

Religious Freedom in Republika Srpska

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Religious freedom is one indicator that can be used to gauge fundamental human rights bestowed upon citizens by government. Republika Srpska has seen ethnical, cultural, and political strife over the last two decades. Sixteen years after the Dayton Peace Accords ended the Bosnian War, does Republika Srpska guarantee freedom of religion?

Background

Republika Srpska (RS) is one of two entities that compose Bosnia and Herzegovina. The other is the Federation of Bosnia and Herzegovina (BiH). As an autonomous republic, Republika Srpska is subject to its own internal governance. The capital of Republika Srpska is Banja Luka. The government buildings in Banja Luka give it the appearance of the capital of a sovereign state.

Since the dissolution of Yugoslavia in the early 1990s, several different nations have arisen from the former country. The Balkan Wars of the 1990s were fraught with ethnic and religious strife. Bosnia and Herzegovina was at the center of these contentions that have been present in the region for centuries. The country's three main ethnic groups are: Bosniak (48 percent), Serb (37.1 percent), and Croat (14.3 percent).¹ These three ethnic groups are usually associated with a particular religion: Bosniaks with the Muslim faith, the Serbians with Serbian Orthodox, and the Croatians with Catholicism. At various points throughout history, each of these three groups has dominated the region, and each has asserted what they believe to be a legitimate claim. For example, during the Balkan Wars the Serbs were fighting for what they called "a greater Serbia."

Although sources differ as to the total number of casualties during the Bosnian War (1992-1995), it is reasonable to claim that hundreds of thousands of people died. Thus, the reason for the international interference was mainly humanitarian. President Clinton must be praised for calling the Dayton Peace Talks and influencing the United States to play a

¹ Percentages are based on estimates as provided by the CIA *World Factbook* of March 1, 2011.

role in resolving an incredibly complex fracas. The ultimate result was the dividing of Bosnia and Herzegovina into two distinct entities (roughly the same size). This was the first time that either geographical region had gained such high political *bona fides*.

Republika Srpska

Republika Srpska is a predominately homogeneous state. About 90 percent of the constituents associate with the Serbian Orthodox tradition. The other two major constituent groups, Catholic Croats and Muslim Bosniaks, account for most of the remaining population. It is important to acknowledge this unique situation when attempting to assess the extent of religious freedom in the autonomous republic. Historically, there has been cultural alienation within the region; thus, it is not unusual that an overwhelming majority of the people belong to one particular faith. The ethnic cleansing and violence during the Bosnian War caused internal migration and refugee flows, which largely segregated the population into separate ethnoreligious areas.² Therefore, it is understandable that doubts about religious freedom in the state exist.

Religious Freedom in Republika Srpska

Religious Freedom in Republika Srpska is considered the right of every citizen. Section II, Article 10 of the Constitution of Republika Srpska states:

Citizens of the Republic shall be equal in their freedoms, rights and duties; they shall be equal before the law and they shall enjoy equal legal protection irrespective of their race, sex, language, national origin, religion, social origin, birth, education, property status, political and other beliefs, social status and other personal attributes.

At the same time, it is important to understand that in Republika Srpska and in Bosnia and Herzegovina as a whole, religion often serves as a community or ethnic identifier.³ Hence the situation begs the question: Is Republika Srpska tolerant of minority religions?

According to the State Department's International Religious Freedom Report (November 17, 2010), the Republika Srpska law "foresees the observance of the following religious holidays: Orthodox Christmas, Catholic Christmas, Kurban Bajram, Ramadan Bajram, Orthodox Good Friday, Orthodox Easter, and Catholic Easter. Orthodox Christians, Catholics and Muslims have the right to excused and paid absences on these days, while those celebrating other religious holidays can choose two days a year for observance of other religious holidays. In practice, no institutions in the RS function during Orthodox holidays, while during Muslim and Catholic holidays only employees observing the holidays are not expected to come to work." This is not unlike the policy of the United

² Bureau of Democracy, Human Rights, and Labor, United States Department of State. "International Religious Freedom Report 2010," 17 November 2010.

³ Ibid.

States, except that the predominant religion of the region is Orthodox Christianity, not Christianity.

The Law on Religious Freedom governs religion and reaffirms the right of every citizen to religious education. Religious education is not centralized. Public schools offer religious education classes; “but with some exceptions, schools generally offered religious instruction only in the municipality’s majority religion.”⁴ There are, however, stipulations that allow for freedom of religion in these areas. “Legally, students (or their parents, in the case of primary school students) may choose not to attend these classes. If a sufficient number of students of a minority religious group attend a particular school (20 in RS, 15 in the Federation), the school must organize religion classes on their behalf.”⁵

Another example of the progress made towards expanding religious freedom relates to the Ferhat-Pasha (Ferhadija) Mosque. During the Bosnian war, 16 mosques were destroyed, including the Ferhadija Mosque in Banja Luka. Republika Srpska’s Prime Minister (now President), Milorad Dodik, announced on June 8, 2010, that the Government of Republika Srpska would apportion nearly one million dollars toward the reconstruction of the mosque. Speaking at the 30th Annual Appeal of Conscience Foundation’s Religious Seminar on February 17, 2011, former US Ambassador to Bosnia and Herzegovina, Charles English, cited Mr. Dodik’s action as evidence of the progress that Republika Srpska is making in enhancing religious freedom.

Conclusion

Today fundamental religious freedom is observed in Republika Srpska. Minority groups have this freedom. They are protected by law, have the right to attend religious schools, and receive equal treatment under the law. It is true that there have been a few instances, in relationships between people and organizations, which recall an earlier period of alienation along religious lines. However, a real effort is underway to guarantee religious freedom and the free practice of religion in Republika Srpska. At a time when nearly 70 percent of the world’s 6.8 billion people live in countries with high restrictions on religion,⁶ it is reassuring to know that those living in Republika Srpska are free to worship as they wish.

⁴ Bureau of Democracy, Human Rights, and Labor, United States Department of State. “International Religious Freedom Report 2010,” 17 November 2010.

⁵ Ibid.

⁶ The Pew Forum on Religion & Public Life, Pew Research Center. “Global Restrictions on Religion,” 17 December 2009.