



Is the Dispute between the Macedonian Orthodox Church and the Serbian Orthodox Church a Burden on North Macedonia?

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- › In the light of centuries of foreign rule Orthodox Christians in North Macedonia set great store by a church of their own.
- › The present-day Macedonian Orthodox Church (MOC) owes its existence to more than just its own efforts. After initially expressing its disapproval, socialist Yugoslavia ultimately decided to support an MOC against the Serbian Orthodox Church (SOC) as part of its policy of 'divide and rule'.
- › The MOC had no wish to be a mere autonomous appendage of the SOC and therefore declared itself independent (autocephalous). It was consequently excluded from the Orthodox communion with the Ecumenical Patriarchate of Constantinople.
- › Since attaining independence North Macedonia has championed the interests of the MOC both at home and abroad. This has resulted in questionable action being taken against the new (Greek) Orthodox Archbishopric of Ohrid and its leader as well as strained relations with Serbia and Bulgaria.
- › The conflict cannot be resolved without the support of knowledgeable moderators and mediators.

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In mid-January 2020 the Ecumenical Patriarch of Constantinople, Bartholomew I, met the Prime Minister of North Macedonia, Oliver Spasovski (Social Democratic Union of Macedonia – SDSM) and his predecessor, Zoran Zaev (SDSM), to discuss the problems confronting the churches in the country¹. After the meeting on 13 January Bartholomew announced that he would be inviting representatives of the Serbian Orthodox Church (SOC) and the unrecognised Macedonian Orthodox Church (MOC) to attend discussions in Istanbul with a view to finding a solution acceptable to both sides.²

‘The problems confronting the churches in the country’ is a reference to the conflict between the Serbian Orthodox Church (SOC) and the Macedonian Orthodox Church (MOC) which has festered for over half a century. The conflict was not the outcome of the demise of Yugoslavia but has its origins in the late 1960s and is thus a part of the legacy left by the Socialist Federal Republic of Yugoslavia and the constituent Socialist Republic of Macedonia³.

A church dispute as the legacy of a socialist state may seem astonishing. In fact, the present drama began well before the founding of the Socialist Federal Republic of Yugoslavia.

A resolution of the conflict would not only be important in terms of church policy, but also of great significance for North Macedonia’s domestic and foreign policy.

Good relations with neighbouring countries cannot be valued highly enough. The dispute with Greece over the name of the state has been resolved. Relations with Bulgaria have yet to be clarified and those with the Republic of Serbia have long been tense. There are many reasons for this, one of which is the ongoing conflict between the Macedonian Orthodox Church and the Serbian Orthodox Church.

It comes as no surprise, therefore, that North Macedonia’s political leaders are keen to resolve the conflict. In September 2020 first President Stevo Pendarovski and then, a few days, later Prime Minister Zoran Zaev each sent a letter to the Ecumenical Patriarch of Constantinople.

Pendarovski wrote to the Patriarch on behalf of a large percentage of North Macedonian citizens who regard themselves as Orthodox Christians and wish to reach an accommodation with their neighbours, urging him to “make use of his prerogative and finally put Orthodox believers in our country on a par with other Orthodox Christians in the world”. Zaev requested the Patriarch to grant autocephaly to the Orthodox Church of North Macedonia. Orthodox believers in North Macedonia deserved ecclesial independence, he said, and their bishops should be able to concelebrate with the bishops of all the other Orthodox churches in the world.⁴

Conflict “not a question of autocephaly” but of “healing a schism”

In October 2020 the Ecumenical Patriarchate announced that Patriarch Bartholomew I did not wish to grant the Macedonian Orthodox Church (MOC) autocephaly for the time being. It was not “a question of autocephaly”, the Patriarchate said, but rather of “healing a schism”. The MOC problem had existed for decades, it said, and the Ecumenical Patriarchate “as the mother church of all the churches in the Balkans” had made numerous efforts to heal the schism. However, the matter had taken on a new dimension since North Macedonia’s state leaders had now approached Patriarch Bartholomew.⁵

The Macedonian Orthodox Church and the historical Archbishopric of Ohrid

Christian churches on the territory of the present-day state of North Macedonia have their origins in antiquity. The first reference point with respect to the church dispute under consideration here and the events leading up to it is the Archbishopric of Ohrid (Охридска архиепископија). This is an autochthonous Orthodox Church subordinate to the Ecumenical Patriarchate of Constantinople which from 1019 came under successive Byzantine, Bulgarian, Serbian and Ottoman rule. At the request of the Ecumenical Patriarch of Constantinople, Samuel I⁶, it was abolished by Sultan Mustafa III in 1767.

The trauma of heteronomy and foreign rule

The efforts made by Bulgaria from the mid-19th century onwards to establish an independent church resulted in 1870 in a schism between Bulgaria and the Ecumenical Patriarchate of Constantinople which was not healed until 22 February 1945 after the conclusion of lengthy negotiations. The new Bulgarian Exarchate, which unilaterally declared itself autocephalous, was accepted by the Ottoman Empire and granted protection by Russia. The majority of Macedonians became part of the new Bulgarian Exarchate while others maintained relations with the Ecumenical Patriarchate. During the Balkan Wars (1912/1913) and the First World War (1914–1918) this part of Macedonia was incorporated into Serbia. The priests of the Bulgarian Exarchate were expelled and replaced by Serbs. In 1920 the Ecumenical Patriarchate issued a tomos (decree) stating that all the ‘recently liberated areas’ worth two million gold francs were to be allocated to the Serbian Orthodox Church.

After the First World War the territory of what is now North Macedonia came under the control of the Kingdom of the Serbs, Croats and Slovenes – renamed the Kingdom of Yugoslavia in 1929 – and the dioceses in present-day North Macedonia were placed under the control of the Serbian Orthodox Church. At the start of the Second World War present-day North Macedonia came under the control of Bulgaria, which was allied with the Axis powers, and the dioceses in what is now North Macedonia were placed under the control of the Bulgarian Orthodox Church. The Serbian bishops and priests were expelled.

Classification of the present-day Macedonian state and its Macedonian population

Not only the eventful history of today’s North Macedonia is of significance for the issue under discussion here, but also the question of the ethnic and linguistic classification of this state and its Macedonian population. While nationalists and populists may take a different view, developments which took place in the geographical region in ancient times are generally of only limited significance for present-day reality. The same applies to the ethnic and

linguistic categorisation of certain population groups, wherever the relevant justification is sought in historical developments. Serbs, Bulgarians and Greeks have all treated Macedonians or Makedonians as part of their own nation. Conversely, the Christian population in modern-day North Macedonia was not assigned to any distinct ethnic or nationalist category until the mid-20th century. It is an irony of history, so to speak, that the formation of a Macedonian national consciousness on the territory of what is now North Macedonia ultimately has its origins in the efforts of the Anti-Fascist Council of the National Liberation of Yugoslavia (Antifašističko v(lj)eće narodnog oslobođenja Jugoslavije (AVNOJ)) and the League of Communists of Macedonia (Сојуз на комунистите на Македонија (СКМ)) founded in 1943 which formed part of the League of Communists of Yugoslavia as of 1952.

Serbs, Bulgarians
and Greeks see
Macedonians as part
of their own nation.

This background helps to explain why it was that a Macedonian Orthodox Church came to be established during Communist rule in Yugoslavia.

Macedonia: Nation building and the wish for a separate Orthodox Church

Nation building on the territory of what is now North Macedonia and the emergence of an Orthodox Macedonian national consciousness led to the wish for a separate Orthodox Church in the country. As early as 1944 an Initiative Committee for the Foundation of a Macedonian Orthodox Church was set up in the liberated areas of present-day North Macedonia; this committee was confirmed by the First Assembly of Priests in Skopje in 1945. Among other things a decision was taken to ban Serbian bishops and priests from returning to Macedonia and to form consultative councils of priests to replace the Serbian bishops until such time as the latter could be replaced by Macedonian bishops. The associated medium-term objective was to revive the historical Archbishopric of Ohrid as a Macedonian Orthodox Church.

Wish for a separate
Orthodox Church.

The Yugoslav authorities initially regarded these endeavours as constituting a nationalist activity, however, and all those involved were arrested. Nonetheless, the idea continued to be pursued. The board of the Macedonian initiative to resolve the question of a Macedonian Church consequently called for the establishment of autonomous Orthodox churches in the Socialist Federal Republic of Yugoslavia (SFRY) and for a 'federal' Patriarch of Yugoslavia. The intention with respect to Macedonia was to found an Orthodox Church in Macedonia (OCM) which would be part of a Yugoslav Orthodox Church (YOC). Not surprisingly, the Serbian Orthodox Church (SOC) was strictly opposed to any such church. Nonetheless, the Macedonian body which supported the establishment of an OCM was mandated to conduct negotiations with the planned YOC on the nomination of Macedonian bishops, i.e. to appoint priests as bishops, since no Macedonian bishops were available.

For that reason the board of the Macedonian initiative to resolve the question of a Macedonian Church called on the SOC to respect the autonomy of its decisions as well as local Macedonian bishops and priests, a local Macedonian archbishop, services and an administration in the Macedonian language.

Socialist Yugoslavia as midwife at the birth of the Macedonian Orthodox Church

Quite some time passed, however, before things began to gain momentum. Relations between the Socialist Federal Republic of Yugoslavia and religious organisations – the nature of which had hitherto been very much like that in the Soviet Union – eased noticeably. Now it was the government of the Socialist People's Republic of Macedonia (SRM) which urged President Tito to support the idea of an independent MOC.

While the SFRY continued to refrain from imposing restrictions on religious organisations – including the Serbian Orthodox Church – it supported the Socialist People’s Republic of Macedonia (SRM) in its efforts to establish a Macedonian Orthodox Church on the pretext of reviving the Archbishopric of Ohrid as a dream that formed part of the Macedonian struggle for freedom and cultural and national liberation. This was because in 1945 the Macedonians regarded the Serbian Church as a church of occupation and a key factor in the Serbanisation of society. For the communists in Macedonia, therefore, a ‘separate’ national church was a top priority on the road to the development of a state and nation. The ‘mythical’ idea of reviving the Archbishopric of Ohrid as the sole ‘Macedonian (national)’ institution dating to the time of the Byzantine and Ottoman Empires was undoubtedly the most significant nationalist idea of the past 100 years in respect of the liberation of Macedonia.

For the Communists in Macedonia a ‘separate’ national church was a top priority.

The authorities in the Socialist People’s Republic of Macedonia thus forbade Serbian bishops and priests to return to their eparchies and parishes in the SRM.

The Serbian Orthodox Church seeks to justify its stance

From its point of view the Synod of the SOC had good grounds for opposing this idea. According to Orthodox Church tradition, which has its roots in the Byzantine Empire, there should be only one (Orthodox) Church in any particular state. The church and the state should coexist in symphony, i.e. in a harmonious relationship, in which the emperor has a say in church matters. Moreover, the SOC was in possession of a tomos (decree) issued in 1920 by the Ecumenical Patriarchate of Constantinople concerning the eparchies in Macedonia, which stated that these latter formed an inseparable part of the SOC. The SOC consequently demanded that the Serbian bishops be allowed to return to Macedonia⁷.

In addition, the SOC insisted that the Serbian bishops should be reinstated in their earlier positions in Macedonia and that there should be a review of the ‘issue’ of church responsibility for Macedonia which, from their point of view, had been resolved by the tomos of 1920. Furthermore, the SOC was in a position to provide the administrative capacity and bishops / administrators for the three eparchies in Macedonia ‘in exile’ in Serbia. However, the Yugoslav federal authorities considered this unacceptable in a federation of equal peoples and republics.

Serbian Orthodox Church insists on its responsibility for Macedonia.

Socialist Yugoslavia exerts pressure

Pressure was then put on the Serbian Orthodox patriarch and the Synod of the SOC from various sides – from the SFRY Religious Affairs Committee, the Committee for Relations with the Religious Communities of the Socialist People’s Republic of Macedonia (subordinate to the Ministry of the Interior), the Socialist Organisation of Orthodox Priests⁸ and the authorities of the Socialist Republic of Serbia.

In 1957 the SOC finally succumbed to this pressure and agreed to the motion submitted by the Initiative Committee for the Foundation of an MOC. This stated that the Patriarch of the SOC should simultaneously be Patriarch of the SOC and the MOC and that the MOC should thus have a direct relationship with the SOC. A representative of the MOC was to be a member of the delegation accompanying the Patriarch on any journeys he undertook abroad. The other Orthodox churches were to be informed of the new situation. The Initiative Committee for the Foundation of an MOC was to present a list of potential candidates for the position of bishop.

The Serbian Orthodox Church grants the Macedonian Orthodox Church autonomy

In 1959 the Synod of the SOC ultimately granted the MOC autonomy in what was then the Socialist People's Republic of Macedonia. To all intents and purposes this constituted the restoration of the historical Archbishopric of Ohrid. The SOC certainly did not make this decision of its own free will. Rather it was in line with the political strategy pursued by the SFRY state leadership under Josip Broz Tito which saw in the fulfilment of certain wishes of the constituent republics a means to secure their integration into the state of Yugoslavia as a whole and to ensure their enforced conformity. Moreover, although the Macedonian state was socialist in character, it had – in the wake of its establishment and the formation of the Macedonian nation – recognised the need for a national church (with Macedonian priests and a liturgy in the Macedonian language) as one of its top priorities.

The Serbian Orthodox Church bows to state power and grants autonomy.

Since it was autonomous but not autocephalous (independent), the newly formed Macedonian Orthodox Church – Archdiocese of Orchid (MOC-AO) (Македонска православна црква – Охридска архиепископија (МПЦ-ОА) initially remained canonically united with the Serbian Orthodox Church and its Patriarch. It is currently the largest Christian community in North Macedonia.

In 1966 the Macedonian Orthodox Church asks to be granted autocephaly

On 5 December 1966 the MOC wrote a letter No. 226 to the SOC in which it asked to be granted autocephaly (independence). The SOC did not respond directly to this request but pointed out in its reply that, should the MOC declare itself autocephalous in contravention of canon law, it would be classified by the SOC and other autocephalous Orthodox churches as a schismatic religious organisation and as such would be excluded from communion with the SOC and other autocephalous Orthodox churches, not least the Ecumenical Patriarchate of Constantinople.⁹ Its exclusion then followed in 1967 when, to mark the bicentenary of the dissolution of the Archbishopric of Ohrid, the Synod of the MOC unilaterally proclaimed autocephaly for the MOC and its independence from the SOC.

The Macedonian Orthodox Church demands autocephaly (independence).

By that time – bearing in mind the length of time needed to prepare for the establishment of the MOC – relations between the SOC and the MOC had been very strained for over twenty years.

This was evident, amongst other things, from the Macedonian efforts to occupy the vacant bishops' seats in Macedonia. Since they did not have any personnel of their own, the Macedonian bishops thought in the early 1950s about inviting bishops from other churches to take up the position of archbishop in Macedonia. Consideration was given to all the bishops of the Russian Orthodox Church in exile which did not have an eparchy. However, the ideal choice appeared to be the Serbian Orthodox Bishop Dositheos, a Macedonian. He turned down several invitations, though, because he regarded an invitation without the approval of the Patriarch and the Synod of the SOC as contravening canon law.

Breach between the Macedonian Orthodox Church and the Serbian Orthodox Church

Only after a Church People's Assembly had been held in Macedonia in October 1958 could Bishop Dositheos be persuaded to accept the invitation to become Archbishop in Macedonia. The Patriarch and the Synod of the SOC responded as expected. They regarded the restoration of the historical archiepiscopal seat of Ohrid as constituting a breach with the SOC. The Church People's Assembly elected Dositheos Metropolitan (Archbishop) of Macedonia, nevertheless, and adopted a church constitution for the MOC which established that it was

associated with the SOC through the person of the common Patriarch of both churches. However, the SOC rejected both the election of Dositheos and the newly adopted church constitution of the MOC. Nonetheless, the SFRY forced the Patriarch to accept the existence of the MOC.¹⁰ Only after a number of points in the church constitution of the MOC had been amended, however, was the Patriarch prepared to participate, at the insistence of the state, in the laying on of hands at the ordination of two Macedonian bishops.

Despite persistent pressure from the state the enforced unity of the SOC and MOC remained contentious. The Macedonian Metropolitan was not invited to the ascension of Patriarch German. When he was abroad, the Patriarch almost never used his title as Patriarch of the SOC and MOC, referring to himself solely as Patriarch of the SOC. He introduced the Metropolitan of Macedonia in the latter's absence merely as the Bishop of Skopje. Nor did the Patriarch inform the other Orthodox churches of the fact that the MOC was now under his jurisdiction. On the contrary, he referred to the uncanonical conduct of the MOC.

The Serbian Orthodox Church sees the Macedonian Orthodox Church as uncanonical.

The MOC also had to contend with problems of a more symbolic nature. In Macedonia, Dositheos was able to use the title of Metropolitan of Macedonia and wear a white head-dress with a luminous cross (epanokalymafko), which identified him as the head of his church. However, he could not wear this headdress in the presence of the Patriarch, since this symbol was reserved exclusively for the Patriarch as the head of the church.

Other problems of this kind concerned anointment with holy oil and prayers for the head of the church during the liturgy. All activities outside the Socialist People's Republic of Macedonia also required the prior approval of the Patriarch. This became a major issue when the MOC began working in the Macedonian diaspora in the USA and Australia.

By the mid 1960s – twenty years after the liberation of Macedonia – considerable progress had been made in constituting the Macedonian nation and the Socialist Republic of Macedonia (with virtually all state privileges). The MOC (and its earlier manifestations) had existed for over two decades and now had three bishops and a Holy Synod. The further development of the MOC thus appeared irreversible.

The Macedonian Church declares itself autocephalous in 1967

In July 1967, two hundred years after the end of the Archbishopric of Ohrid, the MOC declared itself autocephalous and the Metropolitan Dositheos received a new title, kyr kyr Dositheos, Archbishop of Ohrid and Macedonia and Metropolitan of Skopje. The corresponding set of rules and regulations was sent to the SOC which rejected it completely and in turn demanded that the MOC rescind its decision of 1959. The state (SFRY) then called on the Patriarch not to intervene, since the matter was now no longer purely canonical in nature but an ideological / political issue and thus one that was directed against the state.¹¹

The Macedonian Orthodox Church is excommunicated.

In the early 1970s the matter was no longer on the state agenda. By then political and social life had moved in a different direction and the 'church' issue had lost all significance for the state. In 1979 and 1987 discussions were again held between the SOC and the MOC that were intended to bring about a solution. However, since both parties stuck to their original positions – the MOC to recognition of its (self-proclaimed) autocephaly and the SOK to its insistence that the MOC should once again submit to the jurisdiction of the SOC – the discussions proved inconclusive.

Macedonia gains its independence – does the rule of 'one state, one church' now apply?

The Republic of Macedonia became an independent state in 1991. In accordance with the rule of 'one state, one church', which had traditionally been followed in the Orthodox world, a different situation now applied. However, the MOC and the SOC did not take the opportunity to reconsider and adapt their views, preferring instead to adhere to their established positions.

The Niš Agreement – a basis for reconciliation?

In 1992, negotiations between the two churches resumed. Meeting at the monastery of St. Naum near Ohrid on 14 January 2001, the delegations of the two churches drafted an agreement which was designed to clarify relations between the two churches. Discussions on the agreement were concluded at a follow-up meeting on 17 May 2002 in Niš.¹² The Niš Agreement¹³ meant a return to the decision taken by the SOC Synod on 17 June 1959 and guaranteed no more than far-reaching autonomy to “the existing eparchies of the Orthodox Church in the Republic of Macedonia”, in other words the “Archbishopric of Ohrid and its diaspora”.

The MOC considered the agreement unreasonable, since it was not officially named as the MOC and, moreover, only referred to as the “Orthodox Church in the Republic of Macedonia”. However, the MOC was at least granted the title of ‘Archbishopric of Ohrid’.

Nevertheless, the Niš Agreement was signed by three of the Macedonian bishops involved in the negotiations – the Metropolitan Naum (Zvonimir Ilievski) of Strumica, Petar (Jovan Karevski) of Australia and Timotej (Slave Jovanovski) of Kičevo¹⁴. It was presumably clear to them that acceptance of this agreement was the prerequisite for a return to the group of Orthodox churches and the granting of autocephaly (independence) by the Ecumenical Patriarchate of Constantinople.

The Niš Agreement was rejected by the Metropolitan Gorazd (Bogoljub Dimitrijevi) of Europe, Kiril (Nikola Popovski) of Polog and Kumanovo and Agatangel (Atanas Stankovski) of Bregalnica. The head of the MOC, Archbishop Stefan (Stojan Veljanovski) of Ohrid¹⁵, did not make his position clear.

The Niš Agreement did in fact resolve the major issues concerning sensible relations between the MOC and the SOC and, moreover, with the Orthodox world as a whole. However, there was not the slightest doubt that the relationship between the SOC and the MOC meant the clear subordination of the latter to the former. The provisions of the Niš Agreement were also to find expression in the church constitution of the ‘Orthodox church in question’, i.e. the MOC.

The Macedonian Orthodox Church bows to public anger

The (Orthodox) believers in what is now North Macedonia were so incensed by the Niš Agreement that the Macedonian bishops who had signed the agreement were obliged to withdraw their signatures. The Serbian Orthodox Patriarch Pavle had the following to say in a message he sent to the bishops, priests and believers in the Republic of Macedonia on 20 June 2002: “Again there was no official reaction from Skopje, but we were informed by the media that their Holy Synod has not accepted the draft agreement.”¹⁶

The case of the Macedonian Orthodox Metropolitan Jovan Vraniškovski¹⁷

Although the population did not approve of him, the Macedonian Orthodox Metropolitan Jovan (Zoran Vraniškovski)¹⁸ of Povardarie continued to advocate support for the Niš Agreement and endeavoured to talk to the Patriarch of the SOC without obtaining advance approval from the MOC leadership. The MOC subsequently dismissed Bishop Jovan and filed criminal charges against him for the misuse of funds. In 2003, the Synod of the SOC, in turn, made Bishop Jovan the Exarch for the territory of the MOC. In 2004, a new (Serbian) Orthodox Archbishopric of Ohrid (OAO) was established with Bishop Jovan as Metropolitan. A year later, in 2005, the SOC issued the Orthodox Archbishopric of Ohrid led by Jovan Vraniškovski

Only partial support for the Niš Agreement from the Macedonian Orthodox Church.

The Macedonian Orthodox Metropolitan Jovan Vraniškovski endorses the Niš Agreement.

with a tomos¹⁹, according to which the Orthodox Archbishopric of Ohrid was declared to be the sole canonical church on the territory of the Republic of Macedonia.

This marked the start of a new phase in the dispute between the MOC and the SOC. On the one hand, it focused on the 'renegade' bishop of the MOC, Jovan Vraniškovski, who had represented the interests of the SOC in what is now North Macedonia since 2003 as 'Exarch for the territory of the MOC' and since 2004 as the head of the Orthodox Archbishopric of Ohrid (OAO). On the other hand, it concerned the existence as such of an area of jurisdiction established by the SOC in what is now North Macedonia, initially – from 2003 – of the exarchate for the territory of the MOC and from 2004 of the Orthodox Archbishopric of Ohrid (OAO).

Metropolitan Jovan
Vraniškovski is made
head of the Orthodox
Archbishopric of
Ohrid.

Nominally secular Macedonia backs the Macedonian Orthodox Church

That both of these developments were unacceptable for the MOC is understandable in view of its long-standing dispute with the SOC. However, that the state should adopt the MOC's position in its wrangle with the SOC is certainly questionable in the light of Article 19 of the Constitution of the Republic of Macedonia²⁰ which reads:

"The freedom of religious confession is guaranteed. The right to express one's faith freely and publicly, individually or with others is guaranteed. The Macedonian Orthodox Church and other religious communities and groups are separate from the state and equal before the law..."

The state unilaterally
endorses the position
of the Macedonian
Orthodox Church.

The Macedonian authorities accused Bishop Jovan Vraniškovski of spreading "ethnic and religious hatred", for which he was initially sentenced to two-and-a-half years in prison. He was said to have distributed Serbian-Orthodox Church calendars and brochures. The sentence took into account a twelve-month suspended sentence imposed on Vraniškovski in 2004 for declaring his apartment in Bitola a church under the jurisdiction of the Serbian Church. Vraniškovski had previously been arrested in 2003 and kept in prison for five days because he wished to baptise a child in accordance with the Serbian rite.²¹

The Vraniškovski case – a strain on relations between Macedonia and Serbia

The Vraniškovski case threatened to put relations between Macedonia and Serbia to a severe test. At the political level statements were made on both sides which were more likely to intensify the conflict, although conciliatory remarks were also made, such as those by Serbian President Boris Tadić (2004 to 2012) and Macedonian President Boris Trajkovski (1999 to 2004 (VRMO-DPMNE – Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity). In Trajkovski's case this was probably attributable to the fact that as an active member of the Methodist Church he was not personally affected by the conflict between the MOC and the SOC. His successor Branko Crvenkovski (2004 to 2009 (SDSM – Social Democratic Union of Macedonia) made his position on the issue abundantly clear, however, when he said with respect to Bishop Jovan Vraniškovski, "We are not talking about a member of the Serbian minority in Macedonia", ... "We are talking about someone... who aims not to protect the religious feelings of the Serbs in Macedonia but to replace and deny the Macedonian Orthodox Church."²² Crvenkovski thus demonstrated implicitly that the formally secular state in Macedonia unequivocally advocated the interests of the MOC in the dispute between the MOC and the SOC.²³

Strain on relations
between Macedonia
and Serbia.

The Ecumenical Patriarch of Constantinople urges Macedonia to show moderation

In a letter he sent to Macedonian President Boris Trajovski²⁴ as early as 2004 the Ecumenical Patriarch of Constantinople, Bartholomew I, noted – without mentioning Vraniškovski by name – that police action in respect of inter-church disputes was not only consistently useless, but also “harmful for the reputation of the secular power”, especially in times of heightened sensibility concerning the safeguarding of religious freedom. Bartholomew I regretted that Trajovski’s initiatives to restore church peace between Belgrade and Skopje had hitherto proved fruitless. However, he said the Ecumenical Patriarchate would endeavour to continue the constructive dialogue “on a peaceful resolution of the dispute”. In his reply Trajovski emphasised that it was imperative to avoid any conflicts between the “brothers of the MOC and the SOC”. He thanked the Ecumenical Patriarch for his attempts at reconciliation and added: “Neither side should insist on any preconditions for commencing a dialogue. Both sides must demonstrate tolerance and respect for the inner feelings of the other”.²⁵

Critical assessments of Macedonia’s conduct at the international level

The sentence of eight months in prison passed on Archbishop Vraniškovski led, amongst other things, to a very critical statement released by the British international lawyer Malcolm Evans at the request of the OSCE Office for Democratic Institutions and Human Rights.²⁶ The former United Nations Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, also cited this report in an addendum to the report she gave on her mission to the Former Yugoslav Republic of Macedonia:

“In 2004, the domestic courts of first and second instance held that, in leaving the Macedonian Orthodox Church and establishing the “Orthodox Archbishopric of Ohrid”, the accused had created a schism causing religious hatred, discord and intolerance. Consequently, they sentenced Bishop Jovan to 18 months of imprisonment for undermining the position of the Macedonian Orthodox Church, conducting a service of worship in a private flat and distributing a calendar that offended the religious sentiments of the citizens. An opinion by the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief expressed concerns about the judgement’s approach which seemed to suggest that any form of religious activity that has the effect of challenging the legitimacy and supremacy of the Macedonian Orthodox Church as the dominant religion was to be considered as causing religious hatred. In addition, according to the ODIHR opinion, the fact that Bishop Jovan had conducted religious services that prompted a hostile response by opposing believers could not amount to the commission of the criminal offence of incitement to religious hatred. Subsequently, the Supreme Court partially accepted Bishop Jovan’s appeal with regard to his freedom to perform religious rites, and reduced his prison sentence to eight months.”²⁷

North Macedonia
takes action against
Metropolitan Jovan
Vraniškovski.

On 25 January 2010 Archbishop Jovan returned to Macedonia, which he had been forbidden to do for two years. The court in Veles had regularly ruled that there were no grounds for continuing the court proceedings against Archbishop Jovan and had acquitted him on two occasions. Nevertheless, the court of appeal insisted on a continuation of the proceedings.²⁸

Archbishop Jovan was arrested in December 2011²⁹ and sentenced to three years imprisonment by a court of appeal in Skopje. The charge on which the proceedings rested was the court’s allegation that he had embezzled 250,000 euros at the expense of the Macedonian Orthodox Church. Vraniškovski had already been convicted in this matter in October 2009 by a court in Veles, but at that time he was outside the country. In December 2011 he returned to Macedonia and gave himself up to the authorities, whereupon the court proceedings were resumed.

“The judge is not guilty; he will do as he has been told”, Vraniškovski said during his closing address, thus implying that the state was using the trial to demonstrate its support for the MOC. A total of 18 other defendants, including Vraniškovski’s mother and a sister, were given suspended sentences. They were found guilty of attempting to launder the money Vraniškovski had embezzled inter alia by purchasing real estate.³⁰

It was not until 23 August 2013, a year and nine months after his imprisonment, that Jovan Vraniškovski was first allowed to receive visitors – three bishops from the Orthodox Archbishopric of Ohrid.³¹ In December 2014 Jovan Vraniškovski complained in a letter to the head of the penal system in Macedonia about the conditions of his imprisonment – in particular that he was refused visitors – and hinted that he feared a murder plot against him.³²

The prison conditions under which the archbishop was held at this time must, indeed, have been extremely precarious – and not just because Vraniškovski was held in solitary confinement.³³

On 2 January 2015 Vraniškovski was finally released after three years and two months in prison. This was certainly due in large measure to the intervention of the Russian Orthodox Patriarchate of Moscow and All Russia. On 15 November 2014 the Serbian Orthodox Patriarch Irenej had conferred in Belgrade with the Russian Orthodox Patriarch Kirill of Moscow about the situation and physical constitution of Archbishop Vraniškovski. On 20 December 2014 Metropolitan Hilarion of Volokolamsk, the Chairman of the Department for External Church Relations of the Moscow Patriarchate, paid a visit to Skopje where he met Archbishop Jovan. The same day he also visited Macedonian President Ivanov, Prime Minister Gruevski and the head of what the Moscow Patriarchate deemed the schismatic MOC, Archbishop Stephan.³⁴

The public prosecutor was allegedly opposed to the early release of Archbishop Jovan. However, an appeal court dismissed the public prosecutor’s office appeal against a court decision to release Vraniškovski on parole. “After mediation by Russian Orthodox Bishop Hillarion, who had requested a pardon for during Vraniškovski his visit to Skopje on 21 December 2014, the canonically unrecognised Macedonian Orthodox Church – Archbishopric of Ohrid called for his release”.³⁵

Archbishop Vraniškovski was not the only representative of the Orthodox / Greek Orthodox Archbishopric of Ohrid against whom the judiciary in North Macedonia initiated proceedings in this manner. His case is very special, however, and serves to illustrate the significance that the existence of an Orthodox / Greek Orthodox Archbishopric of Ohrid and a corresponding archbishopric for the MOC has for the Macedonian part of society and the state authorities in the Republic of North Macedonia.

The case also makes it clear that not just issues relating to the schism between the MOC and the Orthodox Church, on the one hand, and autocephaly for the MOC, on the other hand, need to be resolved; the same is true of how the state and society see themselves.

This applies not least to the issue of the registration of the Orthodox Archbishopric of Ohrid.

Application for registration of the Orthodox Archbishopric of Ohrid

On 24 January 2004 an application for the registration of the Orthodox Archbishopric of Ohrid was submitted to the Macedonian Committee for the Registration of Religious Communities and Groups. On 3 November 2004 the committee turned down the request for registration. A subsequent complaint by the applicant was rejected by the Government Appeals Commis-

sion on 11 January 2005, whereupon the applicant appealed to the Supreme Court on the grounds that its future name was neither identical with nor similar to the name of any other religious community registered by the committee. The Supreme Court rejected the appeal on 9 November 2005, the decision being served on the complainant on 15 July 2006.³⁶

Registration of
the Orthodox
Archbishopric of
Ohrid is rejected.

The Orthodox Archbishopric of Ohrid subsequently applied to the authorities for registration. Pursuant to the Law on the Legal Status of Religious Communities and Groups of 1997, however, the registration of more than one religious group per denomination was not considered legal³⁷ and so the application was turned down. While the law in question was amended in 2007 on the basis of the critical remarks made by the OSCE³⁸ and the recommendations of the Venice Commission³⁹, the amendments undertaken were designed⁴⁰ – and not only from the point of view of the church concerned – to prevent the SOC from attaining legal status⁴¹.

Application for registration of the Greek Orthodox Archbishopric of Ohrid

A further attempt undertaken by the (Serbian) Orthodox Archbishopric of Ohrid in 2009 to have itself registered – this time under the name of Greek Orthodox Archbishopric of Ohrid of the Patriarchate of Peć (Грчко-Православна Охридска Архиепископија на Пеќката Патријаршија) – also proved abortive. On 28 July 2009 the competent court of registration in Skopje rejected the application⁴² because – contrary to the requirements of Article 9 (1) of the relevant law – the name of the Archbishopric of Ohrid was not sufficiently distinguishable from the official name of the MOC ‘Macedonian Orthodox Church – Archbishopric of Ohrid’, which could lead to confusion concerning the competence of the Archbishopric.⁴³ Article 10 (1) of the Law on the Legal Status of Churches, Religious Communities and Religious Groups of 2007 states that “the name and the official attributes of religious organisations must be different from the names and attributes of organisations that are already registered”. This regulation inevitably means that any religious community whose name sounds faintly similar to that of religious communities already in existence can be excluded from registration.

Registration of
the Greek Orthodox
Archbishopric of
Ohrid is rejected.

The Greek Orthodox Archbishopric of Ohrid of the Patriarchate of Peć lodged a complaint with the competent court of appeal in Skopje on 4 February 2010,⁴⁴ which was turned down. The Greek Orthodox Archbishopric of Ohrid of the Patriarchate of Peć subsequently filed a constitutional complaint with the Constitutional Court of the Republic of Macedonia, which was likewise rejected on 15 December 2010.⁴⁵

Complaint to the European Court of Human Rights

The Orthodox Archbishopric of Ohrid then filed a complaint with the European Court of Human Rights against the Former Yugoslav Republic of Macedonia⁴⁶, of which the government of Macedonia was informed on 22 February 2013.⁴⁷

The European Court of Human Rights delivered its judgment in the case on 16 November 2017, which became final on 9 April 2018. It states:

“In view of the foregoing, it cannot be said that the reasons provided by the national authorities, taken as a whole, were “relevant and sufficient” to justify the interference in this case. It further considers that the manner in which the domestic authorities refused the recognition of the applicant association as a religious organisation cannot be accepted as necessary in a democratic society. It follows that there has been a violation of Article 11 of the Convention, interpreted in the light of Article 9.”⁴⁸

The European
Court of Human
Rights rules
against Macedonia

Enforcement of the judgment of the European Court of Human Rights

The Committee of Ministers of the Council of Europe dealt with the supervision of the execution of the aforementioned judgment of the European Court of Human Rights (ECHR) at its meeting from 12 to 14 March 2019 in Strasbourg. It welcomed the fact that the court of registration in Skopje, with reference to the judgment passed by the European Court of Human Rights, had accepted the re-opening of the contested proceedings and that the renewed registration procedure was making progress. It further noted that the registration judge had, on 22 February 2019, recognised its obligation to take due account of the findings of the European Court of Justice and the relevant case law and to provide redress to the applicants in accordance with the Convention and ongoing remedies and make efforts to assist applicants in overcoming any obstacles encountered.⁴⁹

To date, however, the judgment passed by the EHCR has not led to any final decision on the part of the court of registration in Skopje which is responsible for the registration of the Greek Orthodox Archbishopric of Ohrid.

Can the Ecumenical Patriarch of Constantinople, Bartholomew I, resolve the conflict?

It was stated at the outset that the Ecumenical Patriarch of Constantinople, Bartholomew I, had announced, following a meeting with the North Macedonian interim President Oliver Spasovski and his predecessor and successor Zoran Zaev on 13 January 2020, that representatives of the Serbian Orthodox Church (SOC) and the non-recognised Macedonian Orthodox Church (MOC) were to be invited to Istanbul for discussions designed to find a solution amenable to both sides.⁵⁰ In fact, the Patriarch had initially suggested that representatives of the MOC should meet representatives of the SOC, including the Patriarch of the SOC, Irinej, in Belgrade to discuss the resolution of open questions. This suggestion was turned down by the representatives of the MOC on the grounds that they did not feel safe in Belgrade. Bartholomew subsequently invited representatives of the SOC – including their Patriarch Irinej – and of the MOC to attend talks in the Ecumenical Patriarchate in Istanbul. Since Patriarch Irinej died on 20 November 2020, the planned discussions now cannot take place until after the election of a new Patriarch by the Synod of the SOC.⁵¹

The election of a new Serbian Orthodox Patriarch, for which the Synod of the SOV will convene on 18 February 2021,⁵² will undoubtedly be significant in both domestic and foreign policy terms. The issue in domestic respects is whether the SOC will in future have a Patriarch who will support the Serbian nationalist course pursued by the Serbian president – a Patriarch who will move in a different direction or even a Patriarch who will demonstrate independence in domestic policy and also prove to be a moderniser of the SOC.⁵³ As regards relations with the country's neighbours, the election of a new Patriarch will also be of great significance for the continuation and, ideally, the resolution of the conflict between the SOC and the MOC.

But even if mediation by the Ecumenical Patriarchate of Constantinople does resolve the conflict between the two churches, one major task still remains: the tremendous damage wrought by the long-standing conflict between the Macedonian and Serbian side at the political and social level will have to be overcome through dialogue. To do so both sides will certainly need the support of understanding and knowledgeable moderators and mediators.

The Ecumenical
Patriarch of Istanbul
as moderator
and mediator.

The damage caused
can only be over-
come with the help
of understanding
and knowledgeable
moderators and
mediators.

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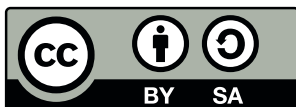
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