<td>64,476</td>
<td>1.10%</td>
</tr>
<tr>
<td>Muslims</td>
<td>577,139</td>
<td>10.00%</td>
</tr>
<tr>
<td>Other religions</td>
<td>11,444</td>
<td>0.20%</td>
</tr>
<tr>
<td>No religion</td>
<td>272,264</td>
<td>4.70%</td>
</tr>
<tr>
<td>Not stated</td>
<td>409,898</td>
<td>7.10%</td>
</tr>
</tbody>
</table>

Table 1: Overall distribution of religious affiliations among the population of Bulgaria

<table>
<thead>
<tr>
<th>Religious Affiliation</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>East-Orthodox Christians</td>
<td>4,240,422</td>
<td>86.70%</td>
</tr>
<tr>
<td>Catholics</td>
<td>43,985</td>
<td>0.90%</td>
</tr>
<tr>
<td>Protestants</td>
<td>36,613</td>
<td>0.75%</td>
</tr>
<tr>
<td>Muslims</td>
<td>67,350</td>
<td>1.38%</td>
</tr>
<tr>
<td>No religion</td>
<td>222,387</td>
<td>4.55%</td>
</tr>
<tr>
<td>Not stated</td>
<td>273,891</td>
<td>5.60%</td>
</tr>
</tbody>
</table>

Table 2: Distribution of religious affiliations among self-identifying ethnic Bulgarians

<table>
<thead>
<tr>
<th>Religious Affiliation</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sunni Muslims</td>
<td>420,816</td>
<td>87.60%</td>
</tr>
<tr>
<td>Shi’a Muslims</td>
<td>21,610</td>
<td>4.10%</td>
</tr>
<tr>
<td>“Muslims” (not specifying Sunni or Shi’a)</td>
<td>2008</td>
<td>0.42%</td>
</tr>
<tr>
<td>East-Orthodox Christians</td>
<td>5279</td>
<td>1.10%</td>
</tr>
<tr>
<td>Catholics</td>
<td>1182</td>
<td>0.25%</td>
</tr>
<tr>
<td>Protestants</td>
<td>2400</td>
<td>0.50%</td>
</tr>
<tr>
<td>No religion</td>
<td>14,698</td>
<td>3.06%</td>
</tr>
<tr>
<td>Not stated</td>
<td>39,529</td>
<td>7.23%</td>
</tr>
</tbody>
</table>

Table 3: Distribution of religious affiliations among self-identifying ethnic Turks

1 In comparison with the previous censuses the one of 2011 used a new methodology which allowed people to choose whether to declare or not their religious affiliation and ethnic identity. As a result, 21.8% of the citizens did not answer to these questions. Therefore, the presented per cent of believers in Tables 1 and 2 reflects only the proportion of people who have declared one or another religious affiliation and ethnic identity with regard to the total number of people who have declared them. If estimated on the basis of the entire Bulgarian population, i.e. 7,364,570 citizens, then the group of Orthodox people will count 59.4%, Muslims—7.9%, Protestant—0.9% Catholics—0.7% and other religions—7.9%.
Unlike convivencia in al-Andalus (Muslim Spain) on the level of “high” culture, the centuries-long religious co-existence in Bulgaria lands and the Balkans, appropriately defined by historians as a mélange (Georgieva 1991), has been based on a specific peaceful communication at the ‘low’ cultural level of everyday life communication embodied in the specific practices of the komşuluk, which turned into a general principle of co-existence and good-neighborly interactions between Christians and Muslims. Originally, the komşuluks were “doors in fences, which were never closed and which made the yards of houses into something like linked vessels; through them neighbours provided each other with all kinds of assistance” (Hajiyski 1966, p. 97). So, however overestimated the role of the two concepts might have been, we could say while convivencia may provide richer material for the field of intellectual history, komşuluk is more a matter of the history of everyday human relations.

Historically, on the level of ‘high’ culture the Bulgarian Christian population enjoyed certain religious autonomy within the so-called millet system of the Ottoman Empire. Christians (Greek Orthodox, Armenians, and later Protestants and Catholics of Latin and Greek Rites) and Jews, as “People of the Book”, were afforded the right of religious self-governance. However, the manner in which their religions could be practiced was subject to substantial restrictions. Besides, until the 1870s the Bulgarians, along with other Orthodox nationalities in the Ottoman Empire, were part of the larger Rûm millet, which was often called the “Greek millet.” As such they had few or no representatives among the high ranking clergy and were in a subordinated position in many respects, which negatively influenced the identification of many Bulgarians with their historical Church.

Although Bulgarian citizens of varying ethnic and religious backgrounds officially enjoyed equal rights after Eastern Orthodox Christianity was proclaimed to be the ‘dominant’ state religion, following the liberation from Ottoman rule in 1877–1878, during the consolidation of the modern Bulgarian state, some Bulgarian

<table>
<thead>
<tr>
<th>Religious Affiliation</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>East-orthodox Christians</td>
<td>84,867</td>
<td>36.60%</td>
</tr>
<tr>
<td>Muslims</td>
<td>42,201</td>
<td>18.30%</td>
</tr>
<tr>
<td>Protestants</td>
<td>23,289</td>
<td>10.10%</td>
</tr>
<tr>
<td>No religion</td>
<td>30,491</td>
<td>13.22%</td>
</tr>
<tr>
<td>Not stated</td>
<td>49,491</td>
<td>21.46%</td>
</tr>
</tbody>
</table>

Table 4: Distribution of religious affiliations among self-identifying Roma

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2 Although recently challenged by authors such as David Nirenberg (1996, p. 9), the term convivencia refers to the cooperative and conflict-avoiding coexistence of Jewish, Christian and Muslim communities in the medieval Iberian Peninsula.
administrations actively participated in acts of violence and deportation campaigns against Muslim citizens. Policies encouraging de-Ottomanisation continued to be implemented until the end of the twentieth century, with minority communities forced to change the names of their settlements or streets as a way of distancing themselves from their traditional Ottoman heritage. The rights of the Muslim minority were guaranteed by provisions in several international and national documents recognized by the Bulgarian authorities. Article 5 of the Berlin Treaty (1878) granted religious minorities the right to have their own religious organizations. Article 40 of the Turnovo Constitution (1879) declared the right of religious freedom, and Article 42 the right of minorities to religious autonomy insofar as the latter does not contradict general legislation. On this constitutional basis, “Provisional Regulations for Religious Governance of the Christians, the Muslims and the Jews” were adopted, and in 1895 “Provisional Statutes of Governance of the Religious Affairs of the Muslims”.

Substantial changes in the legal arrangement of religious life in Bulgaria took place after the communist takeover in 1944. Following a short transition period, a totalitarian, Soviet-type rule was established. It was ideologically guided by a Marxist Leninist doctrine, which was profoundly atheistic. The Denominations Act (1949), for example, abolished the right of religious communities to deal autonomously with the religious education of their children. Although in the early 1950s a Soviet-type “multiculturalist” policy was pursued in regard to the ethnic minorities (as a kind of compensation for the severe restrictions of their civic and political rights), the attitude of the authorities to religion was entirely negative and oppressive. Religion was proclaimed to be an element of “backwardness” of people’s mentality and an instrument of “class domination”. Later, however, the communist regime led by the desire to make Bulgaria a unified nation, embarked upon a series of attempts to assimilate Bulgarian-speaking Muslims (the so-called Pomaks) and ethnic Turks into mainstream Bulgarian (nominally Christian) society. The communist state policy of forced assimilation began in the late 1950s with the closing down of Muslim newspapers and schools, and continued via policies including the changing of Bulgarian Muslim names.

The Bulgarian Communist Party mistakenly hoped that this policy would encourage ethnic Turks in Bulgaria with a strong Turkish consciousness to strengthen their ties to the Bulgarian nation. The doctrine and practices of the 'renaming' reflected “a deep crisis of state socialism” (Yalamov 2006, p. 105) beginning in the late 1960s and becoming all-embracing by the beginning of the 1980s. In the spring and summer of 1989, ethnic Turks initiated mass protests in Northeastern and Southern Bulgaria, demanding to be allowed to revert to their original names. Protests erupted that were put down with the help of the police and army, and innocent victims were killed. The resistance of ethnic Turks led the communist regime to change its strategy and open the border with neighboring Turkey to allow them to leave the country. Between June and August 1989, about 300,000 ethnic Turkish Bulgarian citizens left Bulgaria to find refuge in Turkey. After the democratic changes in 1989 and the restoration of civil and individual rights, the role of religion in Bulgaria underwent significant changes.
The Current State of Affairs—on-going Debates and Issues


1. The practicing of any religion shall be unrestricted.
2. Religious institutions shall be separate from the State.
3. Eastern Orthodox Christianity shall be considered the traditional religion in the Republic of Bulgaria (Darzhaven vestnik 1991).
4. Religious institutions and communities, and religious beliefs shall not be used to political ends

On an individual level, the freedom of religion is guaranteed by Article 37. It reads:

1. The freedom of conscience, the freedom of thought and the choice of religion and of religious or atheistic views shall be inviolable. The State shall assist the maintenance of tolerance and respect among the believers from different denominations, and among believers and non-believers.
2. The freedom of conscience and religion shall not be practiced to the detriment of national security, public order, public health and morals, or of the right and freedoms of others (Darzhaven vestnik 1991).

In its turn, the Law of the Denominations guarantees the right of citizens to provide their children with instruction in their religion (Art. 6), and also the right of religious communities to open secondary religious schools (under the supervision of the Ministry of Education) and higher religious schools (with the permission of the National Assembly or the Council of Ministers (Art. 33) (Darzhaven vestnik 2002).

The freedom of religious denomination granted by the Constitution and the legislation is, however, only one aspect of the relationship between religion and human rights. A combination of global, regional and local factors makes the issue of this relationship increasingly complicated in spite of the democratic system in present-day Bulgaria:

Positions on Human Rights Represented by Religions in Bulgaria

The Bulgarian Orthodox Church

After the fall of communism, the Bulgarian Orthodox Church (BOC) developed a certain interest in human rights issues. In this sphere, Bulgarian society had greater expectations from the Church, as well as from religion(s) in general, because religious institutions and clergy or ministers were regarded as major victims of communism and its militant atheism. In the first decade after the fall of communism, however, the BOC experienced serious difficulties due to a schism which split its
leadership into two synods: the Synod of Patriarch Maxim and the so-called Alternative Synod. These hardships were partly overcome in 2002, when the new Denominations Act was adopted. It granted ex lege the status of juridical person to the Bulgarian Orthodox Church and created conditions for its more active role in the public sphere. In 2004, the Chief Prosecutor of the Republic of Bulgaria ordered the confiscation of the churches of the so-called Alternative Synod and their transfer to the Holy Synod of the late Patriarch Maxim (died in November 2012). On the one hand, this act undermined the authority of the former and brought about its gradual decline. On the other hand, it stimulated a consolidation of the Bulgarian Orthodox Church under Maxim’s leadership and allowed his Synod to become more active in the public arena. As a result, it began to express its positions on various socially important issues. After 2007, when Maxim’s Synod failed to convince the political authorities to introduce mandatory study of religion (generally in the form of Orthodox catechism, with the confessional study of Islam for the Muslim school children also envisaged) in Bulgarian public schools, it launched open criticism to the state policy of secular education (Declaration of the Round Table (Bulgarian Orthodox Church, Holy Synod 2010b) and Bulgarian Orthodox Church, Holy Synod 2012a, b, c). In the following years, it also directed its attacks against some liberal values adopted by the Bulgarian state and society in the process of Euro-integration, e.g. it rejected an understanding of freedom of religion as a right to express critical views about religion and religious functionaries (Bulgarian Orthodox Church, Holy Synod 2010b), called on the faithful not to attend a Madonna concert in Bulgaria (2009), and protested against gay-parades (2010a). The Synod also protested against new bills dealing with family, children’s rights and reproduction (2008 and 2012d).

The BOC and Human Rights in the Sphere of Education

The BOC insists on the mandatory study of religion in public schools. In pursuit of this aim, however, the Church tends to neglect or limit the freedom of belief of Bulgarian citizens, especially of those who are irreligious or do not belong to the so-called traditional religious denominations for this country. On the other hand, the Orthodox Church reveals a considerable degree of tolerance toward Islam. In this case the Synod explicitly announced its position that Muslim students may study Islam in areas inhabited by compact communities of adherents of this religion. It also demonstrated some tolerance toward other traditional religious traditions in Bulgaria, such as Catholicism and Judaism. However, it seems that the majority of Bulgarian society does not support the BOC’s demands for the mandatory study of religion in public schools and the number of the students who have opted for this discipline is about 2% of all students in Bulgarian public schools. Facing such strong resistance, the Holy Synod softened its initial demands and suggested an alternative for the students from non-religious families. According to its 2008 Concept Paper on the Study of Religion in Public Schools, these students could attend classes of ethics instead of Orthodox catechism in schools. It also began to avoid
the term *verouchenie* referring to Orthodox catechism, and began to speak about a subject called “Religion.”

In 2012, the BOC took another step back in its Strategy for Spiritual Enlightenment, Catechization and Culture. It no longer relied on the public schools and state financial resources to assure the theological training of Orthodox children, but on the Church’s own structures and parishes. Still, the BOC’s leadership continued to claim special rights in the sphere of education and to fight the spread of non-Orthodox practices in school, e.g. Yoga classes or *panevritmia* (a special set of respiratory exercises developed by the so-called Danovists—an original Bulgarian charismatic movement which appeared at the beginning of the twentieth century). The BOC is also very active in other areas of public life where non-Orthodox teachings appear referring to others as “totalitarian and destructive sects.” In such cases the BOC’s efforts are also supported by some nationalist parties, such as “Ataka” and VMRO.

**BOC and Human Rights in the Sphere of Family**

In this sphere, the BOC does not distinguish itself from other traditional Christian churches that oppose same-sex marriage. This attitude is also shared by the other traditional religious denominations in the country, e.g. Muslims, Catholics, etc. In order to prevent its legalization in Bulgaria, the Holy Synod protested against any draft laws foreseeing an equalization of married and unmarried couples in the new Bulgarian Family Codex. According to the Orthodox metropolitan bishops, the legalization of heterogeneous unmarried couples would open the door for same-sex marriage. In this case, the BOC was more successful and the law did not regulate some important aspects of the life of unmarried couples. In fact the majority of Bulgarians, regardless of their religious affiliation or non-religious worldviews, are against the legal recognition of same-sex marriages. At the same time, unmarried heterogeneous couples also did not receive legal status equal to that of married couples. As a result, the rights of children born to unmarried couples (today over 50% of babies born annually are born to unmarried mothers) are not as well protected as those of the children of “normal families” according to the annual report on youth in the Republic of Bulgaria 2007.

In 2012, the Synod also rejected the rights of women to have abortions or to use methods of assisted reproduction. This time, however, its position was rejected by the majority of society. Currently, the BOC has demonstrated a negative attitude toward the draft law on children that grants special rights to children in regard to their parents. According to the Synod, children must be entirely subordinate to their parents, e.g. under no circumstances do children have the right to contest the decisions of their parents. The BOC is in favor of exceptional parental rights over their children. It seems that the other traditional religious communities also tend to limit children’s rights in favor of their parents.

In general, the BOC is known for its moderate positions on controversial public issues, such as contraception, euthanasia and the like. This is related to a certain
extent to the doctrinal specificity of Orthodox Christianity. The Church’s position in regard to gay and lesbian rights is more explicitly conservative. The Holy Synod has publically criticized the annual gay parades in Sofia. However, these have been incidental reactions and there is no systematic policy by the Church to exert pressure on state institutions or to influence public policies to limit the rights and freedoms of citizens in the name of observing Christian norms of behavior.

**BOC and Human Rights in the Social Sphere**

Most recently the BOC also opposed the freedom of association in the case of clergy; it rejected the right of Bulgarian Orthodox priests to set up a trade union in defense of their social and labor rights (Bulgarian Orthodox Church, Holy Synod 2010c). Meanwhile, the issue of social and health insurances as well as that of the pensions of retired priests remained unsolved by the BOC. In this case, the BOC’s position is similar to that of the Romanian Orthodox Church, as became clear from the recent European Court of Human Rights (ECHR) case, Sindicatul “Pastorul cel bun” v. Romania (European Court of Human Rights 2013).

**The Muslim Community**

The Islamic religious leadership makes efforts to maintain good Islamic morals among the members of its own community, without taking active positions in regard to public issues. Within the Islamic community there is considerable freedom and tolerance, differing from region to region and from subgroup to a subgroup. For example, the use of alcohol and the consumption of pork are quite common among the Turkish population in the northeastern part of the country, but they are not tolerated among the Pomak population in the Rhodope Mountains. The Pomaks are increasingly gaining the image of “revived Muslims”, which causes new problems unknown until now in Bulgarian society as the norms of Islamic law (shari’a) contradict the secular legislation of the country.

**General Situation of Human Rights in Bulgaria: Rights Under Discussion or Under Pressure**

Generally, universal human rights, especially those of the “first generation” (civil and political ones) are respected by the state institutions. There are occasionally incidents with police violence, as anywhere else. More problematic are minority rights, especially those which guarantee the preservation of the groups’ cultural identities. The studying of the mother tongues, although legally guaranteed as a right (not as a duty) is not properly organized at public schools; the teaching of religion as an elective subject is actually in a poor state of realization; and the public
manifestation of minority identities is de facto (not legally) restricted, especially in the media and in the domain of artistic culture. If we take into account that ethnic minorities make up between 13 and 15% of the population and religious minorities more or less the same percentage, we will see that this is not an unproblematic situation.

The state of human rights in Bulgaria shares many common features with the other former totalitarian states where the local society needs to overcome the legacy of the pre-1989 experience in the course of its democratization. Although the principle of the rule of law has been officially adopted by the Bulgarian State, its implementation presents many challenges. As a result, the majority of cases filed against Bulgaria in the European Court of Human Rights are caused by a violation of the right of a just lawsuit, i.e. they relate to Article 6 of the European Convention of Human Rights. On a much smaller scale, there are many cases filed at the ECHR due to the infringement of the rights of ethnic and religious minorities. Most of them concern the freedom of religion, i.e. of Article 9 of the European Convention of Human Rights. Sometimes, they have been provoked by the violation of the civil rights of Bulgarian or foreign citizens who do not belong to any traditional religion, i.e. they are adherents of religious denominations that appeared in Bulgaria after 1989. Such were the cases of Lotter and Lotter v. Bulgaria (Application no. 39015/97), Ivanova v. Bulgaria (Application no. 52435/99), and others. Another important area is cases that have been filed in response to a refusal of the state administration to register new religious bodies as judicial entities, e.g. Hasan and Chaush v. Bulgaria (Application no. 30985/96), Supreme Holy Council of the Muslim Community v. Bulgaria (Application no. 39023/97) or the Holy Synod of the Bulgarian Orthodox Church (Metropolitan Inokenty) v. Bulgaria (Applications nos. 412/03 and 35677/04).

**Tension Between Religions and State with Regard to Human Rights**

Tensions of this nature involving the Bulgarian Orthodox Church have been concentrated in the sphere of education and the family. In general, they are provoked by a discrepancy between the liberal character and secular orientation of the concept of human rights, which the contemporary democratic states observe, and the theologically motivated perception of human rights of the contemporary Orthodox churches. Here it is worth emphasizing the collective ethos which these churches share in regard to the issue of human rights. Their attitude stems from the theological understanding that a man is not simply a human being created by God, but “a living icon of the living God,” i.e. no human being can exist apart from God (Ware 2012, p. 37). In a similar way, mankind is regarded as a theanthropic unity (Florovsky 1972, p. 39). From such a perspective, the Orthodox teaching of personhood seems incompatible with the general approach of the concept of human rights where man is a self-contained entity having only external relations with God and other
individuals (Ware, p. 37). In fact the Orthodox Church in general and the Bulgarian Orthodox Church in particular emphasize the personal responsibility of man before God and his fellow co-believers and rejects the notion of the individual as an abstract human being. As a result, the Bulgarian Orthodox Church is inclined to tolerate other religions, but not to respect them as equal. It is afraid of a relativization of the Absolute Truth, the bearer and guardian of which is the Orthodox Church. It seems that the Bulgarian Orthodox Church as a whole is open to a certain degree of tolerance, but faces difficulties in its encounter with human rights, especially with the freedom of religion.

There are problems also with the rights of the Muslims. An emblematic controversial issue is the functioning of the only mosque in Sofia. The sounding of its loudspeakers and the presence of praying Muslims outside the mosque’s territory (on sidewalks, i.e. in “public space”), which is due to a lack of sufficient space inside and around the mosque to hold the numerous worshippers, has aroused protests by militant nationalists and which culminated in a street fight on May 20, 2011. The reaction of the general public was not in support of the nationalists but rather in favor of religious tolerance. The State however did not intervene resolutely in defense of the religious rights of the Muslim minority and preferred to limit its reaction to a standard investigation of this street fight as merely a street fight, ignoring to a great extent the inter-religious dimension of the incident.

Another controversial issue is the initiative to build a second mosque in Sofia. The leadership of the Muslim community claims that the number of Muslims in the city has dramatically increased in recent years, due to the influx of construction workers from economically underdeveloped regions with considerable Muslim populations, and to the establishment of a relatively high number of Arab immigrants in the city. As a result, the only existing mosque does not provide sufficient physical space for worshippers and consequently their right to practice their religion in an appropriate way is infringed. However, the nationalist political forces have protested energetically against building a second mosque and the general public has silently backed them. Therefore, at present this initiative is “frozen.”

A recent development which puts Muslim religious rights at risk is a court case against 13 Muslims (many of whom are imams) from the Pazardžic, Smolyan, and Blagoevgrad regions. They have been prosecuted for allegedly preaching “radical Islam” and in this way instigating interreligious hatred, which is punishable by law. The counterclaim of representatives of the Muslim denomination is that this is not true and the imams in question are innocent. In more general terms, the controversy is about the ways in which religious differences are to be understood and made sense of in Bulgarian society, so that nobody’s religious rights are infringed due to misunderstandings or political manipulations.

The phenomenon of new religious movements (NRMs) is another source of tensions in Bulgarian society concerning human rights. There was no such problem under communism. The totalitarian regime was motivated to stifle any spread of

3 As a matter of fact, the phrase “radical Islam” is not used by the Prosecutor, but nevertheless this is how the case is known to the public through the mass media.
NRMs for several reasons. Firstly, the NRMs did not fit with its ideological goal to create a society free of religion. Secondly, they were regarded as a kind of the fifth column of the capitalist West directed against the camp of socialism. Finally, the later socialism developed a strong inclination toward nationalism, thus regarding the NRMs as dangerous to the Bulgarian national identity as well. On these grounds, the interests of the communist regime coincided with those of the Bulgarian Orthodox Church (BOC). Evidence for such cooperation can also be found in the recently declassified archives of the communist state security.

After 1989, the changed ideological and political situation allowed NRMs to spread. This has provoked serious concerns among the BOC’s leaders that are also shared by some nationalist political formations (Ataka, VMRO). Their negative attitude toward NRMs stems from a view of Orthodoxy as an inherited feature of the Bulgarian people/nation since its baptism in the ninth century A.D. Fear appeared that the conversion of ethnic Bulgarians to religious denominations other than Orthodoxy would ruin the nation. In fact, the conversion of ethnic Bulgarians to such historical faith traditions as Islam or Catholicism also was not tolerated by the Orthodox majority and the state authorities. During the decades of totalitarian rule this negative attitude embraced the Protestant and evangelical churches as well. In this sense it is possible to state that the record of restrictions and persecution of non-traditional religious denominations goes back to the early stages of the modern Bulgarian State, i.e. since its restoration in 1878. It became more visible, however, in the years of the Balkan wars and afterwards.

As a result of this policy of state protectionism of the so called “traditional religions”, and particularly of Orthodoxy, the Bulgarian Orthodox Church (but also the other historical religious denominations in the country) has not developed immunity to intra-religious deviations or to interreligious competition. Not only in pre-communist times did the Bulgarian Orthodox Church rely on state support in the endorsement of its monopoly in the religious field and in fighting the other Christian denominations and various non-traditional sects. Although the communist regime persecuted religion, it preserved and made use of the local Orthodox Church as an institution that has the symbolic meaning of Bulgarian nationhood thus keeping the sense of some historical exceptionalism of this religion and institution. The traditional role of Orthodoxy found a place in the first post-communist Constitution of Bulgaria as well as in its religion-related legislation.

In theological terms the Orthodox Church made use of the post-communist freedom of religion and some of its representatives launched open attacks against the non-Orthodox Christian bodies such as the Catholic and Protestant churches. According to official sites of the Bulgarian Orthodox Church, Orthodoxy is classified as a proper religion (together with Judaism, Islam, Buddhism and Hinduism), while Catholicism and Protestantism are defined as “Christian sects” or “heresies”.4 Everything else that does not fit within the classical Christian churches is considered a “destructive and totalitarian cult.” As a result, the BOC’s post-1989 approach to

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4 See the classification of religions and sects of the Center for Religious Studies and Consultations “St. Cyril and St. Methodius” at the Sofia parochial church “St. Cyril and St. Methodius”.
NRMs tended to coincide with that of the communist regime and even to borrow the latter’s terminology. In this regard it is important to notice that from the Liberation of Bulgaria in 1878 until 1989 the number of officially recognized religious denominations did not change. There were a dozen. This number began to increase after 1989, reaching 50 by 2002 when the 1949 Law on Religious Denominations was replaced by a new one. Under the new bill their number jumped once more and today there are about 130 (Staridolska 2013). Another controversial change in the life of religious communities in Bulgaria concerns the right of foreign clergy/religious leaders to work in Bulgaria. Such activities were forbidden during the totalitarian period, but an amendment to the 1949 communist Religious Denominations Act, adopted in 1992, and the new Denominations Act of 2002 allowed them. So today they are criticized by some Orthodox and nationalist zealots.

Another peculiarity of the BOC’s attitude to NRMs is its striking unanimity with nationalist political circles in the country. After 1989 we have witnessed cases when Bulgarian metropolitans bless the protests of the nationalists against the activities of Jehovah’s Witnesses or other non-traditional religious communities. The Church and the nationalists unite their efforts in exerting joint pressure over the state authorities to ban or close the prayer houses of such sects or to dismiss representatives of such sects from public offices, e.g. in November 2012 a teacher who was supposedly spreading the teaching of the Siberian sect of Anastasia was dismissed from a public school after a disciple died in an incident (Vasileva 2013).

Generally sects are regarded as something that will ruin the national identity, people’s morality and state security. Their opponents, the BOC and nationalists, stress the differences between the European tradition in the sphere of religious tolerance and the American liberal understanding of religious freedoms. According to them, the European pattern is more restrictive as the national legislations here give priority to one or another religious tradition or church that has played a major role in the formation of the corresponding state or nation. They also claim that the European states have a duty to protect traditional religious values from the threats of globalization. One of these perceived threats is the NRMs that are penetrating European nations and are seen to be ruining the bodies and souls of the citizens. In this regard, the most frequently mentioned examples include the ban over scientology in Germany, the 1998 Austrian Law on the Status of Religious Communities that divides them into recognized and non-recognized, and the existence of state or established churches in several European states.

Generally, the Church and nationalists prefer to speak about “religious tolerance”. They are particularly focused on the State’s control over this sphere and insist on strict limits of tolerance. At the same time, they apply double standards to tolerance. When the BOC’s rights are in question, the Orthodox hierarchy firmly rejects any state control, especially in the sphere of Church finances. When sects are in question, the Church and nationalists insist on full transparency over their economic situation and material resources. At the same time, they reject the idea of religious pluralism and protest against the principle of pluralism as dangerous for the Church itself as well as for the internal (and spiritual) integrity of the Bulgarian nation. It is perceived as something negative and similar to the communist policy of
militant atheism, i.e. as something that undermines the social basis of the Bulgarian Orthodox Church. In short, pluralism is perceived as another form of atheism.

Rights Relevant for Young People and Issues Related to the Life-Work Experiences of Adolescents

The articles 9, 12 and 14 of the European Convention of Human Rights are especially relevant for the young people in Bulgaria. The first of them concerns the freedom of thought, conscience and religion. In the particular case of the Bulgarian youth the most sensitive issue seems to be that of the right of conversion from a mainstream religion to a new religion, especially from the traditional Orthodox faith to another religious denomination. Such developments often intertwine religious and national identities, thus provoking acute debate in society that mixes up religion with politics and history. This issue also concerns the rights of children and parents in the family and many other issues connected with the freedom of choice and discrimination.

In the case of Article 12, dealing with marriage, the most problematic issue is that of same-sex marriage. It is rejected not only by the BOC, but also by the other traditional religious denominations such as Islam, Judaism, Catholicism and the local Protestant churches. At the same time, the European Court of Human Rights refrains from imposing judgments in this sphere. Article 14 deals with discrimination. During recent years there have been several annual national surveys of youth carried out in Bulgaria that reveal a relatively high degree of intolerance among young people, especially toward the Roma people. On the basis of these surveys it seems that discrimination among the younger generation is rarely based on religion, but is motivated mainly by economic, social and racial factors. As a country whose economy lags behind the Western economies and whose people are still restricted in their access to the labor market of some EU member-states, Bulgaria has not avoided human trafficking. As a rule, it is aimed at the exploitation of illegal Bulgarian immigrants or at sexual abuse. Another problem that has appeared in recent years, as a result of the global economic crisis, concerns the rate of unemployment among the younger generation and the level of its education. All this has a negative influence on the state of human rights in Bulgaria in general.

An especially relevant issue is the situation of the teaching of religion at Bulgarian public schools. The right in question here is the right to education on the matters of one’s religion at public schools, i.e. financed by the State and with a quality of education guaranteed by the national educational institutions. It is generally felt that the main religious institutions in the country, the Bulgarian Orthodox Church and, to a certain extent, the Grand Mufti’s administration possess neither the tradition,

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5 A high degree of intolerance of the Roma people is registered by the National Annual Reports on Youth for 2006 and 2007.

6 Before the communist regime, the Muslim youth in Bulgaria studied mostly in private religious schools where they were taught Islam by imams, while the Orthodox youth had classes of religious instructions within the framework of the curricula taught in the state schools. These classes, however, were not taught by priests and embraced mainly the first three grades.
experience, or the financial capacity to organize the religious education of the children of religious parents in a private way, e.g. Sunday schools or classes at mosques. On the other hand, public education is secular by legislation. The present state of affairs is that religion can be taught as an elective subject at public schools, provided that there is sufficient interest at the schools, i.e. that there is a significant number of potential participants in such classes to make it worthwhile to employ a teacher in this subject. In 1997–1998 and 1999–2000, courses on Christianity and Islam (respectively) were introduced as elective subjects after an absence of about 50 years from public schools. However, due to financial constraints the educational administration is reluctant to employ new teachers and consequently does not encourage the interest of the students or of their parents in the study of religion. As a result many children do not have this opportunity. The number of students who participate in such classes is steadily declining, and in this way the religious rights of the children from religious families seem to be potentially vulnerable.

Another problem is that the teaching of religion at school is conservative, ethnocentric and dogmatic. The basic moral values of each religion are represented as exclusive, with little or no attention to interfaith relations, either in an ethical/theological or practical/social sense. Thus religious education is cut off from broader social and political development and does not contribute to the spread of a civic mentality among the religious communities in the country.

In general, however, the extent of religiosity among young people is relatively low (unfortunately no quantitative research has been conducted in this respect so far, and we cannot present relevant empirical data), especially among the East Orthodox Bulgarians, who are the vast majority of the population. Indirect evidence for this, *inter alia*, is the fact that the number of candidates for the two seminaries of the majority Orthodox Church, which train future priests, and for the Orthodox theological faculties established at several Bulgarian universities, has dropped dramatically in recent years.\(^7\)

The situation is somewhat different with the Muslim minority. Young Muslims are in quite an ambivalent situation concerning human rights. On the one hand, they face the challenge of harmonizing in some way and to some extent the rather traditional Islamic worldview to which most of them subscribe with the secular liberal norms of public life which characterize contemporary Bulgarian society. On the other hand, Muslim youth are quite aware that Muslims need their rights to be protected, especially the ‘third-generation’ Muslims, who are embedded in the liberal normative framework. This complex situation makes the young members of the Muslim community vulnerable to the influence of more ‘radical’ interpretations of Islamic doctrine. However, the state of affairs in this respect varies for the three different subgroups: the ethnic Turks, the Pomaks, and the Roma. An empirical survey would be extremely helpful for the analytical clarification of this increasingly important subject.

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\(^7\) There about 30 students enrolled in the regular (high school level course) and the two-year course for men over the age of 20 in the seminaries in Sofia and Plovdiv for school year 2013/14. “Only one new student was additionally enrolled in the Sofia seminary,” (Dveri na Pravoslavieto 2013).
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