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Sima Avramović, *Prilozi nastanku državno-crkvenog prava u Srbiji – State-Church Law in Serbia*,

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The book's title is asymmetrically bilingual: one part of it is not the exact translation of the other. The full title is the one in Serbian *Prilozi nastanku državno-crkvenog prava u Srbiji* (*Contributions on the Birth of State-Church Law in Serbia*) and the shorter one is in English *State-Church Law in Serbia*. The Serbian title denotes the book's structure, for except for its introductory chapter the book is a collection of law review articles and scholarly lectures. However, although the title in English lacks reference to this structural aspect and thus suggests a substantial degree of completeness, it is no less true, for the book both treats all constituents of the subject area of Serbian law, and represents an exhaustive compendium of academic treatises available on the subject in Serbian language.

The fall of the Berlin Wall meant for Serbia the restoration of allegiance of its citizens to churches and religious communities in the same way as it did to other Central and Eastern European countries. However, in Serbia it was only after democratic changes of 2000 that this massive reinstatement of faith in the society began to receive acknowledgment through legislation.

This book does not merely summarize the present outcome of that process. It is a step-by-step testimony of the thorough transformation of the part of Serbian legal system that deals with religious freedom, since most of the contributions it contains have served in fact as intellectual cornerstones for either initializing or justifying pertinent legislative changes. The book, thus, should be regarded as precious source for understanding history of legislation in the field of religious freedom in Ser-

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bia and the changes that have lasted for almost a decade and that transpired after more than half a century of absence of this area of law from the legal system.

The documentary thoroughness of this collection is all the more so evident from its inclusion of the pleading of Professor Avramović before the Constitutional Court of Serbia in defense of constitutionality of religious instruction, the key testimony for the defense, or of the Draft Law (Bill) on Religious Freedom of 2001/2002, the internationally renowned precursor to the present Law on Churches and Religious Communities of 2006.

The introductory chapter conveys author's understanding of the truly great extent to which the field of church-state law and religious freedom interacts with numerous other areas of law and penetrates the social fabric, especially through its importance for the values of any society of our civilization. The author also in this chapter justifies adoption of the German term "state-church law," which comes as no surprise when one knows that the principle of cooperation between the state and religious organizations, the formative principle in the works of the author in this field, has been the feature of German-speaking countries' legal systems.

The first previously published article in the collection, on religious freedom and its abuse, of 1998, delienates the field of interest by dealing with the sensitive issue of boundaries between legitimate and illegitimate application of religious freedom.

The five contributions that follow all pertain to the restoration of religious instruction to public schools in Serbia. The first and the last one deserve particular attention. The first one, the article titled "The right to religious instruction in domestic and comparative European law," of 2002, was the first that the author had written in this area of law following the democratic changes of 2000, and was published in the midst of a stirring and controversial public debate on the issue during 2001 and 2002. The debate, led both in academic circles and in the media, attracted no less public attention than the then started privatization process.

Restoration of confessional religious instruction for seven traditional churches and religious communities by the Government of Serbia in 2001 set the course of future development in the field – the principle of cooperation between the state and religious organizations was adopted, and the continuity of legal status of traditional churches and religious communities with the one they possessed in the Kingdom of Yugoslavia was recognized. By the same token, this article of the author defined key bearings of the theoretical approach that he explored in all his subsequent works. Firstly, it was the deep understanding of the diversity of church-state relations that existed in Europe, one of which was the model of

church-state cooperation. Secondly, Professor Avramović was the first Serbian legal scholar to confront and unravel the artificial perception of deep conflict between social and legislative recognition of religious rights and application of international human rights treaties. Professor Avramović in this article, and in many that followed invested great care in presenting comparative practice and theory of applying international human rights treaties to such ends.

The fifth contribution in the series devoted to religious instruction may probably be the most vigorous in tone and argumentation, which is understandable considering its nature – it is the testimony of the author in capacity of key expert witness of the Government of Serbia before the Serbian Constitutional Court, given in June 2003, in defense of constitutionality of the Ordinance on Restoration of Religious Instruction and the Alternative Subject to Public Schools of 2001. The constitutionality of the said Ordinance and subsequent statutory provisions was upheld by the Court.

Following a series of lectures – in English, German and Italian – given at international conferences before the new Serbian Law on Churches and Religious Communities was adopted in 2006, two articles are given in which the author dealt with this new law. The first was written while the law was still at the stage of a bill, i.e. it was still not adopted by Parliament, whereas the second treated the enacted version.

As it has been already mentioned, this collection ends with two statutory texts. The first is the Religious Freedom Bill that the Federal Government of Yugoslavia (consisting of Serbia and Montenegro) sent to Federal Parliament in 2002, but that has never been adopted due to slow constitutional death of the federal state, in the drafting of which the author had a prominent role. The second is the English translation of the enacted Law on Churches and Religious Communities of 2006. A careful reader is thus enabled to recognize similarities between the two texts, particularly with respect to governing principles and key mechanisms, the very same ones that have been in the past six years explained in a sovereign manner to the legal academics and practitioners of Serbia by way of articles and lectures assembled in this collection.