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Sima Avramović, Dušan Rakitić, Mirjana Menković, Vojislav Vasić, Aleksandra Fulgosi, Branko Jokić, *The Predicament of Serbian Orthodox Holy Places in Kosovo and Metohia – Elements for a Historical, Legal and Conservational Understanding*, University of Belgrade Faculty of Law, Belgrade 2010, p. 112.

The fact that the conflict in Kosovo and Metohia has so far failed to attract substantial interest of academic literature in Serbia as a subject may appear surprising only to a naive or inexperienced spectator. This particular subject possesses many features capable of scaring off writers not bold enough to face prospect of uncertainty of how their approach to it would be looked upon in the future, once the present situation becomes less open-ended and the conflict abates. Relative scarcity of comparative works in the field surely makes *The Predicament of Serbian Orthodox Holy Places in Kosovo and Metohia* an outstanding study, but it may be regarded so also due to a reason related to its substance.

Besides due to having appeared in a field characterized by high levels of political scrutiny and a low number of published studies, the monograph may be regarded as exceptional due to a highly complex interdisciplinary approach that it takes. Its full title denotes main components of this unique feature: historical, legal and conservational. The structural complexity of the text, however, goes beyond this trichotomy, since the legal analysis unifies several perspectives – those of religious freedom, international human rights, property and international law. The principal theoretical part of the book is coupled with a series of 16 case studies of endangered holy places, to which the conceptual framework it proposes has been applied.

The Kosovo and Metohia conflict has taken many dimensions in recent decades, during which time it has been continuously evolving. Its vast complexity encompasses ethnic substance, historical origins, religious fabric, unsettled consequences both in international relations and in

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international law etc. Having this in mind, the interdisciplinary approach of the book at hand becomes not only understandable, but starts appearing necessary for any attempt to conceptualize the issue and offer practical conclusions for the future. This may very well be the third reason to look upon this book as an outstanding one, for its complex conceptual framework, in addition to achieving intrinsic value of theoretical insights, is rather precisely focused on offering and substantiating elements for improving the existing framework of international law in the way that would most directly improve protection of endangered holy places in Kosovo and Metohia. Thus although the book grounds a better part of its analysis in history, but overall it is firmly oriented towards contributing to the conflict's abatement and resolution in the future.

The spearhead of the study is the concept of a holy place as not only a monument bearing artistic and spiritual importance, but as a "facility" intrinsically related to performance of religious freedom, not only by individuals but by a community and in a community, entailing the needs for security, economic sustainability, property rights of such a place as well. The extreme extent to which all these dimensions have been negated to the holy places of the Serbian Orthodox Church in Kosovo and Metohia, especially during the past decade, makes it that case ideal background for the authors to develop the subject concept of holy places.

The approach that insists on the importance of a holy place as a setting for a living religious community has a particular importance for Serbian academic literature, because it marks a pronounced departure from academic works that appeared in times of communist rule and have prevailed since, and which were characterized by limiting academic and scientific interest, and consequently affording a right to legal/international protection, only to the physical form of a holy place as an artifact of value to the history of arts, with a total disregard for its importance for the contemporaneous religious community.

Introductory sections of the book are followed by a chapter titled "Historical Context", in which the ties between the Serbian ethnicity and statehood on one hand and Kosovo and Metohia on the other are presented concisely and objectively, in the form of a chronological overview starting with the settlement of Slavic tribes in the Balkans and ending with the fall of the Berlin wall.

A presentation of factual findings relevant for the study ensues in the next large chapter, titled "Results". The text encompasses profiling of the holy places based on their most important religious functions, a breakdown of various infringements of property rights related to the holy places, reports on the lack of free access to the holy places and of basic security, an assessment of extra-territoriality the holy places have achieved so far, as well as a report on how the holy places are set in the context of

their relations with the surrounding Albanian communities and with the provisional international authorities. Although in this part the immediate chronological scope of factual findings is limited to the period since after the 1999 armed conflict, and the resulting change of control over the province, to date, in several instances it is obvious that the study regards the past seven decades, i.e. the period that started with the outbreak of World War II and has lasted since, as a continuum of violence directed at the Serbian Orthodox holy places in Kosovo and Metohia.

The third major part of the monograph entails a description of the present international legal framework that would be applicable for the purpose of protection of holy places, an assessment of why such framework may not be deemed sufficient, substantiated by examples from the present-day reality of Kosovo and Metohia, and, most importantly, the principles for improving the existing set of international rules. As already described, a synthetic concept of a holy place is proposed, one that would entail the need of protecting not only the artistic value of a particular part of world heritage, but also the religious freedom, property rights, life and security of the community to which a holy place belongs. Special emphasis is put on achieving and securing sustainability of endangered holy places.

Finally, the second half of the book encompasses 16 case studies of most paradigmatic Serbian Orthodox holy places in Kosovo and Metohia: the town center of Prizren, Sredačka Župa, Velika Hoča, the Church of the Mother of God in Vaganeš, the Church of the Mother of God in Mušutište, the Church of the Presentation of the Mother of God in Lipljan, the Church of Saints Healers Cosmas and Damian in Podgrađe, the Church of St. George in Rečane near Suva Reka, the Church of St. Nicholas in Gnjilane, Budisavci Monastery, Devič Monastery, Gorioč Monastery, Gračanica Monastery, the Monastery of Saints Healers Cosmas and Damian in Zočište, the Monastery of the Presentation of the Mother of God in Dolac near Klina, and Visoki Dečani Monastery. Each case study entails factual findings on the present-day situation and developments since the change of control over the territory in 1999.

While firmly relying on the history of Kosovo and Metohia and Serbian Orthodox holy places in it, as is necessary for any purposeful understanding of the conflicts related to this area, the book offers a sober and concise assessment, by way of a specially assembled set of criteria, of the situation in which Serbian Orthodox holy places in Kosovo and Metohia are today. Moreover, it also presents a forward-looking proposal for the directions in which means for protecting the Serbian Orthodox holy places in Kosovo and Metohia should be looked for, as well as for the principles along which the global international legal framework should be improved.