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BULGARIA: Police expulsion of Alternative Orthodox a dangerous precedent?

By Felix Corley, Forum 18 (<https://www.forum18.org>)

Fears have been expressed to Forum 18 News Service that the police expulsion of the "Alternative Synod" of the Orthodox Church from some 250 churches sets a dangerous precedent for attacks on other religious communities. Latchezar Popov of the Rule of Law Institute in Sofia told Forum 18 that other minority communities "see themselves in the same position." He also noted that "when the Sofia city prosecutor issued his order to storm churches in the capital, he had not even seen the file prepared by the chief prosecutor." Amongst churches seized are thought to have been several built by the Alternative Synod itself. Some priests of the Orthodox Church under Patriarch Maksim, which has now acquired the disputed churches, share the concerns of religious minorities. "This has damaged the image of the Church of Christ," Fr Petar Gramatikov of Plovdiv told Forum 18. "The government decided to end the church schism, but this was not the way to do it. Resolving church problems with the police is not the way."

Two weeks after police expelled members of the "Alternative Synod" of the Orthodox Church from some 250 churches they have been occupying since a schism in 1992, religious freedom advocates and religious minorities are preparing to step up their campaign for the expulsions to be reviewed by a court. "The onus should be on the Bulgarian Orthodox Patriarchate to prove ownership of the 250 disputed churches in court, not on the Alternative Synod of Metropolitan Inokenty to have to go to court to try to get them back," Latchezar Popov, head of the Rule of Law Institute in the capital Sofia, told Forum 18 News Service on 3 August. His institute is hosting a meeting on 4 August which he expects will be attended religious freedom activists and a range of other religious communities.

Police stormed the churches in a simultaneous action across the country early on 21 July (see F18News 23 July 2004 http://www.forum18.org/Archive.php?article_id=370). The raids followed an order from the country's chief prosecutor Nikola Filchev to prosecutors in individual cities and towns. "When the Sofia city prosecutor issued his order to storm churches in the capital, he had not even seen the file prepared by the chief prosecutor," Popov told Forum 18.

Popov complains that the actions of the chief prosecutor cannot be challenged in court. "There is no mechanism for this in the code of procedure. Article 117 of the law on judicial power spells out the independence of the prosecutor from the courts." He believes this gives the Alternative Synod or any individual hurt when police expelled them from the churches the right to take any complaints directly to the European Court of Human Rights in Strasbourg, to which Bulgaria is subject as a member of the Council of Europe.

In a 29 July letter to Latchezar Toshev, chairman of the parliamentary human rights and religion committee, the director of the Religious Affairs Directorate of the Council of Ministers Professor Ivan Jelev denied that the government had issued any order to evict the Alternative Synod from the churches and said the decision had come from the prosecutor.

Among those expelled from his church on 21 July was Fr Veselin Arnaudov, parish priest of St Sofia's in the capital. "I had just arrived at the church and a few laypeople were in the church when the police arrived," he told Forum 18 from Sofia on 30 July. "The police didn't beat any of us, but they pushed us all out of the church and sealed the door, citing an order from the city prosecutor's office. They read it to me but wouldn't let me keep it."

He reported that since the expulsion, he has had to hold services on the square outside the church. He said between 50 and 100 people attend on weekdays, while some 200 attended Sunday liturgy on 25 July. "We have been holding protest demonstrations, but no-one wants to listen to us," he complained.

Fr Arnaudov was also highly concerned about what he regarded as further attempts to harass followers of the Alternative Synod. "My house was burgled and my personal computer and other belongings were taken by 'thieves'." He also complained of "pressure on and intimidation of the leaders from the formation of Metropolitan Inokenty".

Several churches built by the Alternative Synod with its own resources after the 1992 schism are believed also to have been seized.

Even some priests of the Orthodox Church under Patriarch Maksim, while affirming their right to the disputed churches, have

expressed concern about the expulsions. "The executive power – the prosecutor and the police – decided to liberate the churches occupied by the Alternative Synod twelve years ago," Fr Petar Gramatikov told Forum 18 from the southern town of Plovdiv on 3 August. "But this has damaged the image of the Church of Christ. The government decided to end the church schism, but this was not the way to do it. Resolving church problems with the police is not the way."

He believes that the patriarchal Holy Synod should have taken action through the courts to recover what he regards as its property. He points out that back in 1992, he and his colleagues had to spend several months in the Plovdiv diocesan education department to protect the building from being "stolen" by members of the Alternative Synod. "They took churches, monasteries, even the Holy Synod building in Sofia."

Fr Gramatikov reported that in addition to churches, the police seized and sealed the administrative building in Plovdiv of Metropolitan Boris of the Alternative Synod. "The police took the metropolitan's seals and even correspondence," he told Forum 18. "Perhaps they are conducting an audit of property, but who knows? Unfortunately they have given no explanation." He believes the building, which belongs to the municipality, will be handed back to it.

Others who have spoken up in support of the Alternative Synod have included Theodor Angelov, a Baptist pastor and general secretary of the European Baptist Federation. Adding his voice is Asen Genov (Radha-Vinoda Dasa) of Bulgaria's small Hare Krishna community. "The schism in the Orthodox Church should be resolved internally, not by the prosecutor," he told Forum 18 from Sofia on 26 July. "But this never went to court. The state has at its disposal the entire apparatus of police and prosecutors."

Both Genov and Popov fear that such action against part of the Orthodox Church, the country's largest religious faith, could act as a precedent. "If the state treats the major faith like that we fear what reaction it would have to us if we do something it considers to be illegal," Genov told Forum 18. Explaining why other minority communities were joining the protests against the expulsions, Popov declared: "They can see themselves in the same position." (See F18News 19 August 2003

http://www.forum18.org/Archive.php?article_id=124).

But Popov reports that so far no Protestant, Catholic or other communities have directly suffered in the wake of the controversial 2002 religion law, which favoured the Orthodox Patriarchate and declared all Orthodox churches in the country its property, regardless of who built them or maintained them (see F18News 21 July 2003 http://www.forum18.org/Archive.php?article_id=108).

Popov is pessimistic that the Alternative Synod will be able to regain the churches it has been using since 1992. "Without foreign intervention the Alternative Synod will not get back their churches," he told Forum 18.

Fr Gramatikov believes that the harshness of the police move against the Alternative Synod has alienated much of the population. "Ordinary people are furious – they don't understand the theological disputes, but they are confused and angry when they see police attacking priests."

A printer-friendly map of Bulgaria is available from

<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=bulgar>

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