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Politics and Religion in Montenegro—From “Theocracy” to a Civic State

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Abstract: The relationship between religion(s) and politics, i.e., religious communities and political authorities, in Montenegro has varied and taken different forms throughout the country’s history. Available research, mostly historical in nature, is predominantly factual and does not provide a clear picture of the nature and forms of this relationship in Montenegro’s history. Through an analysis of legal–historical sources and relevant literature, this paper aims to indicate the complexity of the relationship between politics and religion through the identification and analysis of the different forms of the aforementioned relationship. The fact that Montenegro had pronounced features of a theocracy at the beginning of the creation of the state makes this context specific not only to the Balkan region, but also beyond. The concept of state religion and the period dominated by features of Caesaropapism was replaced by a period of modernisation of the state that gave rise to a separation of political and religious elements. The period of authoritarian socialism, in turn, led to the ideological suppression of religion. The early phases of democratisation in the last decade of the 20th century induced further change in the nature of the relationship between political authorities and religious communities, which continued in the new context of civic and multicultural Montenegro.

Keywords: Montenegro; theocracy; religious pluralism; secularisation; civic state



Citation: Vuković-Ćalasan, Danijela, and Rajka Đoković. 2023. Politics and Religion in Montenegro—From “Theocracy” to a Civic State. *Religions* 14: 251. <https://doi.org/10.3390/rel14020251>

Academic Editors: Joanna Kulska and Anna M. Solarz

Received: 20 January 2023

Revised: 5 February 2023

Accepted: 8 February 2023

Published: 14 February 2023



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1. Introduction

The relations between the state and religious communities throughout history were different and complex, ranging from absolute symbiosis and unity, to deep separation, conflicts and a fight for dominance. The history of the consolidation of the Montenegrin state is characterised by an interesting and unique relationship between political authorities, i.e., those who were authorised to make political decisions, and religious organisations, primarily those associated with Orthodox Christianity. Nowhere else in the Balkans were the secular and spiritual power unified in the same way than they were in Montenegro where, according to some authors, they created a special form of theocracy in which the heads of the church—the bishops—formed part of the political power. There are different views on the nature of the relationship between the political and religious powers in this period—from those claiming that it was a theocracy, to those advocating that a theocracy in the true sense of the word never existed, even though it was a unique symbiotic form of political and religious powers. In legal and political literature, theocracy is defined as a form of government in which the ruler’s authority is founded in God’s will (Avramović 2003), or one in which the religious leader has a decisive influence on political matters (Vasić et al. 2014, p. 73). Be that as it may, this relationship between political and religious powers characterised the early phases of the modern Montenegrin state, which would have significant implications for the relationship between the state and religious communities in the later period of Montenegrin history, as well as the modern period.

Political scientists and sociologists of religion generally point to several models of the relationship between religion and politics, i.e., the state and religious organisations,

as follows: the model of separation, symbiosis, the primacy of one over the other, as well as possible relations of cooperation and collaboration, and dispute and conflict. (Hägg and Ercolessi 2012; Robbers 2016; Sandberg 2008; Van der Ven 2010). One of the most relevant theoreticians of religion in the Balkans, Đuro Šušnjić, singles out four possible types of these relationships: a relationship of cooperation, a relationship of tension and overt or covert conflict, a relationship in which there is primacy of the political dimension that instrumentalises the religious and, finally, a relationship of separation and neutrality of the state in relation with religious communities (Šušnjić 1998, pp. 107–9). When there is a relationship of cooperation, “religion can help resolve the problems in the political dimension by orienting people in the direction of common values. By emphasising common values and norms, religion contributes to the elimination of corrosive political disputes and conflict between social classes, strata and groups” (Šušnjić 1998, p. 107). The relationship of conflict and tension mainly occurs when political actors make decisions in the direction of larger-scale social changes, and often when religious organisations resist the pressure to place their activities at the service of political parties and other political actors, according to Šušnjić. The third form is the form of complete subordination of religion to the state and politics, in which case the secular ruler often had the right to elect and remove religious leaders, as was the case in the history of the Eastern Orthodox Church. The fourth type of relationship implies separation and neutrality of the state in relation to religious communities and religion, whereby religion mostly resides in the private sphere and does not have much influence in the sphere of political decision making at the state level (Šušnjić 1998, pp. 107–9).

Secularisation exists in several dimensions, i.e., it is possible to trace its transforming effect at the level of individual religiosity, institutional practices of religious communities, and at the level of political and religious relations. In this paper, we primarily focus on the third dimension of secularisation and question the nature of the relationship between politics and religion, i.e., the state and religious communities from the creation of the modern Montenegrin state with theocratic features, to its contemporary definition as a civic state. Since these are two antipodes (models standing at completely opposite ends), the key objective of this paper is to investigate the relationship of political actors and politics towards religious communities, religion and religious pluralism in these different political–legal frameworks. Particular emphasis will be placed on the early period of the modern Montenegrin state, until 1918, when it lost its independence and became part of the Kingdom of Serbs, Croats and Slovenes, as well as the period of Montenegro’s functioning as a civic state and its relationship with religious communities and organisations.

It is necessary therefore to consider the following three levels of political and religious relations: the state’s relation to religion as a belief system and doctrine; the state’s relation to the Church as an institution, as well as religious organisations of other religions (Islamic community, Roman Catholic Church, etc.); and the attitude of the state towards individuals as members of religious communities or simply those who are religious, regardless of whether they consider themselves part of an institutionalised belief system or not. In different periods of the development of the Montenegrin state and the different forms it took in that development, the relationship between the political and the religious structures at all three levels fluctuated. We are of the opinion that various authors who deal with this issue tend to ignore the existence of the three different levels, which often results in reducing the complex reality to just one of the aforementioned dimensions. This is one of the shortcomings of the existing literature dealing with this issue in the Montenegrin context.

2. Religious and Political Dimensions in Montenegro from the End of the 15th Century until WWI

At the end of the 15th century, the Ottomans took rule over the territory of today’s Montenegro, and tribal arrangements started to dominate the social organisation once the Zeta state ceased to exist (Andrijašević and Rastoder 2006; Jovanović 1947; Vešović 1998). Thanks to the Ottoman system of millet, which was tolerant of religious confession

by conquered people to a certain degree (Čorbić 2021, p. 99), the Orthodox Church in Montenegro continued to exist under the administration of the metropolitan of Cetinje. The Ottoman influence was so exhausting that it was visible even in the area of the election of the Cetinje metropolitan; until the end of the 17th century, the election of the Cetinje metropolitan was carried out under the influence of the Peć patriarchs who enjoyed the support of the Ottoman Porta (Andrijašević 2008, p. 38). The weakening power of the Ottoman Empire from the end of the 17th century spilled over to the domain of the election of the Cetinje metropolitan. Thus, at the end of the 17th century (in 1694, as well as in 1697), the metropolitan was elected by the General Montenegrin Assembly, which was a type of national parliament. It seems that this method of election was a temporary solution because after the election of the first bishop from the Petrović family, a new practice emerged—that of the metropolitan appointing his successor among his relatives from the Petrović family (Andrijašević 2008, p. 50). Bearing in mind this method of election of bishops, which is characteristic of the election of secular rulers, as well as the prominent role of bishops in the internal and foreign political life of Montenegro, a significant number of authors define the period of rule by bishops from the Petrović family (1694–1851) as a theocracy (Jokić 2002; Stamatović 2014). More precisely, they indicate that metropolitans were secular as well as spiritual rulers. (Andrijašević 2008, p. 69; Andrijašević and Rastoder 2006, p. 88). This dominant view was contested for various reasons. Đoko Slijepčević, the writer of a comprehensive history of the Serbian Orthodox Church, indicates that the Montenegrin theocracy does not have the form of an ancient theocracy, according to which secular power comes from God (Slijepčević 2002a, p. 14), and points out that Bishop Petar I was largely dependent on the General Montenegrin Assembly (15) as the only body of public authority that stood above tribal frameworks (see also: Stanojević 1962, p. 278). Simultaneously, there are authors who do not define the authority of the bishop as theocratic, but as either ecclesiastical or secular. Thus, Radovan Radonjić points out that there was no such thing as a Montenegrin theocracy because the metropolitans were the bearers of Church power, while secular power was concentrated in governors (Radonjić 2019, p. 160), not disputing, however, the significant role of the metropolitans from the Petrović family: “that the five honourable metropolitans from the Petrović family did not rule Montenegro, but its Church, and that from that position, as more or less influential political figures, they had a prominent role in solving social and state issues . . . ” (Radonjić 2019, p. 471). Ražnatović has a different opinion, arguing that the circumstances of extreme poverty and the fight that the tribes led against the Turks with the organisational help of the bishops led to “a natural coexistence and adaptation of the branches of public authority with the tribal social structure. Montenegro was not ruled by priests, and the supra-tribal, i.e., state power of the Montenegrin metropolitans was secular, and by no means theocratic.” (Ražnatović 2000, p. 67). Such different viewpoints on the nature of the authority of the Cetinje bishops come from different starting points of the authors, because Radonjić has in mind the form of power, while Ražnatović considers the factual essence, thereby unjustifiably reducing the authority of the metropolitan to a political aspect. Regardless of the starting point, the fact remains that the bishops appointed their successors within their own family, so historians discuss the Petrović Njegoš Dynasty as the dynasty that ruled Montenegro (Andrijašević 2008; Ražnatović 2000). It is a fact that bishops were involved in the political life of the community through the organisation of the liberation movement, as reconciliators of the Montenegrin tribes, resolving their mutual disputes, and as representatives of the community in foreign relations, performing diplomatic activities. Petar I, who is associated by some with the creation of the modern state (Šuković 2003), is discussed as a lawmaker who created legal regulations and wrote the Montenegrin and Highlands General Law (1798 and 1803). (Petrović 1929). Simultaneously, the Church organisation on the territory of Montenegro developed its structure within the framework of a strong (Roman/Byzantine) state organisation (Stamatović 2014, p. 9), whereby the circumstances that followed the Ottoman conquest influenced that organisation to adapt to the circumstances that were

driven by the fight for freedom and the Orthodox faith, i.e., the establishment of a state organisation (Jovanović 1947, p. 68; Ražnatović 2000, p. 67).

Interestingly, in this period, priests were often the bearers of tribal authority in such a way that they became tribal heads and had influence in decision making that affected the functioning of the tribe (Ražnatović 1961; Stojanović 2009). Thus, this practice was also present in the second half of the 19th century, but on a smaller scale, as written by Valtazar Bogišić, who in 1873 described the activities performed by priests. The description states that more than a half of the total number of priests performed various state and military services, and as an illustrative example he points out that “the head of the entire army is Priest Ilija Plamenac”. (Bogišić 2004, p. 280).

Bearing in mind the political significance of his predecessors—bishops from the Petrović line, as bearers of Church authority—the establishment of the principality during the reign of Prince Danilo (1851–1860) was marked by an attempt to subordinate Church authority to state authorities. The election of a new metropolitan was delayed, which left Montenegro without a metropolitan from 1851 until the end of 1858 (Andrijašević 2008, p. 80). Simultaneously, at the time of his election, it was important for Prince Danilo that the new metropolitan was not from Montenegro, i.e., that he did not belong to “Montenegrin fraternal and tribal structures” (Andrijašević 2008, p. 76) that could seek political influence through him, and therefore pose a threat to princely power. In this period, the state, i.e., the political authority, completely dominated the religious authority, to the extent that the then Prince, who was at the head of the Principality of Montenegro, prescribed punitive measures, both for the people who did not comply with religious duties (Andrijašević 2008, p. 81) and for clergy who did not perform their priestly duties. He standardised the duties of priests in Article 66 of the Common Legal Code (1855): “Every priest in our country is obliged to go to church every Sunday, keep the church clean, carry out the rules of the holy church, and teach the people as much as possible to do good, and establish the holy faith in the people; whoever does not do this will be deprived of the priestly rank” (Pavićević and Raspopović 1998a, p. 179). Prince Danilo therefore not only tried to create an environment for the dominance of the political authority in relation to the religious authority, but he also assumed the prerogatives of the religious authority even though he was not a metropolitan.

Such intervention of the secular government into the religious sphere was dictated by Montenegrin circumstances. Namely, the Prince delayed the appointment of the metropolitan because he wanted to neutralise the political significance of Church authorities that was typical in the period that preceded the proclamation of the principality. However, such a state of affairs came to an end in 1858, when the regular appointment of metropolitans continued. Theoreticians generally agree that the relationship between Church and state power in Eastern Orthodoxy cannot be characterised as Caesaropapism, primarily due to the fact that the secular ruler was not simultaneously the ecclesiastical ruler, as was the case in Protestant countries (Kalkandjieva 2010, p. 179; Kalkandjieva 2011, p. 591). However, the abovementioned features of the relationship between political and Church authorities in Montenegro in this seven-year period completely converge with this model.

Regarding the attitude towards other religions in Montenegro at the time, Article 92 of Danilo’s Code (1855) is illustrative, as it specifies the following: “Although... there is no other religion in this country except Eastern Orthodox Christianity, every non-tribal and non-religious person can live freely and enjoy freedom and our domestic justice, just like every Montenegrin and Brđanin” (Pavićević and Raspopović 1998a, p. 184). Ljiljana Jokić views this norm as the fruit of the spiritual and state development of Montenegro, but also of the Prince’s vision of the state’s expansion into areas with residents who were not of the Orthodox faith (Jokić 2005, p. 151). This provision of Danilo’s Code is interpreted as a guarantee of freedom of religion (Bojović 1982; Folić 2013; Rastoder 1999), underlining that Montenegro recognised the Islamic religion before neighbouring countries, followed by Serbia in 1863, Austria in 1912, and Croatia in 1916 (Rastoder 1999, p. 17).

The period from the declaration of Montenegro as a principality in 1852 until its abolition in 1918 was a period of dynamic development of modern state and Church insti-

tutions. In this period, the concept of state religion was embedded in Montenegro, whereby Orthodox Christianity became one of the key elements of the identity of the political community. During the reign of the Prince and later King Nikola (1860–1918), Montenegrin metropolitans remained the bearers of religious authority. The aforementioned status of the Orthodox religion was also regulated by the first Montenegrin Constitution from 1905: “The state religion in Montenegro is Eastern Orthodox” (Article 40) and any action against the Orthodox Church was prohibited (Article 136 of the Constitution). Roman Catholic and “Mohammedan” faiths were recognised (Jokić 2005, p. 162), and these religions were protected by law: “to the extent that the performance of their rites does not offend public order and morality” (Article 208 of the 1905 Constitution). In 1894, Prince Nikola donated property to the Archbishop of Bar for the needs of the Catholic Church (Burzanović 2007, p. 211; Rastoder 2000, p. 10), and the Order on Education of Muslim Children from 1888 stated that Friday was a day off for children of the Islamic faith, although it was Thursday for others (Rastoder 1999, p. 24). In addition to the above, historians point to less constructive examples of the relationship between political authorities and, primarily, members of the Islamic religion, which is still an under-researched area (see Rastoder 1999).

In terms of the relationship between the state and the Orthodox Church, it was the state Church in Montenegro at the time (Andrijašević 2008, p. 26) which implied dominance of the secular authorities but also protection by the state. Simultaneously, according to Article 5 of the Constitution from 1905, the Prince was the “protector of all recognised religions in Montenegro” (Constitution). During this period, until 1918, the metropolitan was chosen by the Prince (Andrijašević 2008), and the Prince’s consent was required for the appointment of a mufti (Rastoder 1999, p. 18). Interestingly, Montenegro was the first among the South Slavic and Orthodox countries to sign the Concordat with the Vatican in 1886. The contract, *inter alia*, specifies that the Bar Archbishop (archbishop) takes an oath of fidelity and loyalty to the Montenegrin Prince, and the Montenegrin authorities can consider reasons that would possibly oppose his appointment by the Pope (Jakulj 2013, p. 241).

In this period, tribal captains (who were at the head of tribal captaincy—administrative units in what was then Montenegro) often opposed Church orders by which bishops tried to regulate issues related to the functioning of the Church through the position of the supremacy of state power. For example, in 1882, the captain of Piva, as a representative of the local state authority, prevented the implementation of the bishop’s decision to retire old priests, for which the bishop addressed the Ministry of Education and Church Affairs: “I am forced, against the arbitrariness and violence of the said captain, to appeal to the Supreme Ministry, begging that this violence of Captain Kecojević be ended, his interference and opposition to the church administration, because otherwise the previous disturbances and transgressions of priests will continue” (Andrijašević 2008, p. 299). The above illustrates the existence of different ideas about the relationship between secular and ecclesiastical authorities that existed among their holders, such as the fact that the Church administration relied on the state government to implement decisions concerning personal changes in the clergy, as well as in increasing the religious consciousness of the population.

Following state reforms in 1879, the state started to institutionally control the Orthodox Church through the system of administrative authority, i.e., through the Ministry of Education and Church Affairs, which was formed in 1880 (Andrijašević 2008, p. 150). According to the Constitution from 1905, spiritual authorities and the other two religious communities were under the supervision of the Ministry of Education and Church Affairs (Art. 129). The population stopped paying the priests directly for religious rites, but started paying a tax surcharge in order to have access to this type of service (Andrijašević 2008, pp. 126–27). In addition, “since 1909, the mufti and other Islamic officials received a salary from the state treasury and in that sense were equal to the Orthodox clergy in Montenegro” (Rastoder 1999, p. 18), while funding from the state treasury in the amount of CHF 5000 was provided to the archbishop of Bar (Rastoder 2000, p. 5), in line with the Concordat from 1886; later, the state also provided compensation to Catholic priests, regardless of whether or not they were Montenegrin citizens (Rastoder 2000, p. 11). A significant aspect of the

relationship between political authorities and religious communities, primarily the Church, concerned property. The control that the state began to establish over the organisational affairs of the Church in 1852 extended to the financial operations of the Church through reforms from 1868. These reforms did not call into question the property rights of the Church but were of a financial nature and related to the distribution and use of Church income. The construction of a modern state was not possible without financial resources, so Prince Nikola initiated financial reforms in 1868, which started with identification of the owners and the extent of property, as recorded in the Inventory of Church and State Property, in line with the parliamentary decision on state reform (Pavićević and Raspopović 1998a, pp. 221–22). According to this reform, the management of all monastery property was carried out by the metropolitan who did not have the right to dispose of this property without the “knowledge of the authorities”. The income from the property was to be used by the metropolitan, under the supervision of the financial committee, to “pay himself and all the spiritual servants of the monastery, teachers and help in the monastery, sustain the cost of religious confession, support twelve students at the monastery’s expense, until they graduate from the local school in Cetinje, and maintain the hygiene of the monastery and the buildings attached to it” (Pavićević and Raspopović 1998a, p. 221). Income from Church property mostly covered expenses in the field of education (Stojanović 2009) which had a positive effect on relieving the burden on the state budget (Đurović 1960, p. 17).

Following the Congress of Berlin in 1878 and the international recognition of statehood, Montenegro evolved from a religiously homogeneous to a religiously heterogeneous country because Muslims and Catholics lived in the regions that formed part of Montenegro’s territory following the Congress. Montenegro committed itself to religious tolerance in Article 27 of the Berlin Treaty: “In Montenegro, differences on the basis of religion and worship will not be a reason to exclude or declare anyone incapable of enjoying civil or political rights, admission to public service, positions and honours, or performing various occupations or trades, in whatever place it may be. Freedom and the performance of all religious rites will be ensured for all Montenegrin citizens and foreigners, and no obstacles will be allowed, either in the hierarchical organisation of earlier Church communities, or in their relations with their spiritual elders” (Raspopović 2019, p. 95). Regarding the property of the Islamic community in regions that were annexed to Montenegro following the Congress of Berlin in 1878, it should be noted that a significant part of this property was appropriated by the state (Rastoder 1999, p. 21). The mufti of the Montenegrin Muslims, the archbishop of Bar and the metropolitan were ardent (by position) members of the General Assembly of Montenegro.

Following the creation of the Kingdom of Serbs, Croats and Slovenes (KSCS) in 1918, the Orthodox Church in Montenegro was left without a state to which it was institutionally bound (Stamatović 2014, p. 94).

In the KSCS, and later in the Kingdom of Yugoslavia, the principle of equality of religious communities was defined with the abolition of the concept of state religion. Đoko Slijepčević underlines that from a legal point of view, the state was separated from the Church (Slijepčević 2002b). In 1919, the Ministry of Religion was established in KSCS, which exercised supreme administrative authority in religious affairs and was divided into four departments—the general department, and the Eastern Orthodox, Catholic, and Muslim departments. The Vidovdan Constitution (1921) guaranteed freedom of religion and conscience, as well as equality of “adopted religions” that can “publicly profess their religion” (www.arhivyu.gov.rs, accessed on 10 January 2023). The Imposed/Oktroisani Constitution from 1931, stated that “no one was allowed to carry out any kind of political agitation in places of worship or religious gatherings and demonstrations”. (see Pavlović 2017).

3. The Relationship between the State and Religious Communities in the Socialist Era in Montenegro

The period of socialism in the former Socialist Federal Republic of Yugoslavia, including Montenegro, was characterised by the suppression of religion. In line with Marxist

ideology, religious, national and ethnic affiliations were considered to be artificial constructs of the ruling class that aimed to weaken the solidarity of the working class and make class self-awareness impossible. Therefore, these identities were to be weakened and suppressed, and as the process of forming a communist society progressed, class solidarity would completely replace solidarity on the basis of religion or nation, and eventually they would disappear completely (Malešević 2009, p. 63). The following thesis should be underlined, presented by sociologist Miloš Bešić, who, considering religiosity in the period of socialism in Montenegro and in general the former socialist Yugoslavia, concludes the following: “The conflict between socialist ideology (secular religion) and traditional religion (Christianity and Islam) is a conflict between two societies—socialist and national. Hence the insistence of the socialist ideology on the obliteration of the concept of national identification” (Bešić 2010, p. 109). Therefore, in this period, secular religiosity or quasi-religiosity of the ideology of socialism (communism) suppressed traditional religiosity in Montenegro. This is confirmed by empirical data recording that, in the context of the former Socialist Federal Yugoslavia, Montenegro had the lowest degree of religiosity (Bešić 2010, p. 112). The political religion of communism dominated the traditional religions at that time. (Burleigh 2005, pp. 5–12).

Determining the degree of religiosity among different national communities in a 1961 survey, M. Glušević came to the conclusion that this degree was the lowest among Montenegrins and amounted to seven percent (Bešić and Đukanović 2000, p. 210). According to the Vrcan study from 1986, the situation was similar, as the lowest degree of religiosity in relation to the rest of Yugoslavia was again recorded in Montenegro—19 percent. (Bešić and Đukanović 2000, p. 210).

The relationship of political authorities towards religion in that period did not differ significantly between the republican and central level, i.e., the level of Yugoslavia. It was characterised by “weakening and marginalisation of religion and Church, driven by systematically conducted and imposed atheism, guided by atheist education and upbringing, leading to the process of separating people from religion. The whole system was ideologically shaped and adapted to the current political model. Such an attitude of the state towards religion is explicable from several aspects. Considering the negative historical memories, and the belief of the socialist regime that by neutralising religion, it would subvert inter-confessional and inter-ethnic hostility, there was also a strong desire of the communist authorities to establish absolute power of control over the entire society. Demographic migrations of the population should not be neglected either. After the war, a large part of the population migrated from villages to towns, leading to a reduction in the rural population, which, according to empirical records, has always been more religious. Eventually, political leadership succeeded in handicapping the church by physical destruction, prohibition of public religious practice, persecution of the clergy, election of religious leaders by the state, etc.” (Bakrač et al. 2020, p. 3).

Therefore, the state rejected religion at the level of doctrine and belief, starting from a materialistic and atheistic view of reality, and using all the mechanisms it had at its disposal, particularly the education system. The state had a predominantly hostile attitude towards religious institutions and organisations and tried to weaken their structure and power. This type of relationship on the aforementioned two levels was also reflected on the third level, the relationship towards individuals—members of society who generally had to suppress their religious beliefs if they did not want to be completely excluded, marginalised and deprived of the opportunity to enjoy economic and political goods. In the authoritarian socialist order, the separation of the political and the religious was not in force in the manner inherited by democratic systems; rather, it was a dominantly negative and hostile attitude of the state towards religion at all three levels. Certainly, the dynamics of these processes depended to a large extent on local specificities and individuals who made and implemented decisions in accordance with the governing order in their micro-environment. The Law on the Legal Status of Religious Communities from 1953 regulated the position of religious communities in the then Federative People’s Republic of Yugoslavia (FNRJ) and

was in force until the adoption of the Constitution from 1974, when this matter was passed to the jurisdiction of the member republics of the federation.

The most significant legal framework in this period, which regulated freedom of religion and the relationship of the state towards religious communities in Montenegro, was the Law on the Legal Status of Religious Communities from 1977, which was in force for a full 42 years, until the adoption of the new Law on Freedom of Religion or Belief and the Legal Status of Religious Communities from 2019, i.e., the Law on Amendments to the Law on Freedom of Religion or Belief and the Legal Status of Religious Communities from 2021. The above shows that the state was rather late in adapting this area to the standards of democratic orders. The Law on the Legal Status of Religious Communities rather restrictively regulated the relationship between religion and politics, i.e., religious communities and the state, guaranteeing freedom of religion exclusively as a private matter and prohibiting the possibility of its public expression through the performance of activities of general and special social importance, as well as the establishment of bodies for carrying out such activities (Law on the Legal Status of Religious Communities, 1977, Articles 1, 5 and 6). A religious community performing activities not considered religious ceremonies could be fined.

In this period, the issue of the relationship between religious organisations, communities and the state regarding the nationalisation and confiscation of property became very topical. Article 3 of the Law on Agrarian Reform and Colonisation from 1946 provided for the confiscation or expropriation of property, including “land holdings of churches, monasteries, religious institutions and all kinds of endowments, secular and religious”. (http://demo.paragraf.rs/demo/combined/Old/t/t2004_03/t03_0125.htm, accessed on 12 December 2022). Through the implementation of this legal solution, the Metropolitanate of Montenegro and the Littoral was practically left without a land fund. The waqf property of the Islamic community shared a similar fate (https://yuhistorija.com/serbian/kultura_religija_txt00.html, accessed on 12 December 2022).

4. Contemporary Montenegro and Its Relationship with Religion and Religious Organisations—Civic and Secular?

With the collapse of the authoritarian socialist order, the wave of return of religion in the area of the Western Balkans also affected Montenegro. The national and political revitalisation of religion led to the use of the religious power in a way that delegitimised the old and gave legitimacy to the new order (Tomka 2005). The process of the democratisation of Montenegrin society, which began in the last decade of the 20th century, completely changed the social context for the phenomenon of religion and the manner in which religious communities function. Empirical data from 1998/1999 showed that only 20.7% of Montenegrins had the low degree of religiosity, and 22.2% of them had the high degree of religiosity. (Bešić and Đukanović 2000, p. 131).

The Constitution of Montenegro from 2007 defines Montenegro as a civic state, which means that it guarantees the sovereignty of all citizens, regardless of their ethnic, national or religious affiliation. According to the last population census from 2011, 72.1 percent of Montenegro’s citizens identify as Orthodox Christians, 19.1 percent are members of the Islamic religion, 3.4 percent are Catholics, 0.4 percent are Protestants and 3.3 percent are Atheists/Agnostics (www.monstat.org, accessed on 10 December 2022). If we were to apply the classification of countries according to the degree of ethnocultural pluralism to the degree of religious pluralism, it could be concluded that modern Montenegro sits within the category of states with lower degrees of homogeneity (Rađuški 2003, p. 427). Defining Montenegro as a civic state is an attempt by the state, which is characterised by a pronounced degree of ethno-cultural as well as religious pluralism, to build its political identity as inclusive in relation to all ethno-cultural and religious communities without reducing it to the identity of an individual ethno-cultural or religious community. This solution is quite unique in the Balkan region and represents a departure from defining the state in such a way that it is tied to one nation that is determined as constitutive (Croatia

or Serbia), or two or more nations that are recognised as such (Bosnia and Herzegovina). In terms of relations with religious communities, the civic state inherits the principle of secularisation, or the principle of separation of the state from religious communities. In addition to the principle of citizenship, the Constitution from 2007 introduced the principle of multiculturalism—more precisely, the Constitution laid the foundations for the application of the model of multiculturalism towards ethno-cultural and religious communities. Essentially, this model introduced an obligation for the state to enable the preservation of identity specificities in the process of integrating the members of different ethno-cultural and religious communities without assimilation. In other words, it is obliged to create a legal and political environment that would enable religious communities to act and function freely without suppression or any form of marginalisation or exclusion.

The dismantling of the authoritarian socialist order by democracy in Montenegro started in the 1990s, and since then, Montenegrin society has been undergoing a process of institutional, legal and political transition, as well as embarking on a process of change of the political culture. Accepting democracy has also meant accepting the principle of secularisation in the relationship between politics and religion, i.e., the state and religious organisations. Modern Montenegro is among the ranks of medium-religious countries, i.e., countries with a medium degree of religiosity marked by a low degree of the presence of ceremonial and ritual aspects of religiosity (Bešić 2010, p. 121). Bešić points out that at the level of citizens' attitudes there is a sound basis for separating the Church from the state, since 42.3 percent of citizens completely agree with the view that religious leaders should not influence the government's decision making. At the level of Europe (European Union), that percentage is 30.1 percent, while at the level of the Balkans it is 28.8 percent (Bešić 2010, p. 118).

Strengthening civil society and civic identity is of key importance for the process of the democratisation of Montenegrin society. Since national identities in the Balkans were formed in an imperial, hostile environment in the so-called process of vernacular mobilisation, i.e., nationalisation, it is necessary to take into account the presence of a religious component in that process (Smit 1998, p. 101). Nations in the Balkans did not have a state that could have expanded the national culture on its territory with already existing mechanisms, as was the case in Western Europe. In the Balkans, nations are in the process of forming national self-awareness, where religion, i.e., religious leaders and organisations, play a crucial role. This is why the type of national identities that have emerged are, by nature and in the historical sense, far more ethnic than civic, and far more related to components such as religion and myth than to legal-political components. Therefore, the close connection between the national and the religious powers in the Balkans is crucial (which has already been shown by the example of the theocracy in Montenegro), and that connection remains present in the modern age. In that sense, strengthening civil society and civic political identity will help to pacify relations between national and ethnic collectives where religion can play a significant role, while the possibility of its political instrumentalisation is reduced.

It is important to bear in mind that the role of religion and its place in a political context are conditioned by the specificities of that context in the socio-economic and political sense, time and historical circumstances. Religion and the religious element can be a factor that contributes to the strengthening of social cohesion, but the religious element, or rather the misuse of the religious element, can also be at the root of conflicts and antagonisms (Đorđević 2009, p. 238). This is especially the case if the practice shows the politicisation and instrumentalisation of religion by political actors for the sake of achieving political goals. As previously mentioned, although there is a degree of variance in the views of different authors, the traditional approach reduces the relationship between the state and religious communities to the following three models: the model of state religion; the model of separation, or the secular model; and the model of cooperation, or the so-called hybrid model (Sandberg 2008, p. 331). The secular model or model of separation, in short, implies a framework in which there is a "constitutional barrier forbidding the financial support and

establishment of any one religion" (Sandberg 2008, p. 331). Article 14 of the Constitution of Montenegro from 2007 specifies that religious communities are separate from the state and that religious communities are equal and free in performing religious ceremonies and religious affairs (Constitution 2007). Article 46, on the other hand, guarantees, *inter alia*, freedom of religion, freedom of expression, publicly or privately, independently or in community with others, of religion or belief through prayer, sermons, customs or rituals (Constitution 2007). Atypical for modern Constitutions, the Constitution of Montenegro devoted significant attention to specific so-called special minority rights, which are listed in detail in Article 79. Among other things, the Constitution stipulates that members of minority nations and other minority national communities have the right to financial assistance from the state when establishing not only educational and cultural, but also religious associations (Constitution 2007).

Following the introduction of democracy and the collapse of authoritarian socialism, already in the Constitution of Montenegro from 1992, it was specified that "the Orthodox Church, the Islamic religious community, the Roman Catholic Church and other religions are separated from the state". Guaranteeing freedom and equality in the performance of religious affairs and rituals, this first Constitution after the fall of communism provided state financial support for religious denominations (Constitution 1992, Article 11). It is clear from the above that Montenegro contains more of a hybrid model, rather than a model of separation of the state and religious communities, which implies different forms of cooperation and connection. Along these lines of regulating their relations, Article 9 of the current Law on Freedom of Religion or Belief and the Legal Status of Religious Communities specifies that relations between the state and religious communities "are based on mutual understanding and cooperation, especially in the fields of charitable, social, health, educational and cultural activities" (<https://www.gov.me/dokumenta/9d0b0752-9efb-4191-969e-2941c699b4c3>, accessed 8 December 2022). Additionally, Article 35 of the current Law specifies that "the religious community can be granted funds from the state and local budget for activities that affirm spiritual, cultural and state tradition of Montenegro, as well as for supporting social, health, charitable and humanitarian activities of special importance" (<https://www.gov.me/dokumenta/9d0b0752-9efb-491-969e-2941c699b4c3>, accessed 5 December 2022). The aforementioned Law on Freedom of Religion or Belief and the Legal Status of Religious Communities from 2019 caused a great deal of discontent, primarily with the provisions that it purported to regulate the property status of religious communities. Article 62 specified the following: "Religious buildings and land used by the religious communities in the territory of Montenegro which were built or obtained from public revenues of the state or were owned by the state until 1 December 1918, and for which there is no evidence of ownership by the religious communities, as cultural heritage of Montenegro, shall constitute state property. Religious buildings constructed in the territory of Montenegro based on joint investment of the citizens by 1 December 1918, for which there is no evidence of ownership rights, as cultural heritage of Montenegro, shall constitute state property" (Law on Freedom of Religion or Belief and the Legal Status of Religious Communities, Article 62). Simultaneously, the procedure of determining and possibly transferring the property rights of religious communities over religious buildings was to be carried out within the framework of administrative authorities and without the involvement of the court. Gerhard Robbers gave a relevant and detailed analysis of this law, with particular emphasis on provisions related to property and freedom of religion. Among other things, he specified the following: "Freedom of religion or belief is at stake on the side of religious communities and individual believers. Religious communities are made dependent on the State. This affects their assets as well as their religious activities, including worship and teaching. In particular, this places them in dependency in terms of actors in the democratic society, it limits their right to perform their religion in public and private" (Robbers 2021, p. 58). He adds that "the Law puts the religious communities into a position of almost complete dependency on the will of the State. They cannot be sure to be able to use their current possessions. They can be expelled from their premises

at any time. Religious communities are placed in a position of submissiveness or total opposition to the State” (Robbers 2021, p. 59) (see more in: Robbers 2021, pp. 26–68). The aforementioned solutions led to large protest walks, so-called *litije* or processions, which gathered thousands of people from all over Montenegro who wanted to express their dissatisfaction primarily with the aforementioned provisions (<https://www.reuters.com/article/us-montenegro-protest-religion-idUSKBN20N0LL>, accessed 3 December 2022). Following the change of government in Montenegro, in August 2020, the disputed provisions contained in Articles 61, 62, 63, 64 were deleted by the Law on Amendments to the Law on Freedom of Religion or Belief and the Legal Status of Religious Communities, in January 2021. (<https://www.gov.me/dokumenta/33d77a25-4470-46a8-aaf7-5a188b59cc9c>, accessed 3 December 2022).

It is clear that both Constitutions discussed above guaranteed freedom of religion, but it is very important to keep in mind that these freedoms include both the *forum internum* (as the internal, individual confession of faith of each individual, which the state must absolutely respect and not exert any influence on) and the *forum externum*, which concerns religious collective organisation and the state–legal issue of its regulation (Rašević 2011, p. 416). In the context of *forum externum*, modern democracies adopt the principle of secularisation, which should, in short, guarantee “the legal, organisational, functional and financial separation of the state and religion, embodied in religious organisations, with mutual respect for the fact of existence and the supremacy of the state-legal order” (authors’ italics) (Rašević 2011, p. 433). Freedom of religion, or rather its collective dimension, is inseparable from freedom of religious association, which is one of the forms of freedom of association.

Therefore, the secular model of the relationship between the Church and other religious organisations and the state is a model of separation and emancipation of the religious from the political, and the political from the religious community, with the autonomy of both dimensions as well as the neutrality of the state towards religious communities, respect for religious pluralism and equality of religious communities (Abazović 2011, p. 209; Cvitković 2004, p. 379). Some authors note that it is necessary to distinguish between the terms secularisation and secularism, and that their use is often inconsistent. Secularisation implies the separation of politics and science from the influence of religious communities, while secularism implies the liberation of society from any influence of religion, which is always associated with violence and repression, and, as such, is unacceptable in democratic contexts. With regards to the normative contribution to a very current debate on the relationship between the political and religious structures, and along the lines of this reflection, we wish to draw attention to the distinction between secularism as statecraft and secularism as ideology (Casanova 2009, p. 1051). In the former sense, secularism implies a separation of the political and religious structures that can be introduced for various reasons and that does not require a certain view of religion by the political authority, be it positive or negative. On the other hand, secularism as an ideology treats religion as a belief system and considers the effects that it produces. In this sense, the context of Montenegro is most interesting because in the course of its historical development, it went through phases in which the view of religion was predominantly negative, e.g., in the period of socialism. In contrast, the view of religion was predominantly positive in terms of the relationship to religion and the consequences for society and individuals, especially in the first centuries of the development of the Montenegrin state. Finally, in the context of contemporary Montenegro, rather than insisting on separation while remaining detached from the sphere of religious interpretation and evaluation, secularism as an ideology seems to be the prevalent approach. It is important to note that secularisation, which is inextricably linked to the process of modernisation, implies the separation of religious from political elements in the public sphere, but does not necessarily imply a reduction in the degree of religiosity of individuals (Bešić 2014, p. 56) (see Casanova 2006, p. 16). Religious identity is still one of the key components of the personal identity of modern man. Montenegro confirms the thesis that the relationship between the process of

modernisation and religion is not unambiguous and cannot be reduced to the weakening of religion (Casanova 2009, p. 1053). More precisely, the modernisation of Montenegrin society is taking place in parallel with “religious revival”, to such an extent that the research on the religiosity of young people (who are more engaged in globalisation and modernisation) from 2019 shows that as many as 95.15 percent of them stated that they have some form of religious affiliation (Đukanović 2019, p. 31).

A topic of significance for the theory and practice of modern societies is the question of the relationship between modern democracies and Muslim minorities. This is especially the case in the context of societies and regions characterised by unconsolidated democracies, and weighed down by a ballast of historical religious and ethnic conflicts, such as the Balkan region and Montenegrin society in the past. The example of Montenegro shows that the civic concept of the state can increase the degree of identification of religious minorities, in this case those associated with Islam, with the state, which contributes to the strengthening of social cohesion, more successful integration, and the strengthening of trust (see Dečević et al. 2017). The civic state is more inclusive and open to the identification of different ethnocultural and religious communities with the state, and it can help in the process that Cesari refers to as the “symbolic integration” of religious communities (Cesari 2009, p. 36). The position of Montenegro in this sense is specific since, as a relatively young country, it was able to redefine its political identity in 2007. With regards to the integration of Muslims into the Montenegrin socio-economic and political space (regardless of whether they declare as Muslims or Bosniaks), there seem to be no problems. These communities have inhabited the territory of Montenegro for centuries and perceive it as their native land. Therefore, some problems that characterise the integration of Muslims in immigrant societies of the West are not typical of Montenegro.

Different situations in which it is necessary for the state and its institutions to legally and politically position themselves to religious pluralism and the freedom to practice religion have not bypassed Montenegro either. One example from the period of modern, multicultural Montenegro is highly illustrative. Namely, in the Agreement on the Arrangement Regulating Relations of Common Interest between the Government of Montenegro and the Islamic Community in Montenegro from 2012, Article 14 specifies, inter alia, that a believer who wears a cap or headscarf for reasons related to nationality, customs or religious affiliation may not be discriminated against in the education system (as a pupil or student) (<https://www.gov.me/dokumenta/5698d831-55b0-4710-9029-b0f09426eabe>, accessed 2 December 2022). An initiative was launched before the Constitutional Court of Montenegro on the assessment of the constitutionality and legality of the aforementioned Article, arguing that it was in contradiction with the Constitution of Montenegro and the General Law on Education and that it “enables religious activity in the education system” (Constitutional Court of Montenegro 2017, p. 15). According to the bearers of the initiative, it was a violation of the constitutional principle of separation of the state and religious communities and a violation of Article 5 of the aforementioned Law on the Prohibition of Religious Activity in Public Education Institutions, as well as a violation of the secular character of education. The Ministry for Human and Minority Rights responded to this initiative, drawing attention to Article 9 of the European Convention on Human Rights. Paragraph 2 of Article 9 of the ECHR specifies that “Freedom to manifest one’s religion or beliefs shall be subject only to those limitations provided by law and which are necessary in a democratic society in the interest of public safety, protection of public order, health or morals or protection of the rights and freedoms of others” (<https://www.echr.coe.int>, accessed 1 December 2022). In 2017, the Constitutional Court issued a Decision not accepting the initiative for assessing the constitutionality and legality of the provisions of Article 14, paragraph 1 of the Agreement on the Arrangement Regulating Relations of Common Interest between the Government of Montenegro and the Islamic Community (Constitutional Court of Montenegro 2017). The court started from the fact that “the right to public expression of religious feelings by wearing religious clothing and/or religious symbols, according to the Constitutional Court, is part of the constitutionally guaranteed

right to freedom of thought, conscience and religion, the right of everyone to change their religion or belief, and freedom to, alone or in community with others, publicly or privately, manifest faith or belief through prayer, sermons, customs or rituals (Article 46, paragraph 1 of the Constitution)” (Constitutional Court of Montenegro 2017). Given that the European Court of Human Rights pointed out the contextuality of the right to express religious belief (in the sense of the dependence of the scope and form of the regulations governing it on the specifics of each specific national-state context), it was left to the states to determine the extent of its limitation. Analysing the available and valid legal sources, the Constitutional Court of Montenegro concluded that the right to the public expression of religious feelings by wearing clothes and/or religious symbols is part of the constitutionally guaranteed right to freedom of thought, conscience and religion, i.e., the right of everyone to change their religion or belief and the freedom to, alone or in community with others, publicly or privately, express faith or conviction through prayer, sermons, customs or rites (Article 46, paragraph 1 of the Constitution). Stating that the aforementioned constitutional right in Montenegro is “unregulated, i.e., regulated in a general way” (Constitutional Court of Montenegro 2017, p. 13), the Constitutional Court specified the limits of the enjoyment of this right. Namely, neither the (then) current Law on the Legal Status of Religious Communities nor other laws and relevant regulations prescribed a ban on the enjoyment and expression of religious feelings in such a way that a believer wears a headscarf. With the aforementioned Article 14 of the Agreement, which regulates the relationship with the Islamic community, the state specified the issue of expressing religious feelings by wearing a cap or headscarf in a way that made it possible for believers, if they so wished, to publicly express their religion in this way. The Constitutional Court concluded that in this specific case, in relation to Article 14 of the Agreement, there was no violation of “either the constitutional or legal powers” of the parties to the Agreement (Constitutional Court of Montenegro 2017, p. 15). It is interesting that in this case, the Constitutional Court of Montenegro interpreted and specified the category of “secularism in education”. The applicant of the initiative claimed that “the disputed provision of Article 14, paragraph 1 of the Agreement enables religious activity in the education system”, which is in contradiction with the General Law on Education; however, the Constitutional Court of Montenegro decided that the initiative was unfounded (Constitutional Court of Montenegro 2017, p. 15). The court specified that the “secularity” of education and upbringing and the prohibition of religious activities in education, in the sense of the aforementioned law, concerns the content of the valid educational program which is implemented in public institutions, rather than expression of religious feelings of pupils and students.

Following the fall of authoritarian socialism in Montenegro, and in line with the characteristics of the democratic context, the relationship between religious organisations and the state became regulated according to the model of separation, but with mutual cooperation and recognition of the “positive social role of religious communities” (Memišević 2015, p. 521). In that sense, the provision of religious services in public institutions, health institutions, institutions for social protection and welfare, institutions for the execution of criminal sanctions, etc., is allowed and regulated. More than four decades after the adoption of the Law on the Legal Status of Religious Communities in 1977, the Law on Freedom of Religion or Belief and the Legal Status of Religious Communities was adopted in 2019, which, with the amendments adopted in 2021, systematically regulates the area of relations between the state and religious communities. In Article 9 (paragraphs 1 and 2) of the aforementioned Law, the relationship between the state and religious communities is regulated in such a way that “in Montenegro, no religion has the status of a state religion” and that “relations between the state and religious communities are based on mutual understanding and cooperation, especially in the field of charitable, social, health, educational and cultural activities” (<https://www.gov.me/dokumenta/9d0b0752-9efb-4191-969e-2941c699b4c3>, accessed on 10 January 2023). Additionally, Article 10 foresees the possibility that, in case of need, the state (government) and religious communities can conclude an agreement to regulate issues of mutual interest.

In terms of the activities of any given religious community, the Law stipulates that its activities may be prohibited if “(1) they incite racial, national, religious or other discrimination and violence, or racial, national, religious or other hatred, intolerance, discord or persecution, or otherwise grossly endanger or offend human dignity; (2) the purpose, goals and method of religious activities are based on violence or use violence that endangers life, health or other rights and freedoms of citizens” (<https://www.gov.me/dokumenta/9d0b0752-9efb-4191-969e-2941c699b4c3>, accessed 10 January 2023). For the same reasons, the registration of a newly formed religious community in the so-called Registrar of Religious Communities can be declined, and the competent Ministry decides on this matter by issuing a decision.

5. Concluding Considerations

Relations between political authorities and religious communities in Montenegro, from the end of the 15th century to the present day, can be described as dynamic, complex and variable. In the first period covered in the paper, the relationship between the political and the religious powers had the strong characteristics of a theocracy. Despite different viewpoints on the nature of this relationship in terms of the existence of theocracy in Montenegro, the following is worth highlighting: the political role of the Montenegrin metropolitans, which was reflected in their normative, military-organisational, diplomatic and unifying and reconciling role between the quarrelling Montenegrin tribes, meant that, until 1851, the relationship between the religious and the political powers in Montenegro were characteristic of a theocracy. This was especially prominent during the period of the rule of metropolitans from the Petrović-Njegoš family (1697–1851), when the dynastic principle was established, according to which the Metropolitan himself determined his successor from the Petrović-Njegoš family. It is a generally accepted point of view that in 1851, there was a separation of secular and spiritual authority. However, the then Prince Danilo was strongly aware of the need for political influence over spiritual authority, and in order to ensure that influence, he delayed appointing a metropolitan since the death of Petar II Petrović Njegoš in 1851. In this period, from 1851 to 1858, the relationship between political and religious authority took on the characteristics of Caesaropapism. Although Prince Danilo was not a metropolitan, his decisions pertained to matters from the religious sphere to a significant extent. In this period, until the onset of socialism, the attitude towards religion was positive on behalf of political authorities who protected, improved, and promoted elements of religion in order to strengthen the cohesion of the social community. This was particularly true in the context Orthodox Christianity, which, from 1851 to 1918, enjoyed the status of the state religion in Montenegro and was inseparable from the definition of the political community.

Montenegro is now recognised as a country with good interfaith relations, which is largely based on the historic appreciation of non-dominant religious communities by the Montenegrin sovereign, primarily those of Islamic and Catholic faith. Prince Nikola tried to attend to the needs of these religious communities and their members. This attitude of political authorities towards non-dominant religious communities in the context of the fight for freedom from the Ottoman and Austro-Hungarian empires, whose subjects were members of the aforementioned religious communities, sets Montenegro apart from the rest of the region. Naturally, this does not mean that there were no problematic counter-examples that need to be scientifically researched in more detail. As for the second level, which refers to the organisational aspects of religious communities, the state tried to establish dominance and achieve control through various mechanisms. Finally, in terms of religiosity at the personal level of members of religious communities, the state not only guaranteed freedom of religion, but also encouraged the practice of religious rituals and behaviour. During the period of the Kingdom of Serbs, Croats and Slovenes, i.e., the Kingdom of Yugoslavia, the area of religion started to be regulated at the central level. The concept of state religion ceased to exist and efforts were made to separate politics from religion, as well as the state from religious communities. The so-called “equality of

adopted confessions” was proclaimed, whereby Orthodox Christianity, Catholicism, and Islam enjoyed equal status. There was an affirmative attitude towards religion and at the level of individual members of the social and political community of that time, to the extent that Esad Ćimić concluded the following: “Every citizen of Yugoslavia had to officially belong to one of the recognised religions. One was, however, free to believe but not—not to believe, and be an atheist” (Ćimić 1967, p. 155).

A significant shift in the relationship between politics and religion, the state and religious communities occurred after the collapse of the Kingdom of Yugoslavia and the change of the socio-economic and political system in the direction of authoritarian socialism. In this period, the state’s attitude towards religion as a belief system, as well as towards organisations of religious communities and the religiosity of individuals, took opposite forms and become negative and exclusionary. This period was marked by antagonism and hostility between the state and religious communities that manifested itself in various domains, ranging from property relations to the negative perception of the state authorities about the role of religion and religious communities in society in general. Religion was relegated to the private sphere. In comparison to the previous period, when it was socially and politically more acceptable for individuals to be religious, the period of socialism was characterised by a very opposite approach due to the dominance of the atheistic–materialistic view of the world. This was also reflected in the degree of religiosity of individuals in this period, which was the lowest in Montenegro compared to other parts of Yugoslavia at the time.

With the collapse of authoritarian socialism and the introduction of democracy, the attitude of political authorities towards religion, religious communities, and the general religiosity of individuals changed. The space of religious freedom started to expand at all levels; the potential that religious communities could have in building society was being rediscovered, in accordance with democratic standards, resulting in a positive shift in the perception of religious communities and religion in general. Both the state and the religious communities found themselves in a new context, and embarked on a process of adapting their actions and mutual relations to the characteristics of these new circumstances. Although formally a democracy since the 1990s, Montenegro was quite late in amending legislation that regulated this area during the period of socialism. It was only in 2019 that the Law that regulated the relationship between the state and religious communities, as well as other issues of significance for this dimension, which had been passed in 1977, ceased to be valid. It was the adoption of this law, i.e., the provisions that the state intended to use in regulating the property issues of religious communities, that was the reason for the largest confrontation between the state and religious communities in modern Montenegro. Following a wave of political changes in Montenegro that took place in August 2020, the provisions of the Law that caused dissatisfaction and reaction, both from religious organisations and a significant number of citizens, were repealed. Since 2007, Montenegro has been defined by its Constitution as a civic state, which means that its attitude towards religion and religious communities should follow the international legal standards of democratic orders. A continuation of the process of separation of the religious communities from the state and political actors, and further work on developing a truly civic state (which also includes respect for the autonomy of religious communities and the promotion of a legal–political ambience that enables their activities in the social sphere), will contribute to a reduction in the degree of the political instrumentalisation of religious elements.

Author Contributions: Conceptualization, D.V.-Ć. and R.Đ.; methodology, D.V.-Ć. and R.Đ.; investigation, D.V.-Ć. and R.Đ.; writing—original draft preparation, D.V.-Ć. and R.Đ.; writing—review and editing, D.V.-Ć. and R.Đ. All authors have read and agreed to the published version of the manuscript.

Funding: This research received no external funding.

Institutional Review Board Statement: Not applicable.

Informed Consent Statement: Not applicable.

Data Availability Statement: Not applicable.

Conflicts of Interest: The authors declare no conflict of interest.

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