

Religious Freedom in Postcommunist Bulgaria

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This research will present the postcommunist political, economical and social context in Bulgaria which has resulted in the legal changes concerning the practice of religion in the country. It will then show that as the 1949 law of religion implemented by the Communist regime was replaced by a new one, the problems and limitations which Protestant communities in Bulgaria experienced did not cease. The research will then identify some of the limitation of the new law and the religious tensions and limits it is causing to the process of freedom of religion and human rights in democratic Bulgaria.

Postcommunist Europe

On his first official visit to West Germany in May 1989, Mikhail Gorbachev informed Chancellor Kohl that the Brezhnev doctrine had been abandoned and Moscow was no longer willing to use force to prevent democratic transformation of its satellite states. At 6:53 p.m. on November 9, 1989, a member of the new East German government gave a press conference to announce that the new East German travel law would be implemented immediately. At the East Berlin Bornholmer Strasse, the people demanded that the border be opened. At 10:30 p.m. the border was opened.¹ This meant the fall of the Berlin Wall and the end of the Cold War.

The unification of one Germany brought the clash of two political extremes within one nation. It brought together two Europes kept apart for half-a-decade. This dynamic introduced the continent to a new set of opportunities among which was the vision for a unified Europe which began to become reality.

A new set of dilemmas was introduced as well. Among all economical, political, social, cultural and simply human points of diversity, religion remained central for the

¹ The Fall of the Berlin Wall, <http://www.dailysoft.com/berlinwall/history/fall-of-berlinwall.htm> June 29, 2004; also Jeremy Isaacs and Taylor Downing, *The Cold War*, Thomas Fleming, *The Berlin Wall* and Wolfgang Schneider, *Leipziger Demotagebuch*.

process through which the European Union was emerging. The official “United in Diversity” (reminding of the American E Pluribus Unum) claimed unification, without mentioning God as the new European constitution announced that Europe draws “inspiration from the cultural, religious and humanist inheritance of Europe.”²

This tension is just as relevant in Eastern Europe, which is not yet a part of the European Union. There, the postcommunist reality has clashed with the emerging religious awareness which followed decades of enforced atheism. Each country has developed a mechanism to deal with this situation. Russia announced the formation of an inter-religious council as an advisory commission to the Russian president.³ Romania developed a Protestant association with over 1.5 million members called the Romanian Evangelical Alliance and officially recognized by the state.⁴ The Czech Republic is dealing with a law that attempts to put the church completely under the jurisdiction of the state.⁵ As it prepares to enter the European Union in 2007, Bulgaria has been contemplating similar issues.

Postcommunist Revival in Bulgaria

For us who lived in the last days of Communist Bulgarian, the fall of the wall was a miracle which the world witnessed. Coming out from the severe Communist persecution and surrounded by the Balkan religious wars, suddenly the country of Bulgaria experienced a time of liberation which gave the start of spiritual revival which mobilized Bulgarian Protestants. In the midst of extreme poverty, due to prolonged economical crisis, this revival became an answer for many.

² Ed Johnson, Associated Press, June 19, 2004 and David E. Anderson, “European Union Debate on Religion in Constitution Continues” May 26, 2004.

³ Council for Interaction with Religious Organizations. <http://kremlin.ru/eng/councils.shtml>, June 30, 2004.

⁴ “Rumania,” <http://www.evangeliskivestnik.net/statia.php?mysid=32>, June 30, 2004.

⁵ “Curkvata v Chehia,” <http://www.evangeliskivestnik.net/statia.php?mysid=26>, June 30, 2004.

Intense opposition from the Eastern Orthodox Church currently in schism, severe economical crises, the lack of political direction and rapidly changing governments and laws were only a few of the obstacles which Bulgarian evangelicals faced in the postcommunist era. Employing these “convenient” circumstances, Eastern Orthodox opposition, nationalistic movements and political parties engaged the forces of media and public opinion against the Pentecostals whom they claimed were the reason for the burning Communist Empire.⁶ The 2003 National Statistical Institute reported that the number of protestant believers living in Bulgaria was 42,000.⁷

Regardless of the opposition, revival continued. By 2002, the Assemblies of God in Bulgaria claimed over 50,000 in membership and the Bulgarian Church of God reported a decade of rapid growth with 32,000 members. Combined with the remaining Protestant communities this projected a Protestant population of over 100,000 in a country with a declining population of 7.9 million where 82.7% were said to be Orthodox Christians.

Presently, a total of 36 denominations are officially registered with the Bulgarian Government, as Evangelical Protestant church groups have had particular success in attracting numerous converts from among the ethnic Roma minority. Most observers agree that evangelical Protestants tend to participate in religious services more frequently than other religious groups. Missionaries are present in the country, including representatives of evangelical Protestant churches and more than 100 missionaries from the Church of Jesus Christ of Latter-day Saints.⁸

⁶ <http://www.evangeliskivestnik.net/statia.php?mysid=39>. July 1, 2004.

⁷ <http://www.nsi.bg/Census/StrReligion.htm>. July 1, 2004.

⁸ “Bulgaria: International Religious Freedom Report 2003” <http://www.state.gov/g/drl/rls/irf/2003/24348.htm>. July 1, 2004.

Bulgarian Confession Act

In the fifteen years of democracy which followed Communism, the religious freedom was paradoxically represented by the 1949 law on religion set by the communist regime. The process of European integration, through which Bulgaria is to enter the European Union in 2007, demanded changes in the practice of religion freedom in Bulgaria. After a trial period of three years, the monitoring of human rights and religious freedom was removed. In June of 2003, a representative of the Parliamentary Assembly of the Council of Europe (PACE) visited Bulgaria⁹ and a post-monitoring status was established, the removal of which has been recently.¹⁰

Meanwhile, in December of 2002, the Bulgarian Government passed a new law on religion called the *Confessions Act*. The new law was consistent with international standards of religious freedom and European religious laws and conventions adopted by other democratic countries with historical Christian influence. However, while an improvement from the previous totalitarian law was evident, the new law was criticized for the preferential treatment given to the Bulgarian Orthodox Church. It was further suggested that it made provisions for the schism experienced by the Orthodox Church in Bulgaria.

The response to these allegations was given by the Directorate of Religious Confessions. The Directorate is a government agency created by the Communist government to oversee all religious activities in the country. It preserved its role after the fall of the regime becoming perhaps the most influential government office in the religious life of Bulgaria.

⁹ http://www.pravoslavieto.com/news/2003/evropa_relig_prava.htm. July 1, 2004.

¹⁰ http://www.bnr.bg/RadioBulgaria/Emission_Bulgarian/News/0806-18.htm. July 1, 2004.

In its communiqué, the Directorate announced that the new law of religion be based on international norms for human rights and religious freedom, and guaranteed the separation of church and state. The statement further defended the jurisdiction of the Orthodox Church on the basis of its historical presence, claiming that similar privileges are present in most European countries. It also pointed out that both the prime minister and the president accepted their offices with the blessing of the Orthodox Patriarch this recognizing the Bulgarian Orthodox Church.¹¹

The statement, however, did not address the concern of a number of critical issues and religious freedoms concerns such as:

1. The Confession Act presumes, but does not provide a definitive statement of traditional and non-traditional religious confessions (denominations).
2. It clearly designates the Orthodox Church as a traditional religious group along with Muslim, Roman Catholics and Jews.
3. All religious groups/denominations, with the exception of the Orthodox Church, must register with the Sofia Municipal Court.
4. The Confession Act fails to provide an atmosphere for preventing discrimination and harassments against “non-traditional” religious minorities.
5. The Religious Denominations Directorate’s opinion is presumed as expertise on religious groups and denominations.
6. Public worship is prohibited without denominational registration.
7. The Bulgarian Government provides financial support for the traditional denominations.

¹¹ <http://synpress.bglink.net/14-2002/stanovishte.htm>. July 1, 2004.

8. The act makes no provision of the requirements necessary for the court to grant registration.
9. The act makes no provision on procedures in cases when the court fails or refuses to register a religious group.
10. There is no procedure for cases in which the court's decision may be influenced by public opinion.
11. There is no category concerning foreign missionaries and their activity on the territory of Bulgaria.
12. There is no provision for chaplaincy or pastoral care in the army, prisons, hospitals and care institutions.
13. There is no concern with the tendency by certain municipalities to enact regulations preemptively that may be used to limit religious freedom if a perceived need arises.
14. Formation of political parties along religious lines is prohibited.

Human Rights Concerns

Religious freedom is the possession of the right to believe, worship and witness; change one's belief or religion; and join together and express one's belief. In the 1300 years of Bulgarian history, religious freedom has hardly been a present formation factor. Naturally, there is no tradition in Bulgarian on the legal definitions and understanding of freedom of conscience and freedom of religion. Any activity in the direction, therefore, must purpose clarification of the very concept of religious freedom. Only after the

historical atheistic ideology is identified and removed, the idea of human rights, freedom of conscience and freedom of religion can become meaningful.¹²

The separation of church and state is another basic, but absolutely necessary practice, which unfortunately has never been recognized in the Bulgarian reality. The state's intervention should be allowed only in criminal cases, but never for reasons of personal beliefs or convictions. Full provisions for such methodology are made by Article 9 of the European Convention.¹³

The integration between culture and law is also important. No law is powerful until it is practiced. Its validity is motivated by the cultural awareness which recognizes its importance for the social existence of the person and the community, and enforces the practice of the law. The Bulgarian Orthodox culture of the 21st century, however, still sees Protestant churches as a threat and treats them in as if they had a sectarian status. Since the Byzantium era, the Orthodox Church historically has called for a “symphony between church and state.” The present dilemma of the Bulgarian society is to choose between freedom of religion in its current Western European version based in the Enlightenment humanist view and the old Byzantine-Russian protection of the state over the Orthodox Church.

Any movement toward integration of church and state, however, is against the protestant identity. The protestant church is a strong unit separate from the state. If any

¹² The part on *Human Rights Concern* emerged from personal interviews with a number of Bulgaria Christian lawyers among which were Petromir Kunchev of Sofia, Pavel Pavlov of Plovidiv and Zhoro Vassilev of Yambol.

¹³ European Convention, Article 9: “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or the protection of the rights and freedoms of others.”

integration exists, it is only for consulting purposes. According to the new Confession Act, if a denomination desires to exist legally it must submit to a legal registration with the state. In order for a registration to be issued, a central leadership of the denomination must be present. The purpose of this requirement allows the government to communicate with a limited number of denominational representatives, rather than thousands of denominational members. However, in many cases, this requirement enforces a change in the identity of the religious group in order to provide the needed centralized structure.¹⁴

Epilogue

While this essay was being finished, several important dynamics occurred in Bulgaria. On June 30, 2004, the Directorate of Religious Confessions spoke with representatives of the Department of Finances for customs, tax and credit relief in regard to religious groups. This will allow religious denominations to receive aid without the need to register separate para-church foundations.¹⁵

Meanwhile, the Movement for Rights and Freedoms, which represents the Muslim population of Bulgaria, made a motion for a change of the Confession Act. The motion protested against the registration process claiming that, “The court ridiculed of the Muslim faith [in Bulgaria]. Its spiritual leader was recognized by the president, the prime minister and other institutions, while some court could not make a decision.”¹⁶

As the Confession Act has been active for less than a year, it is already causing tensions and is criticized by religious communities in and outside Bulgaria. This can mean only one thing. With a motion for change, the process of having a new, stable law of religion in Bulgaria will be prolonged for a new unknown period of time.

¹⁴ Ludmila Mladenova, http://www.bgbible.hit.bg/vestnik/xm-1_1.htm. July 2, 2004.

¹⁵ Daric Radio, Noon News Block, June 30, 2004.

¹⁶ <http://www.religiabg.com/?p=news&id=1117>. July 2, 2004.

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