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Religion, Politics and Gender in Serbia

*The re-traditionalization of gender roles
in the context of nation-state formation*

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Introduction

Last year, Women in Black in Serbia were not able to mark the 100th anniversary of the March 8 Chicago Demonstrations (at which women demanded equal political rights) the way they have been doing for the last fifteen years, organizing rallies and street performances in downtown Belgrade. Planned activities had to be cancelled last year because the city police did not issue a necessary permit. The letter from the police stated that the demonstrations “would cause traffic disturbances and endanger lives and property” (B92 news, online edition, March 8, 2008).

Upon reading the police explanation, I recalled how in January of the same year I had been stuck in traffic for about half an hour. It was the day of Epiphany and the Police stopped the traffic at several points in Belgrade to make a way for religious processions.¹ Apparently, it occurred to me, the police have been applying the traffic disturbance rule selectively while by no means randomly in the process of issuing permits for public demonstrations and rallies. My suspicion was going to be confirmed very soon.

Only a week after the March 8 rally was banned, an ultra nationalist group, Movement 1389², received the police permit for a protest rally to commemorate Serbian victims of violent unrests in Kosovo that took place on March 17, 2004³. The protesters submitted a declaration demanding from the government to halt the processes of European integration and to reinstate full sovereignty over Kosovo. As protesters walked from the Parliament to the main Orthodox Cathedral where a mass for the victims of March violence was held, traffic was stopped in a main downtown street and a square while the area was secured by several dozens of policemen. The rally was not interrupted even after calls for violence against Albanians were shouted by some protesters.

It is quite clear from the examples above that “traffic disturbance and endangerment of lives and property” was just an excuse for preventing public gathering of a prominent and vocal, secular, anti-nationalist and anti-militarist feminist group. The real reasons for (not) issuing permits for various rallies were political and did not have anything to do with normal functioning of the city.⁴ It seemed that after the Kosovo’s decla-

¹ Religion processions on the day of Epiphany are customary in Orthodox Christianity. The custom all but disappeared during the socialist period in Serbia and was revived in the 1990s. After a church mass, the congregation walks to the nearest river where few of them, mostly young men, dive into the water competing to retrieve a cross from the river. It is believed that retrieving the cross brings great luck to the winner.

² 1389 is the year of the Kosovo battle between the Serbian and Turkish armies at the time of the expansion of the Ottoman Empire. The battle marks the end of the Serbian Medieval state and the beginning of the Ottoman rule over current Serbian territories. The Kosovo myth, which is a foundational myth in Serbian national consciousness, emerged against the background of many legends that are associated with the battle.

³ The violence started on March 15 after an 18 year old Serbian boy was killed in drive-by shooting in Central Kosovo and a subsequent drowning of three Albanian children under unclear and unresolved circumstances. The broad scale violence that was sparked by these two events lasted through March 18 but peaked on March 17. During the riots, 19 persons were killed (11 Albanians and 8 Serbs), 900 were injured, 800 of Serbian homes and 35 churches destroyed, while over 4000 Serbs and other non-Albanians (primarily Roma) were expelled from Kosovo (United Nations 2004, 6).

⁴ Few other events related to the celebration of the International Women’s Day did take place in the streets of Belgrade. They, however, did not involve movement through the city and were organized by non-governmental organizations in cooperation with governmental institutions. Most importantly, the focus of these events was on women’s health and domestic violence. Namely, their content in the eyes of state bureaucracy was not political strictly speaking and did not challenge the official national(ist) politics of the administration in power at the time.

ration of independence from Serbia on February 17, 2008⁵, only those groups that would not challenge nationalism and nationalist politics were allowed in the streets to express their political views.⁶

Women in Black have been the most persistent critics of nationalist politics and militarism in Serbia in general and vis-à-vis Kosovo politics in particular. Movement 1389, on the other hand, is one of several youth nationalist groups that subscribe to the ideology of extreme, militant nationalism. All these youth groups, together with the few conservative political parties view Orthodox Christianity as the essence of Serbhood. Some of the nationalist youth groups are supported by the Serbian Orthodox Church logistically and financially.

The police explanation given to Women in Black for banning their rally becomes even cynical in view of the fact that groups of hooligans that subscribe to the same type of militant nationalism promoted by the Movement 1389 have caused violence and destruction in the city of Belgrade twice in the immediate aftermath of the February 17th Kosovo's declaration of independence. Women in Black on the other hand have stood peacefully in a Belgrade square every Wednesday for fifteen years in protest against militant politics of the Milošević regime often enduring harassment from passersby that sometimes verged on physical violence.

The events described above also illustrate that national(ist) and to them closely related religious issues took precedence over women's issues in Serbia. Moreover, women's rights and equality have been often challenged within the processes of national mobilization and increased de-secularization of society – processes that started in the late 1980s and peaked during the Yugoslav wars in the 1990s. The pace and scope of de-secularization make the Serbian case particularly interesting. From a highly secularized society, where religion and religious institutions were marginalized even more than in other parts of former Yugoslavia, over the course of only two decades, Serbia became a society with high rates of religious identification, while religion and the church gained a prominent place in public life (Blagojević, M. 2006, 2008; Đorđević, M. 1990; Radisavljević-Ćiprizanović, D. 2006; Vukomanović, M. 2001, 2005).

Even though according to its Constitution Serbia is a secular state, there are countless examples that show encroachment of religion and religious institutions into all pores of social life in Serbia.⁷ Some examples are bizarre but some show **a tendency** of clericalization of the state, particularly under the conservative-populist governments of Vojislav Koštunica (2004-2008) and some other represent a **potentially** serious infringement on women's rights. While the change in the position of religion and the church occurred in a short time span, their all pervasive presence and influence in soci-

⁵ Kosovo was effectively separated from Serbia at the end of NATO military intervention in 1999. According to UN Resolution 1244, which was adopted by the Security Council in June of 1999, the province became a *de facto* UN protectorate while *de jure* it remained part of Serbia (and Federal Republic of Yugoslavia at the time). Since that time, Kosovo has been governed by UNMIK, the UN appointed administration. After the declaration of independence in spring of 2008 that was followed by the recognition of Kosovo's independence by many countries, governance of the province has been gradually transmitted to the local Albanian-dominated institutions. Since December of 2008, the EU appointed EULEKS mission has been added to the already complex administrative structure in Kosovo.

⁶ This was going to change with the end of the second Koštunica government which was defeated at the last parliamentary elections in May of 2008. Vojislav Koštunica led two minority, populist coalitions (2004-2007 and 2007-2008). During this time the Serbian Orthodox Church made some important inroads into public and political life. More on this, later in the paper.

⁷ Women in Black compiled an exhaustive list of examples in a publication: *Fundamentalism at Work in Serbia* (Zajović, S. ed. 2007).

ety, as my analysis will show, is a result of a gradual process that can be divided in two phases. The first phase spanned from the late 1980s through the 1990s and the second began in 2000, after Slobodan Milošević was toppled.⁸

Abortion was among the first social issues taken up by the Serbian Orthodox Church in its attempt to regain influence in public and private spaces in post-socialist Serbia. It represents one of the first open attempts made by the Church to influence legal reforms. The anti-abortion campaign was started from within the Orthodox Church in 1993, initially as individual initiative by one of the bishops. In 1995, the initiative was officially endorsed in the Patriarch's Christmas Message.

Two salient characteristics of the politics of reproduction in socialist Yugoslavia were the uninterrupted history of liberal abortion legislation and official orientation towards family planning rather than population policies.⁹ Thus, challenging abortion legislation in Serbia in the 1990s meant a challenge to a longstanding right and well established practice among women (and couples) to rely on abortion for maintaining the desired number of children. Had the Church been successful in its attempt to criminalize abortion, the consequences would have been dire for women in Serbia. Because of that, the initiative was met with strong resistance coming primarily from women's/feminist groups, health professionals, liberal intellectuals and politicians. As a consequence, a broad public debate on abortion unfolded in the media, professional journals, the Parliament and the streets of Belgrade between 1993 and 1995.

The struggle for or against births, according to Yuval-Davis, is an example of the politics of reproduction that designates women as bearers of the collective (Yuval-Davis N., 1996). In Serbia, like in Israel, membership in an ethno-national community is inseparable from the membership in a religious community. Moreover, within the anti-abortion campaign of the Serbian Orthodox Church, ethical concerns and religious beliefs were put forward only second to the concerns for the biological survival of the nation. Thus, the abortion debate will serve here as a case study in an attempt to examine the implications that the intersection between religion and nation(alism) in Serbia has for the position of women.

The abortion debate made apparent that reproduction had a central place in the intersection of the categories of gender and nation assigning specific roles to men and women within the project of the nation-state formation. These newly assigned female roles in many ways challenged women's equality and threatened to reverse achievements that in this respect were made during socialism. Needless to say, attempts to criminalize or limit access to abortion infringe on women's bodily integrity, sexuality and social position in a fundamental way. For that reason, the outcome of the legislative reform and discourses that were utilized during the abortion debate are equally important for examining the position of women within the nation-state project in Serbia.

⁸ Milošević held high ranking political positions and had control over political life in Serbia between 1987 and 2000.

⁹ There is an important conceptual difference between family planning and population policy. The former is situated in the individual sphere and aims to provide social services that enable individuals to exercise the right to freely decide on child birth. Unlike the population policy, family planning is not an instrument for achieving demographic goals set by the state (Breznik D. 1980).

Religion, Nation and Gender

Feminist scholars point to many different ways in which the categories of nation and gender intersect and to the different subject positions men and women occupy within nation-state projects. Anthias and Yuval-Davis (1989) identify various subject positions that women as producers and reproducers occupy within national collectivities: they are biological reproducers of members of national collectivities; they reproduce and mark the boundaries of ethnic/national groups; have the central role in the ideological reproduction of the collective and transmission of its culture; they are signifiers of national differences; as well as participants in national, economic, political and military struggle.

Nationalist constructions of masculinity and femininity support a division of labor in which women reproduce the nation physically, culturally and symbolically, and men protect, defend and avenge the nation (Bracewell, W. 1996; Iveković, R. and Mostov 2002; Papić, Ž. 1993).

Feminist scholarship on nationalism, citizenship and the state has revealed the pervasiveness and power of gender relations in shaping state formation, nations and nationalism. States and nations construct their subjects in gendered ways that constitute a critical part of the process of identity formation. Nations themselves are commonly gendered. Both gender and nation are social constructs and organizing principles of society and as such they are both products and producers of power relationships that in turn produce difference and are produced by difference. National difference is represented through notions of gender difference, justifying hierarchies based on assumed natural gender hierarchy (ibid.; Gal, S. & Kligman, G. 2000, 2000a; Papić, Ž. 2002, 1994; Verdery, K. 1997; Žarkov, D. 2007), gender being the oldest known category of difference.

Since the “oldest known difference” is based on interpretations of roles women and men play in biological reproduction, reproduction is a constitutive element of both gender and nation. In post-socialist Eastern Europe, reproduction has been a site of political contestation through which various groups compete to organize the new national order and ensure their own elite position in it (Rivkin-Fish, M. 2003). Gal and Kligman discuss four different political purposes served by the discourses on reproduction in the post-socialist context of Eastern Europe. According to them, discourses on reproduction redefine the relationship between the individual and society, between the state and its citizens; reconstruct the category of nation and identify groups that belong and do not belong to the particular nation; reconfigure the political legitimacy of the state; and constitute women as particular types of social actors (2000a:21-22).

The control of women's reproductive bodies is an integral part of many nationalist projects and it serves to sustain continuity and ‘purity’ of the nation. Nationalist politics of reproduction appropriated women's bodies for the purposes of biological survival of individual nations and for preserving their ethnic ‘purity’ throughout the former Yugoslavia at the time of its disintegration. In the wars in Bosnia and Croatia women's bodies were additionally ethnicized through rape which, as an instrument of war, served to define the female body as an ethnic boundary and as the national territory (Žarkov, D. 2007).¹⁰

¹⁰ On rape as a war strategy and war instrument in Bosnia and Croatia between 1991-1995, see also Benderly, J. 1997; Browenmiller, S. 1993; Card, C. 1996; Hayden, R. 2000; Korać, M. 1994; Mostov, J. 1995.

Reproduction supports the continuity of individuals and social groups and systems (Ginsburg, F & Rapp, R. 1991) and is fundamentally associated with the identity of the nation and the family (Kligman, G. 1998). On the other side of the same coin is a possibility of discontinuity which is also often used for different political purposes (ibid.). Concerns about low fertility and 'population decline' have a long history in Europe and North America and are often associated with a 'nation's decline' (Teitelbaum, S. and Winter, J. 1985). Throughout post-socialist East Europe not only low fertility but also high abortion rates have symbolized discontinuity and decline of the nation. The appropriation of women's bodies through pronatalist and anti-abortion discourses threatens their reproductive rights and equality.

In this study, I analyze abortion debates and resulting legislation as an example of such a challenge to their rights and equality that Serbian women were faced with in the first half of the 1990s. The challenge to women's reproductive rights and social equality came from several different sources, *religion and the Church being very important among them*. Like the nationalist discourses religious ones also draw on specific constructions of femininity and masculinity which in turn serve to determine male and female place in national-cum-religious community.

According to Rieffer (2003), by associating nation and nationalism with modernity, and treating modernity as inherently secular, the mainstream scholarship on nation(alism) (cf. Anderson, Gellner and Hobsbawm) has been largely neglecting the relationship between religion and nation. Rieffer argues that the role of religion is often important for understanding the origins of nationalism and also that the strong relationship between religion and national movement usually leads to discrimination, violence, human rights violations and intolerant politics (ibid., 224).

According to Loizides (2000), authors that combine traditional and modernist elements in their theorizing on nation(alism) (cf. Smith, Hutchinson, Hroch), on the other hand, argue that religion had a decisive role in the formation of modern nations. Loizides asserts that religion had a crucial role in the formation of national identities in the Balkans because of the role and power of religious denominations through the Millet system within the Ottoman empire¹¹; because 19th century uprisings (liberation movements) were fought not only on nationalist but also on confessional terms; and because due to the uneven modernization, national centers relied on religion in order to control backward religious areas (ibid., 7-8).

Since religious discourses in general tend to reify motherhood and affirm women's oppression and discrimination, feminist theorizing perceives religion and contemporary religious movements primarily as a threat to secular liberal politics (Bedi, T. 2006).

I agree with Bedi who, drawing on Basu (1995) and Mohanty (1991), argues that "to analyze 'religious' ideological structures as always and primarily responsible for patriarchy and oppression is somewhat misplaced" particularly in the post-colonial context and/or for examining women's participation in right-wing political and religious movements. At the same time, however, I believe that focus on the patriarchal character of religious ideology and its social implications is well placed in the post-socialist context particularly for examining the politics of reproduction that emerges against the backdrop of nation(alist)-cum-religious discourses. Thus, it is also well placed for the case study that I undertake in this paper in which the nexus gender-nation-reproduction

¹¹ Within the Millet system all social and legal affairs were handled by religious communities. The Ottoman Empire's Millet system left similar legacy in the Middle East where, according to Yuval-Davis (1997), there exists nowadays a special relationship between the state and the church.

occupy the central place. Since there are close ties between the national and religious identifications and between the state and church in Serbia, in the following section, I give a brief historical overview of the origin and development of these relationships.

The Serbian Orthodox Church (SPC¹²) the State and the Nation in Historical Perspective¹³

From privilege to marginalization

Throughout history, the Serbian Orthodox Church has developed “a relationship of understanding, cooperation and mutual support with the state” (Blagojević, M. 2006:242). This, however, did not necessarily imply its strong social influence or political power. Even though the SPC enjoyed the status of the state church in the late 19th and early 20th century¹⁴ it was subordinated to the state and the state often interfered in its affairs (Marković, S. 2005:163; Blagojević, M. 2006:251). The only exception was a short period before the Second World War (1937-1941) during which the SPC was the only institution with enough power to challenge the state (Marković, S. *ibid*, Blagojević, M. *ibid*.). Clerical political movements that were founded in the 1930s never had a significant constituency. Another important feature of the SPC during the last two hundred years of history is that its popularity has rested more in its role as a national than as a religious institution. Even the actual Patriarch of the SPC acknowledged this fact without questioning it. Explaining why believers in Serbia know so little about religion the Patriarch stated that during the entire history including the twentieth century, the Church had to “leave its primary duties aside” because it was occupied with state politics participating actively in the struggle for “Serbian Unity” (Perović, L. 2004:123).

Like all other religious communities, the SPC was marginalized after the Second World War and socialist authorities closely observed and controlled its work. During the early period of communist rule (mid 1940s-1960s) the SPC suffered many losses: 25% of priests were prosecuted on various charges; the number of priests dropped by one half and the number of bishops by one-third compared to the pre-war period; over 80% of its land was confiscated. As a consequence, at the end of this period only 5-10% of children were baptized in villages, 10% of funerals were performed as religious rites and 25% of villagers celebrated Christmas (Dimić, Lj. 1998:87). Figures for urban areas were even lower. The secularization of society was broad, widespread and affected almost equally rural and urban areas. Overall, the consequences of marginalization of religion and of secularization of society had at least three dimensions: church and religion lost their social influence; according to empirical research, conventional religious be-

¹² The abbreviation SPC comes from Serbian designation, *Srpska pravoslavna crkva*.

¹³ Even though Serbia is a multi-ethnic and multi-confessional country, this study will focus primarily on the role played by the Serbian Orthodox Church. The reason for this is twofold: first, it is a dominant religious tradition in Serbia, and even more importantly it has acquired recently the status of public religion; second, the limited time and space do not allow deeper examination of all the other religious traditions that are present in Serbia today. Particularly interesting though would be to examine the role of Islam in the region of Sandžak (south-west Serbia) where it is the dominant religion and its leaders have significant influence on local politics and social life.

¹⁴ The modern history of Serbia begins with the popular uprisings against the Ottoman rule in the early 19th century. Serbia gained the status of an autonomous province in 1817, independent principality and Kingdom in 1878. The SPC was granted the status of the state Church for the first time by the Constitution of 1869. However, the SPC lost much of its privileged status and had to accommodate to religious pluralism in 1918 when the first Yugoslavia was established.

liefs declined significantly (Bačević, Lj. 1964; Đorđević, D. 1984; Pantić, D. 1974, 1993), “but the greatest decline was noted in the field of religious and church rituals” (Blagojević, M. 2006:242)¹⁵ as is apparent from the above data. This last dimension was particularly present in Orthodox regions of former Yugoslavia (Blagojević, M. *ibid.*; Djordjević, D. 1984).

Religion and religious institutions were marginalized not only because atheism was the official ideology of the Communist Party. Their marginalization was also integral to the Party’s anti-nationalist politics due to the close historical ties between religion, the SPC and Serbian nationalism. And indeed during the 1960s and 1970s the SPC acted as the only outlet for nation(alist) feelings in Serbia (Aleksov, B. 2003; Perica, V. 2006).

The End of Socialism and Religious Revitalization

The situation, as already mentioned, changed radically in the 1980s when religious activities were renewed at the time of social, ideological and political crisis - religiosity has been on the rise ever since.¹⁶ In the 1980s, religious activities were renewed throughout the former Yugoslavia within which Serbia was one of the federal units. It was the time of deep economic, social and political crisis. Religious revival was concomitant to the processes of disintegration of the socialist society and the state. The Yugoslav state disintegrated as the dominant communist ideology was replaced by competing nationalisms of its constitutive nations,¹⁷ and religion played an important role in identity politics. Nation and religion were in former Yugoslavia and in Serbia entangled in twofold ways.¹⁸

One is related to the fact that national identities were intertwined with religious identities, religion serving as *differentia specifica* among ethnically, culturally and linguistically closely related and hardly distinguishable ethno-national groups. In such a context religious affiliation (or background) and practices related to it were the only ob-

¹⁵ According to Blagojević, “a typical believer [at the time was] a woman, a farmer, or a worker, not very educated and belonging to a socially marginalized or underprivileged social group”. *Ibid.* pp. 247

¹⁶ It should be mentioned, however, that since religious identity in Serbia is firmly intertwined with ethno-national identity, data on religious affiliation cannot represent a real measure of religiosity. Thus religion has gained a privileged position in society (openly supported by the state) not because it offers salvation but rather because it is considered an inherent part, a marker, of national culture and of national identity (Vrcan, S. 2004).

¹⁷ The 1974 Constitution of Yugoslavia recognized six constitutive nations: Croatian, Macedonian, Montenegrin, Slovenian, Serbian and Muslim. All six constitutive nations belonged to linguistically closely related South-Slavic ethnic groups. Due to historical reasons that are beyond the scope of this study, the six constitutive nations differed according to their religious affiliation so that those who lived in the north-western parts (Slovenians and Croats) were predominantly Catholic, and those in the south-eastern parts predominantly Orthodox Christians (Macedonians, Montenegrins and Serbs). Muslims are descendants of ethnic Slavs who during the Ottoman Empire converted to Islam. Up until 1974 they were registered in official censuses as either Serbs or Croats of Islamic religious affiliation. They were recognized as a separate national group in the 1974 Constitution. They live mostly in Bosnia and south-west Serbia and speak one of the dialects of Serbo-Croatian language. As a federal state, Yugoslavia was made up of six republics: Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Slovenia and Serbia. Serbia had two autonomous provinces, Vojvodina in the north, and Kosovo in the south. The rest of it is usually called Serbia proper. Except for Bosnia, all republics were built around one of the major (constitutive) nations (Macedonians in Macedonia, Slovenians in Slovenia etc.).

¹⁸ In Serbia, like in other regions of the Balkans that used to be under the Ottoman Empire, religion had a crucial role in the formation of national identity. See p. 6 above.

vious markers of difference between major constitutive ethno-national groups. Many surveys that were conducted in the former Yugoslavia confirmed the overlap between religious and national self-identification (Dugandžija, N. 1986; Vrcan, S. 1986; Marinović Jerolimov, D. & Zrinščak, S. 2006).

Another way in which religion was implicated in competing nationalisms at the time of disintegration of Yugoslavia was through official support that all three religious institutions (Catholic, Orthodox and Muslim) gave to the project of nation-state formation of their respective ethno-national groups. During the wars of the 1990s through which the borders of the newly emerging nation-states were established “religious rhetoric was widely used by all sides [and] religious mobilization was a common enterprise both in the power struggle and on the battlefield” (Falina, M. 2007:509).

Thus, even though the wars through which Yugoslavia disintegrated cannot be designated as religious wars, they did have some religious dimensions¹⁹ and religious institutions did have a complex and at times ambiguous role in the conflict. On the one hand, all religious communities issued appeals to reconciliation and joint prayer during the war, but on the other, some members of the high clergy would at times appeal to the continuation of the conflicts (Vukomanović, M. 204:130). The Serbian Orthodox Church was far from an exception in this respect. At several occasions, the leadership of the Serbian Orthodox Church criticized the Serbian political leadership for supporting specific peace plans that were offered by international negotiators for ending the wars in Croatia and Bosnia (for example the Vance-Owen Peace Agreement in 1992).²⁰

The beginning of the post-socialist transformations in Serbia and other parts of the former Yugoslavia is indistinguishable from the wars through which the country disintegrated. The war context shaped in specific ways both the transformation processes and the role of religion within them.

The context created by post-socialist transformations that leaves a significant percentage of the population impoverished, while at the same time curbs the welfare state opens up a space for social, philanthropic and humanitarian work of religious communities. In the former Yugoslavia, the need for philanthropic and humanitarian work, due to the war and its consequences, was even greater. Unfortunately, the Serbian Orthodox Church is for the most part neglecting this space and is much more focused on developing close ties with the state and influencing the state politics as it has been doing with more or less success throughout the modern history.

National Church within the New Nation-State

The intersection of national and religious identities and ideologies in the context of the development of the nation-state that in Serbia started in the 1990s made religion an integral segment of political processes. However, the relationship between politics and religion can not be reduced to the abuse of religious symbolic capital for the purposes of secular politics (Falina, M. 2007). The SPC has actually been using this newly opened

¹⁹ For example, many churches and other religious facilities were destroyed and many priests were harassed and killed in the campaigns of ethnic cleansing because they symbolized the presence of the ethnic “other” on a given territory.

²⁰ The Vance-Owen peace plan was one of four peace plans that were put together by international mediators and offered to Bosnian warring parties during the war of 1992-1995, before the Dayton Agreement finally ended the war. The plan was accepted by Bosnian Croats and Muslims but the Bosnian Serb Assembly rejected it despite the pressure put on them by the political leadership from Serbia, cf. Slobodan Milošević, to accept it.

political space to impose itself as the moral and spiritual beacon of the nation (Blagojević, M. 2006) and to impose its norms in all areas of social life. The abortion issue that I use as a case study in this paper is only one example.

Nationalism has been the meeting point between secular politics and religion in Serbia. While the political elites use religion to legitimize their claim to power, religious communities use nationalism for their own rehabilitation and reaffirmation. Thus the nationa(list) program as their common project connects the high ranks of the Church with the centers of political power (Barišić, S. 2007).

This process of convergence between secular and religious politics was initiated by Slobodan Milošević in the late 1980 but, as will be shown in this paper, the relationship between the Church and the political and state realms remained complex and at times conflicting throughout the 1990s.

“The truce between the communist authorities and the Serbian Orthodox Church was symbolically established in June of 1989, at the celebration that marked the erection of the dome on the newly built church” (Ribić, V. 2005:107) in Belgrade that is dedicated to St. Sava.²¹ At the time, it was the biggest Orthodox cathedral in the world.²² The celebration was attended by high ranking representatives of the Party and government. On this occasion, according to Naumović, two key institutions, the Party and the Church acknowledged each other as legitimate representatives of national interests.²³

A few weeks later, the religious journal *Glas crkve* published a “Proposal of Serbian church-national program”. The “Proposal” starts out by recognizing and praising the changed attitude of the political authorities towards the Church (Ribić, V. *ibid.*:108) and after that puts forward a set of requirements to the state that aim to further strengthen the position of religion and the Church and its relation with the state. A closer look at those requirements reveals the Church’s ambition to intervene in all domains of social and political life.

Among other things, the “proposal” required abolition of discrimination of religion; abolition of Marxism as a subject in public schools and introduction of elective religious education; official celebration of religious holidays; reinstatement of Christian cultural values; preservation of sanctity of marriage and family and stimulation of birth rates. The Program also demands from the Serbian state to protect freedom and rights as well as spiritual integrity of the Serbian people throughout the Yugoslav territories (*ibid.*, 108-109).

Slobodan Milošević, however, did not go beyond utilizing Orthodox elements of the Serbian cultural tradition for the purposes of national mobilization and always kept the Church and its leadership at arms length. Religious leaders, on the other hand, supported his politics of national mobilization. The relationship between them was further stabilized as tensions between the Serbian minority and the new political authorities in

²¹ St. Sava is a historical figure. He was born in 1169 as the third, youngest son of Nemanja, the founder of the first Serbian Medieval dynasty. As a young man he became a monk and founded the first Serbian monastery on Athos. Later on, he secured autocephality (autonomy) for the Serbian church from Byzantium and became its first bishop. He also played the key role in tying the Serbian Church with Byzantium and Orthodoxy rather than Rome and Catholicism. Upon his death, he was canonized together with his father and to this day he remains one of the most praised, respected and loved saints in Serbia.

²² On the long history of building this church which is dedicated to St. Sava, and on its significance for Serbian nation(alism), see Aleksov, *ibid.*

²³ Naumović Slobodan. *Upotreba nacije*. Quoted in V. Ribić, *ibid.* p. 107.

Croatia grew bigger.²⁴ The religious leadership was convinced that Milošević, having significant influence on the high ranks within the Yugoslav National Army, was best positioned to protect the interests of Serbs in Croatia. Still they could not forget Milošević's communist past, his atheism and insistence on the separation between the state and church. Thus, in the first multiparty elections in December of 1990, the SPC openly supported one of the opposition parties, the Serbian Renewal Movement (Radić, R. 2002).²⁵ Moreover, some bishops were among the sharpest critics of Milošević's regime, and the SPC officially distanced itself from him already in 1992 and demanded that he steps down.²⁶ Disagreements between the Church and the regime usually came about when the religious leadership estimated that the regime was betraying national interests. The most important national interest at the time, in the view of the religious leadership, was the protection of interests of Serbs in Croatia (and later in Bosnia) and ultimately the unification of all areas of former Yugoslavia where Serbs made up a majority population in a single state. This was the common aim of nationalist politics and was promoted under the slogan "all Serbs in one state". Aside from this aim, the regime of Slobodan Milošević and the Serbian Orthodox Church did not have much in common.

It can be concluded that during the 1990s the regime instrumentalized religion and the Church in order to create a cohesive national body and mobilize the population for its political aims. The Church, on the other hand, used this newly opened space to expand its influence to all spheres of social and political life in Serbia. The case study that follows is an example of the Church's attempt to influence legal reforms and to impose patriarchal social values in organizing gender relations.

Abortion debates in Serbia: 1993-1995

In this section, I analyze discourses that emerged against the backdrop of the abortion debate (including the Parliamentary discussions of proposed legislation.). I identify the type of discourses on abortion that existed in public spaces parallel to each other and competing with each other. Thus, when I quote a specific media source be it 'independent' or state controlled, I am interested in identifying a range of discourses that are represented in that source and ultimately in public spaces. My aim is twofold – at one level I want to establish what kind of discourses and/or interests shaped the new abortion legislation; at another level I investigate the meaning that the central categories of my analysis – gender and reproduction – acquire through the intersection with nation and religion within specific discourses.

The abortion debate started in 1993 after one of the Orthodox bishops demanded its abolition. At the time, access to abortion was still regulated by the old, socialist lib-

²⁴ The nationalist Croatian Democratic Union won the first multiparty elections in Croatia in May 1990. The newly elected government led a confrontational politics towards the Serbian minority that lived concentrated in several areas of Croatia. After Croatia declared independence from Yugoslavia in 1991 local Serbs, whose leadership was heavily influenced and supported by Milošević, demanded separation from Croatia which effectively started the civil war.

²⁵ Serbian Renewal Movement (*Srpski pokret obnove* – SPO), a national-populist party, was one of the leading opposition parties in the 1990s with considerable popular support. Its charismatic leader, Vuk Drašković, enjoyed significant popularity at the time. The program of SPO declared the national, liberal, civic, Christian and democratic orientation of the party.

²⁶ This demand was repeated on several other occasions in the second half of the 1990s (Radić, R. 2002:319-321; Ribić, V. *ibid.*:126-132 and 156).

eral legislation that was passed in 1977.²⁷ The Law on Conditions and Procedures for Pregnancy Termination (Article 10) granted access to abortion upon request up until the end of the 10th week of gestation and until the end of the 20th week if specific medical, personal or social reasons were met. After the 20th week abortion was granted only in cases when pregnancy presented a threat to the woman's health or life. Following the Yugoslav Constitution from 1974 which stipulated that deciding freely about child birth is a human right (Article, 191), the Serbian abortion law defined abortion as means for realization of this right (Article 1). As mentioned earlier, the right was widely used in Serbia²⁸ and it was also a symbol of women's emancipation within the official socialist discourses. Thus, when this right was challenged, local feminists were the first to stand in its defense. Initially, the debate appeared to be a squabble between individual clergy and feminists. Later on, however, the debate expanded to include some other social actors from all levels of society.

As the analysis that follows will show the dominant position within the debate was pro-choice. Save for a few exceptions, participants in the debate believed that abortion should remain legal. Even the official Church, initially, had a rather moderate position on the issue. Even though the new law is more restrictive compared to the old socialist legislation, it is still one of the most liberal abortion legislations in Europe. Thus, I argue that the immediate consequences of the debate and the new legislation do not appear to be seriously threatening reproductive rights or the overall position of women in Serbian society. At the same time, however, conservative discourses that emerged within the debate assign a subordinate position to women in society and may in the long run, depending on the broader social and political developments, affect women's statuses and equality. In addition, elements of the pro-life position that entered the secular discourses during the debate have a potential to affect the common perception of abortion as a minor surgical intervention and by that influence the way women experience abortion making it morally and psychologically more traumatic.

I identified three discursive events that triggered and/or intensified the abortion debate in Serbia in the early to mid 1990s. First is a bill submitted by an Orthodox bishop to the Parliament of Republika Srpska²⁹ which demanded a ban on abortion; second is the Parliamentary debate on the new abortion legislation in Serbia and the subsequent veto by then-President Milošević of the version passed in the Parliament; and third, the 1995 Christmas message of the Patriarch of the Serbian Orthodox Church. I situate all three events within the broader social and historical processes and look into their role in shaping the debates and their outcome. I also identify the main social actors and their roles and position in the debate.

1) The Bishop Vasilije's Anti-Abortion Bill

The first discursive event that triggered abortion debates in Serbia, at the height of Milošević's regime, took place in neighboring Bosnia in 1993 while it was still in the

²⁷ Unlike in other East European countries where old socialist abortion legislation came under attack soon after the multiparty system was reintroduced, in Serbia the new abortion legislation was put into procedure four years after the first multiparty elections.

²⁸ On high abortion rates and their multiple usages in Serbia see Rašević, M. 1993. On East Europe in general, see David, H.P. 1999.

²⁹ A self proclaimed Serb Republic formed within the territory of the Republic of Bosnia and Herzegovina after Bosnia and Herzegovina seceded from Yugoslavia. It was named Republika Srpska (Republic of Srpska) in 1992 and recognized as one of the two so called entities of Bosnia and Herzegovina (the other being the Bosniac-Croat Federation), by the Dayton Peace Agreement in 1995.

midst of war. One Orthodox Bishop (Vasilije) from a Bosnian diocese, who was also a member of the Parliament of Republika Srpska, submitted a bill for banning abortion. The bill itself was formally irrelevant to Serbia, but in his public statements the Bishop called for abortion abolition in all Serbian lands.³⁰ Several small feminist groups organized in the Network of Autonomous Women's Groups, responded unanimously, promptly and fiercely.

They issued public statements condemning the initiative and organized a protest across the street from the Patriarch's Office. Even though the protest failed to mobilize more than a handful of women, mostly feminist activists, all major print media reported and commented on it extensively. This opened up a forum for a broad public debate on the issue of abortion and its legislation.

The bill was submitted to the parliament of the Republika Srpska on February 26, 1993. *Borba*, at the time an independent daily, published a short caption mentioning the bill on March 10. *Politika*, a semi-official daily that had close ties with the ruling regime³¹, however, initially did not inform its readership about the Bishop Vasilije's initiative. His initiative was mentioned for the first time on March 19th, in a report about feminist demonstrations against it. The report gave much more space to the participants at the protests and their opinion than to the bill itself.

A few days later, the whole section on women and the family in *Politika* was devoted to the issue of abortion. This time *Politika* was openly critical of the Bishop Vasilije's initiative to ban abortion arguing, among other things, that "one could claim that under the current [economic and political] circumstances the legislator should rather determine abortion as necessity" (*Politika*, March 21, 1993:18). Moreover, *Politika* gave a prominent place to feminist views, and also was critical of the fact that no men joined the demonstrators. The report carried statements of several leading feminists, texts of the slogans as well as a photograph of the demonstrators carrying them.

Statements were taken from two medical doctors, (one of them a gynecologist) who both argued against the banning of abortion. One of them said that

It is not up to doctors to decide who can have abortions and who cannot. A physician is not more qualified to make that decision than an accountant or a street cleaner. I do not think that lawyers, psychologists and ideologues are competent either. It's up to parents and primarily to women to decide when and how many children to have.³²

Such an uncompromising pro-choice position and support to liberal abortion legislation expressed by this physician was certainly a legacy of the reproductive politics borne and developed during the socialist times. As the abortion debate progressed the pro-choice position while remaining dominant was rarely expressed in such uncompromising and

³⁰ Republika Srpska in Bosnia, Republika Srpska Krajina in Croatia and Republika Srbija were separate political entities that at the time framed and separated the Serbian nation.

³¹ As a respectable regime paper, *Politika* was usually light on propaganda. It addressed controversial issues by ignoring them or by reporting vaguely (Gordy, E. 1999:64). Vagueness was partly maintained through inconsistent reporting. Various sections in the paper often had different takes on the same issue. This provided flexibility and enabled the regime to make smaller or bigger shifts in its politics without appearing inconsistent.

³² *Politika*, March 21, 1993.

convincing terms by any other participant in the debate, save for feminists. Another important element in the above statement is an implicit critique of the military engagement of Serbia in the wars in Croatia and Bosnia.³³ Namely, all sides in the debate used it as a forum to address broader social and political issues. Supporters of the liberal abortion legislation often used the debate to criticize the regime and its politics.

On March 31, 1993, *Politika* quoted an official representative of the SPC who said that "...even though the Church has always been against abortion it has no intention of addressing any issue in the form of ultimatum. The public was presented with the personal opinion of Bishop Vasilije."

In an attempt to explain the temperate official position of the Church it could be argued, that Bishop Vasilije indeed acted independently and in opposition to the official Church. However, this explanation does not seem very likely. The Church's moderate position on abortion in Serbia was in contrast to its extreme position in Bosnia. This resulted from the different relationship that the Church had with the political leadership in the Republika Srpska and in Serbia.

The SPC was developing very close ties with the political leadership in Republika Srpska in the early 1990s. The relationship between the state and Church in Serbia, on the other hand, was cordial but distant. It grew even more distant after Milošević effectively renounced the politics of "all Serbs in one state" by supporting the Vance-Owen Peace Agreement³⁴ in the previous year. The state realm in Serbia was thus out of reach for the Church and it could not expect support on the issue of abortion neither from the regime nor from the general public. As a consequence the Church's position on abortion was more moderate.

Indeed, the Bishop Vasilije's proposal received little or no support within the political realm in Serbia. In general, political parties did not seem to be interested in the issue. Or, more precisely, Serbian politicians seemed to espouse the same kind of hesitation in taking up the issue of abortion as their Western European colleagues did in the 1970s (Outshoorn, J. 1996). In Serbia, in the 1990s, all political parties within the opposition wanted the Church's support in their struggle against the Milošević regime. Since the greatest number of them adhered to the pro-choice ideology they rather left the issue unaddressed in order to avoid open confrontation with the Church.

Thus, the most vocal and organized resistance to the Bishop Vasilije's initiative came from the civil sector, or more precisely from local feminists who did not hesitate to get into a direct confrontation with the Church.

The feminist argumentation against the banning of abortion focused on two points: the right of women to decide whether, when and how many children to have, interpreted as one of the basic human/women's rights; and the predictable social consequences of criminalizing abortion, i.e. an expected increase in life-threatening, illegal abortions. In addition, feminists were in principle against interference of religion and religious communities in social and political life.

Another group that joined the abortion debate at this point and had a mixed attitude both regarding the abortion legislation and regarding the Church's involvement was made up mostly of experts interested in demographic issues (mostly demographers and medical doctors). For many years they had expressed their concern over the low

³³ The fact that the critique appeared in *Politika* signifies that even though this daily was controlled by the regime it did not always and necessarily represent the official view on specific issues.

³⁴ See footnote 21 above.

fertility rates which resulted in negative population growth in some regions of Serbia. While they did not support a complete abortion ban, they believed that easy access to abortion was at least partly responsible for the low fertility rates. For that reason, they promoted the idea of more restrictive abortion legislation but without being very specific. Many of the demographic experts who joined the abortion debate were also of the opinion that the Church has its place in the development of reproductive policies.

The first real pro-life stand came from a retired gynecologist who after many years of performing abortions turned into one of the most extreme opponents of the practice within the medical profession. He identified abortion with killing and on many occasions stated that there was no difference between abortion and killing of a school age child (*Duga*, November 8, 1993).³⁵ However, even he did not support the idea of a complete ban of legal abortions: "Banning abortion would be ridiculous" (*ibid.* p. 24). This means that even the sharpest critics of abortion had a comparatively moderate position on the issue of abortion legislation, i.e. they did not support its complete ban even when holding the Christian view of abortion as infanticide. The prevailing view was that abortion should remain legal.

Survey results suggested that the majority of Serbian citizens were of the opinion that the Church should not interfere in issues of abortion and its legislation (*Borba*, March 27-28, 1993:14). There are several possible reasons for this unanimity. One has to do with the fact that religiosity in Serbia while rising remained rather superficial. The sheer fact that within a very short time frame the number of those who in surveys declare themselves as religious jumped from less than 10% in the 1980s to over 80% in the 1990s (Blagojević, M. 2006) is very indicative in this respect. In addition, the newly religious are not very familiar with religious teachings and church dogmas. Furthermore, the Church in Serbia, unlike in Poland, has not been integrated in civil society neither during socialism nor after. This is explained by the Church's preoccupation with state-cum-national issues at the expense of all other religious and social issues – a fact that has been recognized by the Church's leadership but not questioned.³⁶

2) The Parliamentary Debate on the New Abortion Law

In early May of 1994, government dominated by Milošević's Socialist Party of Serbia designed and submitted to the Parliament a draft abortion law which was meant to replace the old socialist abortion legislation. The proposed law did not make any changes for the early gestation pregnancies which meant that up until the end of 10 weeks of gestation abortion remained available upon request. After the 10th week of pregnancy the draft law proposed access to abortion based only on a few medical reasons and unlike the old socialist law did not recognize any social reasons. In addition, the draft law made it more difficult for minors between the ages of 16-18 to obtain abortion requiring consent from both parents. Many amendments were submitted to the Parliament and most of them were ignored. Only a few amendments submitted by the Democratic Party were accepted, the most important being the amendment that stipulated the access to abortion on request after the 10th week of gestation if the pregnancy resulted from rape or incest.³⁷ Several feminist groups put together a list of amendments and submitted them to the Parliament through a small opposition party, the Civic Alliance, but all

³⁵ *Duga* was a yellow press, weekly magazine.

³⁶ See p. 8 above.

³⁷ Other amendments that were accepted were related to the organization of the medical profession, not to women's reproductive rights and are beyond our concern in this study.

of them were ignored.³⁸ During the debate many criticisms were voiced by the representatives from other opposition parties. Representatives of the right wing, nationalist, Serbian Radical Party even abstained from voting and criticized the proposed law for being restrictive. They argued that the law should respect “the right of woman to decide whether she wants to keep or terminate a pregnancy” (*Politika*, 28 May, 1994:6).

During the discussion of the draft law, however, a clear pro-life stand was voiced by a representative of the Democratic Party of Serbia³⁹. He argued that

legal access to abortion always undermines the right to life. Because of that legalization of abortion signifies either a lack of awareness, or loss of awareness about notions on which the very survival of the nation depends; it means a lack of awareness about human essence and about one’s own nation (*Borba*, June 6, 1994:5).

It is interesting that, unlike the representatives of the clergy in examples mentioned above, this member of the Democratic Party of Serbia framed the abortion issue as primarily the issue of right to life and only secondary as the issue of national survival. This means that at the time a conservative Democratic Party of Serbia was a better promoter of religious norms and teachings than the Church itself. Unlike the Church, which despite disagreements was cautious to engage in the open conflict with the regime, the central place in the opposition politics was the struggle against the regime. Thus the Democratic Party of Serbia did not hesitate to express neither its pro-life position nor the religious justification of that position.

This was, however, a sole pro-life voice in the Parliament and it was in sharp contrast to the prevailing pro-choice view in all segments of society. Thus, the open question was not whether abortion would remain available, but how easy or difficult would be the legal access to it.

In spite of criticisms coming primarily from feminist groups, opposition parties, many medical and other experts, the socialist majority passed the draft law in late May of 1994. In early June, however, Milošević used his constitutional right and vetoed the law. He proclaimed that the law “goes against the basic human rights and freedoms, because it restricts the freedom [of people] to decide about having children, which is one of the fundamental human rights” (*Politika*, June 26, 1994:3). It took six months for the government to come before the Parliament with another version of the law, in December of 1994.⁴⁰

³⁸ Feminists objected the draft’s exclusion of personal and social reasons for abortions after the 10th week of pregnancy; the stipulation that minors between ages of 16 and 18 have to obtain parental consent for abortion; and the length of procedure proposed for obtaining late gestation abortions (after 20th week).

³⁹ Democratic Party of Serbia is a conservative party that belongs to the nationalist block.

⁴⁰ While the debate was going on in the Serbian parliament, one of the maternity wards in Belgrade had to be temporarily closed due to an outbreak of salmonella (21 babies and one women were infected, one baby died). It turned out that the salmonella outbreak was only the tip of the iceberg for many problems this maternity ward had. That winter, due to mechanical failures, the hospital did not have either hot water or heating. That the authorities did not consider closing the hospital due to the lack of hot water and heating is telling about the overall conditions in the maternity wards in Serbia. An obstetrician commenting on it said: “These are the absurdities of our society. On the one hand, we have all this talk about birth rates and suggestions to ban abortion, and on the other hand the conditions under which women have to give birth are unbearable. Maternity wards are empty, there isn’t enough hot water, not enough beds and

The second version of the law that was passed in December of 1994 was finally adopted in May of the following year (*Official Gazette of Serbia*, 16/95). According to this law abortion is available upon request up until the 10th week of pregnancy except when it is established that abortion could seriously harm the woman's health (Article 3). After the 10th week of pregnancy abortion can be obtained when specific conditions are met: if pregnancy is life threatening or might seriously harm the woman's health; if the fetus is defective; and if the pregnancy resulted from rape or incest.

This version of the law is restrictive compared to the old socialist one and somewhat more restrictive than the first version that was vetoed by Milošević. All restrictions refer to later (between 10 and 20 weeks of gestation) and late pregnancy abortions (after 20 weeks of gestation). The new law does not include any personal or social reasons for obtaining abortion after the 10th week of pregnancy and it requires minors under the age of 16 to obtain parental consent for having an abortion.

Considering that 95% of abortions after 10th week of pregnancy used to be approved for social reasons (Rašević, M. 1993), their exclusion from the law could be considered as a serious limitation of women's rights with potentially grave consequences. However, since the great majority of all abortions (98%) are performed within the first 10 weeks of pregnancy (ibid.), from the perspective of established practices, this specific restriction is not likely to affect a great number of women and does not diminish reproductive rights significantly.

Restrictions introduced for the late term pregnancies are more serious and will probably affect more of those women that are at the beginning and at the end of the reproductive cycle. The law "does not specify the length of time in which...a decision about request for pregnancy termination has to be made; it does not require explanation of the decision. Moreover, all decisions are final and cannot be appealed" (Konstantinović-Vilić, S., Petrušić, N. 1997:21). Based on the fact that the majority of abortions are performed in early pregnancy it could be assumed that women are able to recognize and respond to early signs of pregnancy. Very young women and peri-menopausal women, however, may easily fail to read these signs. Consequently, these two groups are probably made more vulnerable to the consequences of the new legislation.

Commentaries of the new legislation suggest that no one was satisfied with it. On the one hand, feminists argued that it restricts women's reproductive rights. On the other hand, those who were on the opposite side of the abortion divide argued that the law was still too liberal and thus represented a threat for biological survival of the nation; that it went against the rights to life of the unborn; and against the rights of men.⁴¹ While the new law was actually less liberal than the old one, feminist estimates of it were also exaggerated and they served to depict the regime as even more undemocratic than it actually was at the time.

It is interesting that no one reacted to the ideological shift that is contained in the first article of the law by which abortion is defined as a "surgical procedure in a medical institution" and not as means for the realization of the constitutional right to decide freely about reproduction⁴², as it was defined in the old law. While this technical definition may appear neutral at first sight, it actually obscures the importance of legal abor-

bed sheets, baby's diapers, antibiotics...Not to mention what is necessary to obtain for a baby at home" (*Vreme*, January 16, 1995).

⁴¹ The last point was a novelty within the discourses on abortion in Serbia which used to focus exclusively on women, their reproductive rights, practices and health.

⁴² This stipulation remained in the Serbian Constitution that was passed in 1992.

tion from the perspective of women's rights, their bodily integrity and overall equality which was recognized in the old law as the achievement of the socialist project of women's emancipation.

It is not that difficult to understand why the law remained essentially liberal. Contrary to the prevailing view in western media and scholarship, Milošević did not completely ignore public opinion in his politics. He actually had an interest invested in presenting himself and his regime as democratic (Hayden, R. 1999; Goati, V. 2001). Thus the broad opposition to abortion restrictions that was present in all segments of society and that was most vocally and persistently expressed by local feminist organizations certainly contributed to the fact that the legislation remained liberal. Whether the communist heritage influenced his decisions is difficult to say.

It is more difficult to understand why he ultimately accepted limitations that were introduced in the law (since he rejected the first draft because of its restrictions). It is not very likely that by this he made concessions to the Church. While he instrumentalized religion and the Church for nationalist politics, he was not under pressure to treat the religious leadership as equal political partners. Such a treatment would be contrary to the atheist ideology that he adhered to as well as to the principle of separation between the Church and the state.

It could be argued that the restrictions were part of a pronatalist policy – pronatalism being a constitutive part of Serbian nationalism at the time. But as I argue above based on existing abortion practices – limitations contained in the law were not likely to significantly cut down on abortion rates and even less were they likely to increase birth rates.⁴³ I believe that restrictions that were introduced in the abortion law fitted well into the politics of 'sneaky pronatalism'. The expression was coined by Elizabeth Krause who studied demographic discourses in Italy in the early 1990s. She argues that "[t]he proliferation of demographic studies on low birth rates is a type of knowledge production that serves as a sneaky sort of pronatalism" (Krause, E. 2000:576). This type of pronatalism does not produce specific population policies but rather serves for national mobilization by creating an image of the nation at the verge of biological survival. I expand Krause's concept of 'sneaky pronatalism' to include other types of knowledge and discourses that were concerned with low birth rates. By mildly limiting access to abortion the Serbian regime made the legal discourse an element of 'sneaky pronatalism'. While those limitations were not going to significantly cut down the number of abortions if at all, they kept the issue of biological survival of the nation alive for the purposes of national mobilization.

Ultimately, however, Milošević's position on the controversial issue of abortion remained vague even in the adopted legislation. Vagueness on controversial issues was a staple of his politics giving him always enough flexibility and space to maneuver and to manipulate any social and political issues for his personal political gains – the most important one being to stay in power.

⁴³ Not to mention that the very assumption according to which high abortion rates are responsible for low fertility rates is essentially flawed, abortion being only a method of achieving and maintaining desired number of children.

3) The Patriarch's Christmas Message

It took two years for the Orthodox Church to embrace officially something that started as individual initiative of one of its Bishops. In his January 1995⁴⁴ Christmas message the Patriarch of the Serbian Orthodox Church spoke about several predicaments that befall the nation in the following order: poverty, war and refugees; the advent of various other Christian congregations into Serbia⁴⁵; abortion; and the civil war that caused not only international sanctions but also further divisions within the Serbian nation (*Politika*, January 7, 1995).

His reference to abortion, the Patriarch started off by blaming abortions for the low birth rates which he saw as a threat for biological survival of the nation. The Patriarch then singled out women as primary culprits in dying of the nation. Moreover, in what seemed as a rather cynical manner the Patriarch scolded mothers who had lost their children during the wars in Croatia and Bosnia blaming them for their tragedy.

Many mothers who did not want to have more than one child are now pulling out their hair and crying their eyes out over the loss of their only child in the war. They blaspheme and they accuse others [for their tragedy], but forget to blame themselves for not bearing more children that would remain to comfort them (ibid).

He continued by discussing the social and political consequences of the low birth rates and argued that in twenty years Serbs were going to become a minority in Serbia and, subsequently, lose the political sovereignty over their current territory (ibid.).

Only after offering social/political reasons for his and the church's concerns, the Patriarch brought up the moral issues related to abortion, and the question of the beginning of life. Since life begins at conception, according to the Patriarch, the mother is a mere vessel of reproduction and women who have abortions are sinners worse than any other murderer (ibid.).

Feminist groups again reacted swiftly but this time instead of organizing demonstrations they expressed their disagreements and criticisms in a protest letter that was sent to all major media houses. In the letter, they accused the authors of the Christmas message of sexism and militarism. This time, however, only a couple of independent media published the letter that was signed by all the major feminist groups from Belgrade. The silence of the state controlled media about the feminist reaction to the Christmas message could be a response to sharp criticism put forward by feminists of the abortion legislation that was in the parliamentary procedure and was going to be adopted later that year.

Responding to the accusations in the message that limiting family size is an expression of women's selfishness, the feminists argued that limiting family size was, rather, an expression of women's sense of responsibility. They also pointed out that the message denied women the right to control their own bodies. Finally, the letter con-

⁴⁴ The Serbian Orthodox Church follows the old, Julian calendar, which runs a couple of weeks behind the official Gregorian calendar. Thus, Serbian Orthodox Christmas is always in January, of the following year compared to the Western practices.

⁴⁵ The representatives of other (mainly protestant) Christian churches who were active in Serbia at the time the Patriarch described as "sectarians" flocking over with Western money, preying on our misery in order to steal the hearts of [our] people".

demns the Patriarch together with the Catholic and Muslim religious leaders for not taking an official and public stand against the rapes of women committed during the war in Bosnia.

The SPC's decision to engage more openly in the anti-abortion campaign was certainly encouraged by the above described Parliamentary discussion during which the first pro-life argument was voiced within the secular political discourse by a representative of the Democratic Party of Serbia. But religious discourses against abortion remained focused on the issue of national survival, i.e. pronatalism, and only next to that presented the argument of sanctity of life. Pronatalism was thus a common feature of religious anti-abortion discourses, and secular discourses that opposed liberal abortion legislation. Pronatalism which designates women as biological reproducers of the nation, on the other hand, was a constitutive part of Serbian nationalism. Consequently, religious and nationalist discourses relied on the same constructions of masculinity and femininity.

Images of Gender and Nation within the Debate

Within religious-cum-national(ist) discourses on abortion, Serbian women emerged as corrupted by socialist emancipation which supposedly created "unnatural" gender relations and emasculated not only individual men (by affording women with the right to decide about reproduction) but also brought the whole nation to the verge of biological extinction. Thus abortion symbolized the nation vacant of children and of male power while the plight of the nation was, among other things, linked to an alleged crisis of Serbian masculinity.⁴⁶

An alternative and "natural" model of femininity was within these discourses offered through the ideal of sacrificial motherhood and hierarchically organized gender relations within the family in which the authority of the husband and father is homologous with divine authority.⁴⁷

In Bracewell's words, "linking the ideology of the nation to the ideas of motherhood and female submissiveness, of male dominance and power, and of uncompromising heterosexuality revised the official socialist ideology of gender equality, reinforcing male privilege eroding what gains women had made under socialism and marginalizing men and women who did not confirm to the imperatives of nation and gender" (Bracewell, *ibid.*:584).

All gender images that emerged within the abortion debate, among other things, served to create a specific type of order and to project a specific picture of modernity. At the one end of the abortion debate in Serbia was a vision of a nation-state as the only possible road to modernity in which the male-based nation is nurtured by women's feminine virtues that projected an ethnic image of the nation. Within the nation-state project, "women are simultaneously mythologized as the nation's deepest essence and instrumentalized in their 'natural' difference – as the nation's life/birth saver/producer" (Papić, *Ž.* 2002:128).

At the other end was the feminist projection according to which men and women were equal partners in the project of modernity, and the state does not privilege or marginalize any group. Feminist groups in Serbia have been consistent not only in defend-

⁴⁶ More on masculinity crisis and Serbian nationalism see in: Bracewell, W. 2000.

⁴⁷ On this type of gender constructions within the popular religious literature that is often used for religious instructions in public schools see Radulović, L. 2003.

ing women's rights and gender equality but also in promoting the principles of the liberal democratic state which Serbia certainly was not at the time. The discussion of the abortion debate reveals the true nature of not only the political system but also of the relationship between religion and nation at the time.

*Instrumental Pious Nationalism and Pseudo-Democracy*⁴⁸

According to Rieffer (2003), the extent to which religious laws and beliefs are implemented in laws and governing institutions is a measure of the strength of the relationship between religion and nation(alism). More precisely, it serves to distinguish "religious nationalism" in which there is an almost organic relationship between the two and "instrumental pious nationalism" where religion is a supporting element that helps to unify a population and is instrumentalized by national leaders in order to create a cohesive national body (Rieffer, BA. 2003:229).⁴⁹

The abortion debates and the new abortion legislation reveal that instrumental pious nationalism characterized both the state realm and the political realm, save for the Democratic Party of Serbia. Consequently, religious revival and the Serbian Orthodox Church renewed activities notwithstanding, Serbian society remained dominantly secular in general and in dominant attitude vis-à-vis abortion and its legislation.

Abortion legislation also illustrates how citizens of East European countries politically experienced early stages of democracy. In Poland, Hungary (Fuszara, M. 1993; Gal, S. 1994) and Serbia, public opinion was predominantly against banning or restricting abortion. Still all three parliaments passed laws which at least to some degree went counter the popular opinion. The same paradox between the ideology of democracy as the rule of majority, and the reality of party-dominated political life, exists in most Western democracies (Outshoorn, J. 1996).

Unlike the Western societies, the East European ones have not had enough time to create myths which would help reconcile this paradox, to paraphrase Levi-Strauss, and by that maintain the trust in representational democracy. Consequently, in many East European countries reformed communist parties won the second parliamentary elections. By giving their votes to the former communists, the citizens of these countries expressed, among other things, their disappointment with representational democracy. "The G.D.R. citizens imagined democracy as something other than a clash of parties and party interests. The abortion decision⁵⁰ thus became emblematic of the 'democracy deficit'..." (Maleck-Lewy, E. and Marx Ferree, M. 2000:114).

Measured by the abortion legislation, however, the 'democracy deficit' in Serbia did not seem to be that great. But it was not an expression of a 'democracy surplus' ei-

⁴⁸ Larry Diamond defines pseudo democracy as a condition when "there are opposition parties and other characteristics of an electoral democracy, but there lacks the essential condition: an arena providing sufficient equality for challenging that makes it possible for the ruling party to be removed from power." Quoted in Goati, V. (2001:48)

⁴⁹The third type of nationalism in Rieffer's classification is secular/anti-religious nationalism. The late 19th century Germany and Italy, as well as 18th century France, according to her, provide examples of this type of nationalism (ibid., 224).

⁵⁰ This is a reference to the decision of the parliament of the unified Germany which in 1992 passed one of the most restrictive abortion laws in Europe (save for Ireland and Luxemburg), despite sharp public criticism that was voiced by many political actors, as well as the general public in the Eastern part (see Maleck-Lewy, E. and Marx Ferree, M. 2000). Abortion is now available only if a woman meets certain medical and social conditions even during the first trimester (see ibid.).

ther. The Milošević regime at the time is best described as ‘pseudo-democracy’ (Goati, V., 2001:47). Due to multiple superiority of the ruling Socialist Party to the opposition (ibid. 48) and due to the fact that the Parliament had a subordinate role compared to directly elected Milošević, the ruling regime tolerated the existence of independent media and “endeavored, at least to a certain extent to maintain a semblance of respect for democratic institutions” (ibid., 48) and public opinion.

The Abortion Issue and Gender Equality

Under socialism gender equality was granted by the Constitution and by special legislation which provided women with equal access to inheritance, education and employment, equal pay, easy access to divorce, free medical and child care, and accessible legal abortions. Easy access to abortion was a symbol of women’s emancipation and equality. Socialism, however, did not bring about a radical change in gender relations – which remained overall hierarchically organized particularly within the domestic realm. A mild shift towards more symmetrically organized gender relations within the family was made, albeit at the expense of the infamous double and triple burden for working women.

According to a World Bank report (2000), gender equality showed high rates in most countries of the former socialist world before the beginning of the transformation processes. During the post-socialist transformations many of the achievements in the realm of gender equality were seriously challenged: political representation dropped, as well as formal employment while reproductive rights were under attack, to name just a few most obvious examples.

The above discussion of abortion debates in the early 1990s shows that secular views on abortion remained basically unshaken and that the Church failed in its attempts to influence abortion legislation. At the same time, religious-cum-nationalist discourses that shaped nationalist politics of reproduction were more successful in destabilizing the ideology of women’s emancipation and gender equality developed during socialism.

By reducing womanhood to motherhood, religious-cum-nationalist discourses placed women symbolically back to the private realm and reinforced male dominance in society. Small changes that during socialism had been made towards a more symmetrical organization of gender relations within the family could be thus easily reversed.

The available empirical research indicates that between the mid 1990s and mid 2000s, there has been a return to traditional, patriarchal values and models of behavior in all aspects of family life in Serbia: from family organization and residence patterns, to relationships between the partners, to children-parents relationships (Milić, A. 2004). Re-traditionalization of gender roles is particularly notable in the area of the domestic division of labor.

In a research conducted in 1991, 30% of sampled households had traditional division of labor (most of the chores done by women); 60% had transitional division of labor (most chores performed by women but other members of the household participate as well); and 10% had modern division (all household members equally participate in household chores). A similar research conducted little over 10 years later showed a rather different distribution: almost 70% of households had traditional division of labor; almost 20% had transitional division of labor; and only 1% was modern (Stepanović-Miletić, V. 2004). Moreover, according to the same research, women largely accepted this unequal division of labor in the family. Among the married women in the sample,

50% performed alone all household chores and they all declared to be content with such a division of labor (*ibid.*, 418).

These data show that the patriarchal gender ideology that emerged against the backdrop of religious-cum-nationalist discourses has been successful both in reinforcing and naturalizing the traditional allocation of gender roles within the family. At the same time, structural changes and economic collapse brought about by the end of socialism made the domestic realm an important site of subsistence production. Since domestic subsistence production relies heavily on women's work it puts additional pressure on women's personal resources and increases their inequality within the system of production, distribution and consumption of family resources and also affects the degree and quality of their participation in the labor force (within the public realm) and in politics (Milić, A. *ibid*; Stepanović-Miletić, V. *ibid*).

Religion and Politics after 2000

During the first half of the 1990s, the period to which the case study above refers, the opposition parties had little influence on state politics, which was controlled by Milošević and his regime. By the end of the 1990s, however, Milošević's power was significantly eroded due to a combination of economic and political reasons.

The country's economic resources were exhausted to the benefit of the ruling oligarchy. Rigid international sanctions that had been in effect since 1992 further contributed to the devastation of the local economy. The GNP dropped drastically, as well as the real income. The gray economy made up over 40% of the whole economic activity in the country. Extremely high inflation, high unemployment rates, falling living standard, migrations, the UN imposed sanctions, corruption, criminalization of economy and the growth of organized crime (Bolčić, S. 1995; Lazić, M. 2000; Spasić, I. & M. Subotić 2001, Vidojević, Z. 1997; Andreas, P. 2005) had disastrous effects on society. Towards the end of the 1990s it was getting more and more apparent that the ruling regime was responsible both for the current social and economic conditions and for the devastating wars that Serbia took part in – not only the wars in Croatia and Bosnia but also the war against NATO (Golubović, Z. 2003).

The regime lost some of its electoral support already in 1996 when a coalition of opposition parties won the local elections in a great number of towns. In 1998 the Socialist Party of Serbia lost its dominance in the national Parliament as well and had to form a coalition government with the Serbian Radical Party and the Yugoslav United Left.⁵¹ Losing political superiority that it enjoyed during the previous period, the regime resorted more to oppression in its dealings with the opposition. The oppression, however, worked to strengthen the resistance to the regime within the civil sector and to force the opposition parties to unite and organize better in the struggle to bring the regime down (Golubović, Z. *ibid.*:29; Goati, V. 2001:49).

A very broad coalition of 19 parties⁵² finally defeated Milošević in the presidential elections of September 2000. Since Milošević initially refused to concede to the defeat, he was ousted from power in massive, peaceful demonstrations on October 5 of the

⁵¹ Due to its unusual composition it was designated as 'red-black' coalition in independent media and by the opposition parties.

⁵² The Democratic Party and Democratic Party of Serbia and their leaders Zoran Đinđić and Vojislav Koštunica, were the backbone of the coalition.

same year and the coalition government was formed. This is considered to be a threshold from which real democratization and transformation processes began in Serbia.

While the first post-Milošević government under the late prime minister Đinđić⁵³ managed to establish a sufficient degree of stability to embark on economic and political reforms, all governments after 2003 have been rather volatile due to disagreements regarding pressing social and political issues, the most important among them being: the speed and direction of economic reforms, the processes of European integration, the cooperation with The Hague Tribunal, and the Kosovo issue.

Different approaches regarding negotiations about the final solution for the status of Kosovo notwithstanding, all major political parties insist on preserving the territorial integrity of Serbia and by that keep the issue unresolved and open for political manipulation. As long as the Kosovo issue remains unresolved the issue of the state borders remains open and ultimately the nation-state project unfinished. The increased presence of Church and religion in society and politics after 2000 owes much to this fact.

It is apparent from the above analysis of the abortion issue in Serbia in the 1990s that 'instrumental pious nationalism' dominated both the state and the public realm, while 'religious nationalism' characterized small segments of the political realm (cf. Democratic Party of Serbia) and civil society (cf. conservative youth groups).

Without much exaggeration it can be argued that during the period of 2004-2007 the state promoted 'religious nationalism' not by introducing religious norms into the legal system, but by incorporating the Church's political views in state politics and legislation. One example is the preamble to the new Constitution passed in 2006 which stipulates that "Kosovo is an integral part of the territory of Serbia [and that] all state bodies [are obligated] to uphold and protect state interests of Serbia in Kosovo in all internal and foreign political relations" (www.parlament.sr.gov.yu/content/eng/ustav). By this, the authors⁵⁴ of the Constitution met the demand put forward by the SPC in the *Memorandum on Kosovo* issued in 2003. The Memorandum stated that the "Serbian Constitution must include a provision stipulating that no one shall ever be allowed to give up Kosovo".⁵⁵ While the "sanctity" of Kosovo is an integral part of Serbian national(ist) mythology and politics, the idea to incorporate it into the constitution was for the first time spelled out in the SPC's *Memorandum on Kosovo*.⁵⁶

In the years that followed the change of the regime in 2000, a much tighter connection has been established between the church and the state (Blagojević, M. 2008:49). The relationship has been sanctioned by the Law on Religion and Religious Communities passed in 2006 which follows the model of 'collaborative separation' between these two institutions. As a result, in addition to cultural domination, Orthodoxy earned institutional significance and influence (ibid.) and the Church greater political and economic power. This newly gained power the Church has been using to exercise its influence in all domains of social life. The pronatalist politics of reproduction and to them closely related anti-abortion campaign kept the prominent place within the religious discourses.

⁵³ Zoran Đinđić, the Prime Minister in the first post-Milošević government of Serbia was assassinated in March of 2003.

⁵⁴ The authors of the Constitution were representatives of the conservative Democratic party of Serbia.

⁵⁵ Quoted in Đorđević, 2007:246.

⁵⁶ The new constitution was written in haste (in about two weeks) by a group of Party leaders from the conservative ruling coalition and legal experts ideologically close to them. The process of its writing was not transparent enough and there was virtually no public debate on it before the referendum.

The Abortion issue after 2000

While the broad public debate on abortion subsided slowly after the mid 1990s, the Church and religious, conservative student/youth groups, kept the issue alive in various ways. They regularly addressed it in their publications, lectures and internet presentations.

In 2006, little over ten years after the new abortion legislation was passed, the first pro-life organization, the Movement for Life, was founded in Serbia. Its founders were two conservative, religious student organizations: *Dveri*⁵⁷, based at the Technological Faculty at the University of Belgrade, and the Association of Orthodox Physicians, based at the Faculty of Medicine at the same university.

Like similar movements in the West, the pro-life movement in Serbia is against abortion, contraception, in-vitro fertilization, homosexuality, euthanasia, modern sexual education and human cloning.

In 2007, the Movement launched a project under the name “Culture of life”, envisioned as a campaign promoting the idea of the sanctity of life (www.pravoslavije.spc.rs/broj/971/tekst/pokret-za-zivot/print/lat, 2007). The second aim of the project has been a “struggle against the ‘white plague’⁵⁸”, which is defined as the “primary patriotic duty” (ibid). The project was promoted through various print media, internet presentations, video presentations and lectures aimed primarily at young people.⁵⁹

According to the organization’s internet presentation, it received financial support for this particular project from the Ministry of Culture in 2006. At the time, the Ministry was headed by a representative from the populist Serbian Renewal Movement. Due to the government reconstruction, this Minister was replaced by a representative from the Democratic Party in 2007. After this change the Ministry distanced itself from the project.

This is one of many examples that show how due to frequent changes in the government composition political processes in Serbia have been uneven, ambiguous and contradictory during the last eight years. As a consequence, the social effects of the political processes, including those pertinent to women’s statuses and equality, have also been ambiguous, contradictory and uneven.

⁵⁷ *Dveri* is a youth/student Orthodox organization that was formed in the 1990s alongside few other conservative youth groups. These groups are based on various faculties at the University of Belgrade and University of Novi Sad. They all follow the SPC in its anti-modernist and anti-western stand, in promoting collectivism, xenophobia and intolerance; and in criticisms of communism, feminism and gender equality (Popović-Obradović, O. 2006). These groups promote *svetosavlje*, a specific Serbian brand of Orthodoxy which celebrates national unity based on the medieval concept of harmony between the Church and state. While they all promote Orthodoxy as the essence of the Serbian nation only *Dveri* enjoy institutional support of the SPC. These rather small and obscure groups gained a more prominent public place as a result of the general political climate that was created by the conservative-populist governments headed by the Democratic Party of Serbia from 2004 until July of 2008 (Rajić, Lj. 2006).

⁵⁸ ‘White plague’ is a common metaphor for low birth rates.

⁵⁹ During 2007 the movement organized about 7 lectures and/or seminars in several towns in Serbia. According to their internet presentation the Movement has developed a program for Christian sexual education that they planned to present to students in schools, but there are no reports that they have actually done so. The movement produced 12 video spots that “celebrate life, the beauty of pregnancy and of the unborn child”. The spots are available on Youtube and they were presented at lectures that were organized in several towns. Some local TV stations run the spots during their commercial blocks.

The Serbian Orthodox Church supports the work of the pro-life movement and participates in its activities. *Pravoslavlje*, the official journal of the SPC, regularly carries reports about the Movement's activities, as well as various articles against abortion and contraception. References to abortion were repeated in the 1997 Christmas message and than again ten years later, in 2007 and in 2008. The reappearance of the abortion issue in the 2007 Christmas message was most likely in support of the "Culture of Life" project that was launched in the same year by the pro-life movement.

Within religious discourses, the abortion issue has remained connected to the low fertility and ultimately to biological survival of the nation while abortion has been consistently referred to as killing of the unborn.

The abortion issue did not disappear from the secular discourses either but its coverage has been more sporadic in the media. Secular discourses also continue to habitually connect abortions with the low fertility rates and ultimately biological survival of the nation. These topics, however, do not have the dominant status any more the way they used to in the early 1990s. While secular discourses have remained consistently pro-choice oriented, they also have taken over some themes that originated within religious discourses. Actually, a certain degree of mutual influence between secular and religious discourses on abortion can be noticed.

Religious discourses have softened somewhat compared to the mid 1990s. The Movement for Life, for example, states that its aim at this point is not the abolition of legal abortions but rather the "promotion of the beauty of life" (www.pravoslavlje.spc.rs/broj/971/tekst/pokret-za-zivot/print/lat/2007). Furthermore, religious discourses do not place the blame exclusively on women any more but divide responsibility for "killing of the unborn" between women and men.⁶⁰ Finally, religious discourses exhibit more of Christian compassion lately. Thus, the last two Christmas messages ask for mercy for those women (and couples) who have abortions (*Politika*, January 7, 2007) unlike the 1995 message that rather harshly reprimanded women for having abortions. These changes, without doubt, transpired in response to criticisms coming from feminists and other segments of secular society.

The secular discourses on abortion, on the other hand, contain much more references to fetuses than before. Previously, direct references to fetuses were almost non-existent. Lately, however, secular discourses on abortion often contain descriptions of stages in fetal development, with a focus on the first 10 weeks, the period within which abortion is available upon request. Fetuses at different stages of gestation are often used in visual illustrations that accompany articles on abortion. This is another feature that was absent from secular media in the 1990s and that in recent years came about under the influence of religious pro-life discourses. Finally, in June of 2008 an issue of daily *Politika* had a special coverage on abortion under the title 'The Unborn Child'.⁶¹ To my knowledge, this is the first such reference to aborted fetuses within the mainstream secular media in Serbia. Whether this is an isolated episode or a signal of more consistent effects of religious pro-life discourses on secular perceptions of abortion remains to be seen.

⁶⁰ See, "Lepota će spasiti svet". *Pravoslavlje*, 942, 2006; „Porodica kao temelj zdravog društva“. *Pravoslavlje* 954, 2006; „Kultura smrti i zakonodavstvo“. *Pravoslavlje* 959, 2007; „Istina o kontracepciji“. *Pravoslavlje*, 961, 2007.

⁶¹ Eight articles covered various aspects of the abortion issue: sexual education, fertility rates, abortion rates in Europe, what motivates women in Serbia to have abortions, social and economic pressures on women to have abortions, women's personal experiences of abortions, abortion legislation in Europe. *Politika*, 6. juni, 2008.

Among eight articles published in the above mentioned issue of *Politika*, two contain both textual and visual representations of fetal development within the first 10 weeks of pregnancy with a clear message that a fetus is as cute and vulnerable as a newborn baby.⁶² Vulnerability of the fetus is stressed by an illustration in which a model of a tiny fetus is placed against the background of an adult palm. The sheer disproportion in the size implicates that the palm has power to either protect or harm the fetus and consequently that abortion is essentially a violent act, which destroys the tiny germ of life.

This image is in a sharp contrast with the common perception according to which the fetus is an amorphous tissue during the first ten weeks of pregnancy and ‘becomes alive’ in the 12th week of gestation. It is widely believed that this turning point in pregnancy is marked by quickening. Since the great majority of abortions (over 98%) are performed during the first 10 weeks, abortion experiences for many women used to be void of moral dilemmas or psychological trauma. Some women were even surprised when such issues would be brought to their attention (Antonovski, N. 1984; Rašević, M. 1993).

The transfer of pro-life representations of abortion to secular discourses has a potential to undermine the above described common perceptions of abortion and consequently make women’s experiences of it emotionally traumatic and morally challenging.⁶³ Furthermore, since within marriage, abortion serves to limit family size while maintaining “proper” gender roles, that is, husband’s domination and wife’s submission, in the domain of sexual relations (Morokvašić, M. 1984; Paxon, H. 2002), the high abortion rates in Serbia result from the fact that couples practice unreliable contraceptive methods which lead to many unplanned pregnancies. This ‘hegemony’ of unreliable contraceptive practices is a consequence of the hierarchical organization of gender relations of sexuality within marriage that puts men in charge of the sexual act and of its outcome. A great number of men do not want to use any of the reliable medical contraceptives, relying rather on the so called ‘natural’ methods of pregnancy prevention. Thus, as much as abortion affords women with autonomy in making reproductive decisions, it even more serves to maintain a patriarchal *status quo* within the family.⁶⁴ A possible turnaround in women’s perception and experience of abortion could complicate partner relations and undermine the existing patriarchal *status quo*. Whether this would lead to a more equitable organization of gender relations within the family, or to new forms of patriarchal hierarchy is difficult to predict.

Women’s/feminist groups remained active and vocal not only in protecting women’s reproductive rights including the right to safe, legal abortions. Their numerous activities are aimed at improving and maintaining gender equality in all aspects of social life from economy to jurisprudence and politics. Even though there are many differences among them, independent women’s groups have been unanimous in their liberal

⁶² Already in the third week the embryo’s cortex can be noticed; at five weeks it starts to move its little head; at six weeks it can wiggle like a newborn; at 8 weeks it squeezes its hand, hicks-up, sleeps and wakes up; at 9 weeks it closes its little fingers in a fist if touched at the palm; at 10 weeks it sucks on its thumb, reacts to sound and light and flinches from pain if pricked by needle (*Politika*, 1 juni, 2008, stress mine).

⁶³ Recent evidence suggests that such a change may be under way, see Women in Black, *ibid*. Some of women whose life histories I collected for a research on reproductive decisions stated that had they seen some of the pro-life propaganda at the time when they decided to terminate an unwanted or inopportune pregnancy, their decision might have been different.

⁶⁴ I analyse the relationship between the high abortion rates and hierarchical gender relations of sexuality in a greater detail elsewhere. See Drezgić, R. 2004.

views on individual and society, and in their opposition to nationalism, nationalist politics and intrusions of religion and Church into social and political life. Their activities include sensitizing the public to women's/gender issues, providing protection and legal assistance to battered women, submitting amendments on proposed laws, organizing public protests whenever women's rights are threatened. Finally, after 2000, women's groups often partner with government on various projects. They have been actively involved in drafting some important segments of national legislation: the Law on Gender Equality, the Law against Discrimination and the National Action Plan for Gender Equality.

Serbia, however, is the only state in the region that still does not have a law on gender equality and a national action plan on gender equality while the Law against Discrimination was only recently passed in the Parliament. The Law on Gender Equality was submitted to the National Government by the Government of the Autonomous Province of Vojvodina. It was put into procedure but due to objections that came from various ministries arguing that the proposed law was not consistent with the existing legal system the draft was not put into procedure. The Council for Gender Equality within the National Ministry for Work and Social Issues is currently drafting the new version of the law. The Council for Gender Equality within the Ministry of Labour and Social Policy has put together a draft proposal of the National Plan for the Improvement of Women's Position and of Gender Equality, but it has not been put into the Parliamentary procedure yet.

Finally, the Law against Discrimination that was adopted in March 2009 was initially withdrawn from the Parliamentary procedure because the SPC, supported by other 'traditional' religious communities, requested changes to the articles on gay rights and religious freedoms arguing that the law could be open to misinterpretation and misuse.

This provoked mass reactions and intensive debates in media and in the whole society. NGOs, liberal intellectuals, international organizations and some officials protested against this intrusion of the Church in the matters of secular politics and legislation. In the end, no major changes were made. The law was put back into procedure and adopted. The adopted version of the law bans discrimination based on race, gender, national, social, ethnic, religious or sexual orientation.

The whole event illustrates well the current constellation of political forces in Serbia. It shows that the Church has the ability to interfere in the matters of state politics and to stall reform processes. At the same time, the event shows that the civil society has the capacity to successfully defend the secular character of the state and restrict the scope of religious infringement into social and political life. The Swedish Helsinki Committee for Human Rights considers the adoption of the law a symbolic victory for Serbian civil society (www.shc.se/en/5/127/1417). Still it should not be forgotten that the bill was passed with a slim majority (only one vote over the needed minimum). This reflects a significant presence of conservative, nationalist parties and politics in the Parliament.

Concluding Remarks

The processes of de-secularization in Serbia addressed in this paper follow similar trends present in other former socialist societies as well as globally. Several things, however, set Serbia apart. First, it is a high level of de-secularization and marginalization of religion and church, during the first half of 20th century. Second, is the history of the church-state relationship and important role that religion and church had in the ori-

gin of Serbian nationalism and the constitution of the first Serbian nation-state. These two features significantly influenced de-secularization processes in the late 20th century. Religion once again became a constitutive element of Serbian nationalism and the religious leadership focused its activities on state politics while neglecting its pastoral duties. Consequently, increased religiosity of Serbian citizens that was registered in surveys and official statistics often meant nothing more than ethno-national identification and as a result, the “newly religious” remained mostly untouched by Christian teachings. This explains the persistence of secular beliefs and values as well as strong resistance that many segments within the civil sector and the general public had against Church’s interference in the public realm.

Another specificity of the Serbian case is related to the fact that the first multi party elections brought to power a regime that firmly adhered to an atheist ideology and to the separation between state and church. This significantly limited the scope and space of religious influence during the 1990s.

Finally, and probably most importantly, unlike other former socialist countries, including most other former Yugoslav republics, Serbia has not completed the nation-state project, yet. This fact explains the increase in the Church’s social and political influence after 2000. Measured by the strength of the relationship between secular and religious nationalism during the first 10 years of post-socialist transformations, Serbia can be classified as a case of ‘instrumental pious nationalism’, according to Rieffer’s (2003) categorization. In the period after 2000, and particularly from 2004-2007 during the two conservative-populist governments, this relationship was moving towards the model of ‘religious nationalism’. During the last nine years, politicians and political elites in general have had a rather obsequious attitude towards the Serbian Orthodox Church, opening up in recent years not only political space but also the state institutions for its influences.

The overall social influence of the SPC has been marked by its deep seated anti-modernism, political conservatism and anti-reform orientation. The political and social conservatism to which the SPC subscribes has contributed to a shift in the dominant gender ideology by reducing womanhood to motherhood.

I argue that de-secularization and increased influence of the Serbian Orthodox Church have had a twofold effect on gender organization. On the one hand, the intersection of nationalist ideology and religion has produced social and political conservatism which challenges some of the achievements of the socialist women’s emancipation. While conservative and patriarchal social norms have not affected the direction and content of social and legal reforms, as is apparent from my case study on abortion, conservative politics were more successful in influencing the speed and consistency of the reform processes **hampering thus further developments** in the realm of women’s rights and their position in society.

Women’s position within the private realm seems to be most affected by patriarchal conservatism promoted by the Church. Empirical research shows conspicuous tendencies towards retraditionalization of gender organization within the domestic realm.

On the other hand, the **ideological shift** that came about under the influence of conservative, patriarchal politics, brought about mobilization and increased cooperation of women’s groups and organizations in defense of women’s rights and of the secular character of society.

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