

CORNELIU PINTILESCU
ANDRADA FĂTU-TUTOVEANU

JEHOVA'S WITNESSES IN POST-COMMUNIST ROMANIA:
THE RELATIONSHIP BETWEEN THE RELIGIOUS MINORITY AND THE
STATE (1989-2010)

Corneliu Pintilescu

Babeş-Bolyai University, Faculty of History and Philosophy, Cluj, Romania.
Email: pintilescu2001@yahoo.com

Andrada Fătu-Tutoveanu

Transilvania University of Braşov, Faculty of Languages and Literatures,
Braşov, Romania.
Email: andrada_f@yahoo.com

Abstract: This study aims at chronicling current aspects and transformations in the relationship between the Jehovah's Witnesses religious minority and the Romanian state (1989-2010), focusing on this religious group's changing official status. Considering both previous contributions and debates on the relations between state and religion, and the distinction between the concepts of *denomination* versus *sect*, the present work analyzes the key issues of the long-lasting conflict between the state and this particular religious minority, as well as the factors influencing these relations in Post-Communist Romania. It will be argued that the latest improvements concerning the recognition of religious freedom (Jehovah's Witnesses were officially recognized as a religious denomination in 2003) owes less to internal factors than to an external influence, namely the pressure exerted by the international community at the time of Romania's accession to both NATO and the EU. Furthermore, the study concludes that the evolution of the relation between the state and the Jehovah's Witnesses has influenced the background on which this relation has evolved, as well as the internal evolution of the religious minority.

Key Words: Jehovah's Witnesses, Post-Communism, Religious minority, Romania, Romanian Orthodox Church, state.

Introduction

As a religious minority, Romanian Jehovah's Witnesses have had a traumatic history during the 20th century, marked by the repression exerted by the dictatorial regimes between 1938-1944 and 1947-1989.¹ This repression has left deep marks on the Romanian Jehovah's Witnesses community, influencing its further evolution. Also, despite the fact that repression ended after 1989, the relations between this religious minority and the Romanian state and society have been beset by difficulties. The Romanian Jehovah's Witnesses community was only recognized as an official religious denomination as recently as 2003. The period between the legal recognition of this religious organization in 1990 (officially known as *Organizația Religioasă "Martorii lui Iehova" din România*/ Jehovah's Witnesses Association of Romania) and its recognition as an official denomination in 2003 was characterized by a series of conflicts with central or local authorities, disputes that frequently resulted in trials.

The relevance of the relations between state and Romanian Jehovah's Witnesses during the Post-Communist period resides in various aspects. The conflict between the Romanian Jehovah's Witnesses community and the state was, due to its intensity and effects, one of the most significant among the conflicts involving the state and the different religious communities in Post-Communist Romania. In the case of the Romanian Jehovah's Witnesses, the conflict has brought to light key issues concerning religion in Post-Communist Romania such as the development of the connections between the state and the Romanian Orthodox Church (henceforth ROC), the procedures for gaining the official denomination status, the issue of religion as taught in schools and, in general, the evolution of religious freedom in Romania.

This article aims at analyzing the relationship between the Romanian Jehovah's Witnesses minority and the Romanian state in 1989-2010, placing emphasis on this religious group's changing official status. Our analysis will be based on the information provided by APADOR (*Asociația Pentru Apărarea Drepturilor Omului din România - Comitetul Helsinki*/ Association for the Defense of Human Rights in Romania - The Helsinki Committee) and Amnesty International reports, legal documents issued by the Romanian state institutions, informational materials published by the religious group itself after 1989, as well as press articles regarding the issue.

In order to analyze the general context as well as the factors that underpinned the evolution of this relationship, a series of concepts shall be used focusing on two aspects of the problem debated here: (1)

the definition of the state-church relations in Europe in general and Eastern Europe in particular; and (2) the definition of the specificity of the Romanian Jehovah's Witnesses religious minority vis-à-vis the society within which it functions.

Bhikhu Parekh discusses most effectively the dilemma of modern "liberal societies" regarding the manner in which they relate to religion. The principles of this type of society make it imperative to provide equal treatment to all "religious communities". However, taking into consideration historical and cultural traditions, a certain religion (or religions) inevitably often prevails within a particular social context. Accordingly, liberal societies find "it structurally difficult to treat all religions equally", which leads to "an acute moral dilemma".² Modern societies have come out with different solutions to this key issue, while social science researchers have designed several theoretical models to define state-church relations, so different from a country to another. Prominent among those interested in theorizing on Post-Communist Eastern Europe is Gerhard Robbers. His typology distinguishes three state-church models in Europe, depending on the legal system within which each develops: (1) The "State Church" model, in which a religion is "predominant", (model in which there are "close links" between the state power and religion), (2) The "strict separation of State and Church" model, and, finally, (3) an in-between model in which "the basic separation of State and Church" exists, but both State and Church collaborate in certain areas such as social assistance or education.³ Drawing on this, and taking into account the Law 489/2006 on the Freedom of Religion and the General Status of Denominations [*Legea privind libertatea religioasă și regimul general al cultelor*], Radu Carp claims that Romania fits within the third model.⁴ In their common work *Religion and Politics in Post-Communist Romania*, however, Lavinia Stan and Lucian Turcescu design an innovative theoretical model, adapted to Post-Communist Romania.⁵ They define state-church relations after the demise of the communist regime as "the managed quasi-pluralistic model".⁶ Stan and Turcescu claim that, by trying to "to find the middle ground" between different goals (such as the ensuring of the votes of the Orthodox majority as well as fulfilling the requirements of EU accession procedure) the Romanian political elite created a distinct situation⁷:

"The process of negotiating between such competing goals has turned proposals coming from political quarters into variants of the managed quasi-pluralist model by which the centralized state retained control over religious affairs through registration and fund allocation, while relaxing communist-era restrictions on religious activity

and endorsing a privileged partnership with the Orthodox Church.”⁸

J. Milton Yinger makes an important contribution to the definition of the relations between the religious minority under discussion here and the rest of the society and the state. Yinger designs a typology of religious groups based on a fundamental “dilemma” that each has in relation to the authorities within the group and society at large. This dilemma refers to the issue of exercising control over the system of values and the life of the citizens, control which has been disputed by both state and religious institutions.⁹

According to Yinger, a *church* is, on the one hand, a religious group accepting compromises with secular authorities, adjusting in order to be able to perform its (religious) activity without starting a conflict with other structures, especially the state¹⁰. A *sect*¹¹, on the other hand, shows a radical attitude, rejecting any compromise with secular authorities and becoming insulated within its radicalism. For someone within such a *sect* religious identity is the one that comes first their life. The discipline, principles and requirements of their religious community are dominant (even exclusive in some contexts), thereby conditioning participation in their respective groups.¹²

Benton Johnson transfers the distinction between *church*¹³ and *sect* onto a more general level, allowing – the author argues – for a larger use of the two theoretical models. Johnson¹⁴ thus acknowledged the issue of general applicability by reducing the distinction to one general principle: that of relations to the “social environment”: “A church is a religious group that accepts the social environment in which it exists. A sect is a religious group that rejects the social environment in which it exists.”¹⁵ Bryan R. Wilson designs a sect subtypology comprising four theoretical models in function of the conditions in which a sect emerges, namely *conversionist sects*, *adventist sects*, *introversionist sects*, and *gnostic sects*. Wilson also points to the tendencies manifested by each of these categories.¹⁶ Calvin Redekop is one of those who criticized Wilson’s static perspective (which privileges the conditions of the emergence of a sect) emphasizing the fact that it is “the outcome of a continuing dialectic between sect and host society”.¹⁷ Following this direction, it might be argued that the evolution of certain religious groups defined as sects can be influenced by certain factors, which can deepen the sectarian feature or, on the contrary, adapt to the social environment, the group tending thus to become a denomination.¹⁸

Jehovah's Witnesses in Romania: A Short History

The history of the Romanian Jehovah's Witnesses started in Transylvania at the end of the 19th century, then under Austro-Hungarian rule. Two local Hungarians, József Kiss and Károly Szabó - immigrants in the USA - came into contact with the ideas upheld by Charles Taze Russell, the founder of the Jehovah's Witnesses movement. Kiss and Szabó returned to Transylvania in 1911. They settled in Târgu-Mureş and started to spread the new religious faith in the region.¹⁹ The Jehovah's Witnesses publications (such as *The Watch Tower*) started to be printed in Transylvania in 1914, first in Hungarian, in a private publishing house²⁰ in Târgu-Mureş and later, in 1916 also in Romanian. In April 1920 the first Romanian²¹ subsidiary of the "Watch Tower Bible and Tract Society" was founded at Cluj²², as a regional centre also for Hungary, Yugoslavia, Bulgaria and Albania.²³

In 1926 *The Watch Tower* was forbidden in Romania - as part of a Jehovah's Witnesses publication censorship process - leading to different name changes in the period to follow.²⁴ After 1926 the movement will divide, one part of the members disagreeing with the innovations introduced by Joseph Franklin Rutherford (second president, since 1917, of the incorporated *Watch Tower Bible and Tract Society*, and the author of many changes in the organization and doctrine of the religious group). Those who accepted the new direction established by Rutherford took the name of *Jehovah's Witnesses* in 1931. In charge of the group at the time were Martin Magyarosi and, later in Bucharest, (as the movement expanded towards Eastern and Southern Romania and moved its logistic centre from Transylvania to Bucharest in the 1930s) Pamfil Albu.²⁵ The 1930s were also a significant moment as far as this religious minority's public status was concerned, as in 1933 it was granted legal status as *Societatea de Biblie şi Tractate a Martorilor lui Iehova* ("The Jehovah's Witnesses Bible and Tract Society"), an anonymous commercial society functioning in Bucharest.²⁶

After some censorship initiatives, repressive actions persisted and intensified in 1933-1944. 1937 was a crucial moment being 1937, when the activity of the group was made illegal.²⁷ The local leaders left Bucharest and took refuge in Northern Transylvania (where members of the group also resided) as part of the country came under Hungarian administration.²⁸ Martin Magyarosi was arrested in September 1942, and followed later by Pamfil Albu. Some Jehovah's Witnesses from Northern Transylvania were taken to the Bor prison camp in Serbia together with Jews and Adventists.²⁹ As soon as the war ended, a series of religious groups which had not yet been legally recognized were granted the "right to function legally", yet the

Romanian Jehovah's Witnesses were not among them.³⁰ This religious group thus returned to its 1933 status. Only later, on July 11, 1945 was this religious minority officially registered again as a "legal entity" under the name *Asociația Martorilor lui Iehova din România* "The Association of Jehovah's Witnesses from Romania".

But Romanian Jehovah's Witnesses will suffer repression again after 1948. Following a Ministry of Justice's decision on August 8, 1949, the Bucharest office was closed and the buildings as well as the "equipment" of the subsidiary were confiscated. Arrests followed, as the leaders of the Romanian community (Pamfil Albu, Martin Magyarosi and Petre Ranca) were taken prisoner - accused and later convicted of spying for an "Anglo-American network".³¹

During communism, the Romanian Jehovah's Witnesses suffered persecutions under various forms, among which the most important were the military court sentences (on charges of "public instigation", "conspiracy against social order", "dissemination of forbidden publications", as well as of refusing to enroll in the military service) as well as administrative decisions sending them to labor camps.

After 1975, despite some convictions taking place (mostly due to the refusal of the members of the group to be conscripted³²), the situation of the religious minority improved as repression diminished. Their situation, however, has only improved substantially after the fall of the communist regime in Romania, as the community was granted legal status only afterwards. The change took place therefore as recently as early 1990 (more precisely on April, 9), when *Organizația Religioasă "Martorii lui Iehova"*/ the Jehovah's Witnesses Association of Romania was officially recognized by the Romanian state. Since 1995 a new subsidiary was founded and, most importantly, in 2003 the religious minority was recognized as a denomination.³³ The number of members increased (according to an internal report of the group³⁴) from 17,000 in 1990 to 35,000 in 1996 and 38 544 in 2007³⁵ (as compared to 2,000 in 1931 and 15,000 in 1949).

Turning Points in State-Religious Minority Relations

Some specifications are needed in order to circumscribe and understand the relations developed in Post-Communist and, especially, 21st century Romania between the state and the Romanian Jehovah's Witnesses. This religious community has developed its own history in 20th and 21st century Romania, as shown in the previous section. The increasing number of congregations in Post-Communist Romania (228 in 1991, 552 in April 2000, with 82,761 "members and associates"³⁶ also points to the community's consolidated tradition. However, the conflict with the Romanian state and the persecutions

against this religious minority has developed a tradition of its own. There are some constant elements of conflict, inherited from the previous decades, such as the Romanian Jehovah's Witnesses' refusal to serve in the army and the issue of intense promoting of their own faith within the Romanian society. However, after 1989, additional reasons to the conflict have appeared, among them: the tax exemption issue for the buildings belonging to the association, the issue of local authorities' approvals for the building of places of worship or cemeteries, the issue of religion as taught in schools and the religious services conducted in prisons. All these post-1989 problems emerged from the authorities' refusal to recognize Romanian Jehovah's Witnesses as an official denomination and not simply as a religious association. However, Romanian Jehovah's Witnesses face this problem in many other countries, besides Romania.³⁷ Until the 2006 law on the Freedom of Religion and the General Status of Denominations, the legal system concerning religious affairs was based on the 177/1948 decree, used in the communist period, decree which imposed a "two-tier system" (dividing religious entities into *religious denominations* and *religious associations*).³⁸

The Post-Communist history of these tensions between the state and the Romanian Jehovah's Witnesses involves four essential moments: the first – 1990 – when the group became a religious organization officially recognized by the decision number 1166 issued by the Court of Bucharest – Sector 1 on April, 9, 1990, based on the Law number 21/1924 regarding legal entities (associations and foundations)³⁹. The second moment is the summer of 1996 when an international Romanian Jehovah's Witnesses conference in Bucharest was prevented by the strong opposition of the Orthodox Romanian Church, followed by the reaction of the authorities. The third moment was 2003, the year in which, following several attempts in court, the Romanian Jehovah's Witnesses were officially recognized as a denomination by a 22 May 2003 Ministry of Culture and Religious Affairs.⁴⁰ The fourth moment was represented by the promulgation of a new law of religious affairs replacing the old legal framework. These four moments represent turning points in the evolution of the relations between the state and the Romanian Jehovah's Witnesses in Post-Communist Romania.

The period 1990-1996 meant a radical improvement and change of register in these relations, as repression stopped with the 1989 events. However, harassment persisted on the part of the local administrations, while public institutions (unofficially) accepted some abuses and violence on the part of members of other denominations. The 1996 APADOR-CH report also considered the year as a turning point, because of "increasing campaigns" against religious minorities in Romania and especially Romanian Jehovah's Witnesses and MISA.⁴¹

As introduced above, Romanian Jehovah's Witnesses had scheduled an international conference in Bucharest for July 1996. The community made attempts to rent Bucharest's National Stadium from the Ministry of Youth Affairs and Sports and planned to accommodate participants on the *Regie* campus. The reaction of the authorities towards these actions was neutral until Teoctist, the Patriarch of the Romanian Orthodox Church made a press release on June, 24, 1996 against not only the Romanian Jehovah's Witnesses' organization of an international conference in Bucharest but also against all their activities in Romania. Moreover, the majority of political parties supported the position adopted by the Romanian Orthodox Church, making hostile statements against the Romanian Jehovah's Witnesses.⁴² This moment is revealing in understanding the relations existing between the state and ROC, as well as the manner in which this affects the relation between the Romanian state and other denominations or religious organizations. This influence is more arguably even more significant should we take into consideration the fact that after this moment press attacks and violence intensified on the part of the members of the ROC, violence being tolerated or even encouraged in some cases by local public institutions.⁴³ However, the period 2003-2006 brought significant attitudinal changes, influenced by the requirements of both NATO and the EU. After 2006 abuses on the part of local authorities against the Romanian Jehovah's Witnesses became exceptional as the official attitude towards this religious minority changed.

The Conflict between Jehovah's Witnesses and the Romanian State: Key Issues

After the conflict stirred by the Romanian Jehovah's Witnesses' intention to organize an international conference in Bucharest on July 1996, an official letter was sent by the State Secretariat for Religious Affairs to the Romanian local authorities on March, 25, 1997. This comprised a list of officially recognized denominations (the only ones to enjoy certain rights such as tax exemptions or the permission to build places of worship).⁴⁴ However, tensions between the state and the Romanian Jehovah's Witnesses have since increased. Some of the local authorities refused to approve the building of places of worship or cemeteries for some religious entities not included on the aforementioned list. This happened, for instance, in cases such as that of the Tulcea Local Council (1997) for a place of worship and the case of the town of Cetariu, in Bihor County, for the approval of a cemetery (1998). This meant the breaking of Section 29 of the Romanian Constitution and Section 9 of the "European Convention of Human Rights" signed by Romania, as the right to build and use places of

worship or cemeteries is deemed to result from religious freedom.⁴⁵ Another level of the conflict was represented by the tax exemption for the places of worship. During 1997, Romanian Jehovah's Witnesses were informed by various local tax offices that they could not benefit from the tax exemption for places of worship due to the letter sent by the State Secretariat for Religious Affairs. After requesting more information the organization received a letter from the State Secretariat for Religious Affairs in December 1997 by which they were informed that they could not claim such benefits (mentioned in the Law 27/1994) because the group is registered as a religious organization and not as a religious denomination.⁴⁶ Even after receiving religious denomination status in May 2003, the Romanian Jehovah's Witnesses community has been requested by various local authorities to pay local taxes for the places of worship they own.⁴⁷

Another tension-creating issue was conscription for the military service the members of the community (considered to be ordained ministers). Without religious denomination status (like the ministers or priests of other religious entities) these could not be exempted from conscription, the only alternative being the possibility to choose an alternative military service similar to that imposed on the clerical staff of other religious groups (according to Law 46/1996). This alternative – which meant a concession regarding the use of weapons – also involved, however, the negative aspect of duration (two years instead of one). The Court of Military Appeals issued its ultimate decision on June, 14, 2000 by which 14 Romanian Jehovah's Witnesses were given a suspended prison sentence for their refusal to comply with the alternative military service. Behind this decision was the fact that the state did not grant Romanian Jehovah's Witnesses the status of “ordained ministers” because the religious group was not recognized as a religious denomination.⁴⁸ The fact that Romanian Jehovah's Witnesses had no specialized clerical members, all baptized members being therefore considered to be “ordained ministers” and so allowed to conduct religious services (because of the large amount of time spent for actions associated with their religious practices), has been considered by the military procuracy as an abuse on the part of the religious group. They also considered that this community wanted to exempt its members from not only the regular military service but also the alternative one, offered by the state as an option for those not willing to use weapons because of their religious beliefs. The military service refusal trials are best seen as part of a continuum which had begun during the First World War when some Jehovah's Witnesses had been sentenced on this basis in numerous countries (including well-established democracies), as the religious beliefs of the Jehovah's Witnesses were perceived to be in conflict with the laws and ideology of the modern state.⁴⁹

Another issue which has stirred worldwide controversies and debates involving Jehovah's Witnesses' relations to the institutional frameworks is that related to their refusal to accept some medical procedures. Of equal interest for medicine, ethics and religion⁵⁰, the issue of blood transfusion and organ transplant has usually been given a positive connotation⁵¹, as associated with a life-saving attitude. However, Jehovah's Witnesses' have shown a firm opposition toward both (and nowadays, only⁵² toward blood transfer), on dogmatic grounds⁵³, which led to numerous controversies. Besides the Jehovah's Witnesses' publications, scientific debates have also taken place, involving medical ethics and religious beliefs. Thus, on the one side, some authors (such as Muramoto) argued on behalf of a "rational non-interventional paternalism"⁵⁴, pleading for the informed consent of patients (Jehovah's Witnesses being considered, by these authors, as misinformed and manipulated by their community). On the other side, there are authors (such as Malyon⁵⁵) who argue that the patient's religious beliefs should be respected and he or she should be offered alternatives. In Romania, the issue has so far not been so intensively debated, with the exception of particular cases of patients, presented in the press (such as the refusal of blood transfusion, in 2001, of a mother of four, Virginia Morariu, hospitalized in "Cuza Vodă" Hospital in Iași and requiring surgery⁵⁶). Recently (after the end of the period covered by our analysis), there are signs of the issue becoming more and more significant within media and so the evolution of this emerging debate will probably make the object of interesting future research.

Among the problematic institutional relations, Jehovah's Witnesses also faced difficulties when intending to offer religious assistance within prisons as "ordained ministers". Such a scenario occurred in the prison of Gherla (1997) and of Bistrița (2000)⁵⁷. The situation of the prisoners that were in no position to choose the religious service they wanted was defined by Andreescu as that of "captive audiences".⁵⁸

A further and significant point in the troubled relationship between the state and the Romanian Jehovah's Witnesses religious minority was represented by the teaching of religion as a subject in schools. The Law on Education no. 84 of 31 July 1995 was the first to legalize the teaching of religion as a public school discipline. Section 9 stated that religion as a discipline is "mandatory" in primary schools, optional in secondary schools and facultative in high schools and vocational schools. It also mentioned that the pupils could choose the denomination to be taught to them by taking the advice of their parents or "legal guardians".⁵⁹ This regulation contradicted the freedom of thought as children whose families were, for instance,

atheists were also forced to study a religious discipline. Moreover, the fact that religion became a compulsory subject (and so subject to assessment as any other discipline) contradicted Romanian Jehovah's Witnesses beliefs, which forbid such practices.

The controversy caused by the statement that religion was mandatory in primary schools (from 1st to 4th grade) ultimately led to the issuing of another document (the Government Emergency Ordinance 36/1997), which introduced changes in the law on education, eliminating for instance the mention on the "mandatory" character of religion as a primary school discipline.⁶⁰ Beside the stipulations of the Law on Education no. 84 of 31 July 1995 on the mandatory character of religion in primary schools, two other practices have stirred public debates on the rights of the religious minorities: the issue of religious symbols used in schools and the manner in which religion classes were to take place. Gizela Horváth and Rozália Bakó analyzed the 2006-2008 debate on religious icons exposed in schools, following the main arguments. On the one hand, the associations defending human rights claimed that the practice is a form of discrimination for atheists or members of other religious communities (which have other symbols and do not benefit from their exposure) and that, moreover, it is also a violation of the lay character of the state institutions. On the other hand, several churches (and mainly the Romanian Orthodox Church) claimed that the prohibition of these symbols would be itself a serious violation of the individual's right to express their religious beliefs and also a manifestation of aggressive secularism.⁶¹

If, in the case of these symbols, arguments stand on both sides, the situation changes when the matter of teaching religion as a discipline is concerned. Thus, for instance Emil Moise proved – in a study conducted in Buzău on the teaching practices associated to this discipline – the existence of some practices which oppose the principles of a democratic society. For instance, some teachers (who belonged to the Romanian Orthodox Church) made – during the school year 2003-2004 – derogatory remarks against some religious minorities, Jehovah's Witnesses being labeled as "one of the most dangerous sects".⁶² A more serious aspect of this case is that similar attacks on this minority appeared in religion textbooks, such as the one published in 2006 by the Ministry of Education and Research under the coordination of State Secretariat for Religious Affairs.⁶³

What seems to lurk behind all this is the lack (in the period 1990-2006) of legislation on religious affairs compatible to the 1991 Constitution as well as the uncertainty and contradictions of the interpretation and use of the existing law (the 177/1948 decree), still enforceable. Parts of the decree, designed by the communist regime in order to control religious denominations, were still considered valid

by the authorities when the content could be interpreted in favor of the current policies, but repealed where contravened by the 1991 Constitution (when its stipulations did not support the policies of the moment). This type of behavior can be interpreted as a practice inherited from the Communist period, when the law was just an instrument for the administration and the authorities would respect it or not depending on the contextual interests of the regime. At the same time, the delay in the elaboration of a new law on religious affairs (1991-2006) has offered a constant pretext for the authorities to refuse the official recognition of some religious groups, who were requesting a new status. The situation of Romania is, from this point of view, similar to that of Bulgaria, as the latter has also maintained the former 1949 law until 2002, using this delay in order to make the inclusion of new "official denominations" more difficult.⁶⁴

The Romanian Jehovah's Witnesses asked the court for the official recognition of their denomination (after the modification of their own internal status in this respect on March, 28, 1998), adding in their demand that they are a "Christian religion denomination". The status change has not been recognized, however, by the State Secretariat for Religious Affairs.⁶⁵ Several contradictory court decisions regarding this issue have been given in 1998-2000.⁶⁶ Through the ultimate Supreme Court of Justice Decision from March, 7, 2000 the demand of the religious minority to be officially recognized as a religious denomination has been admitted. The Court based its argumentation on the fact that the Decree 177/1948 on the general situation of religions – although not repealed – contained elements incompatible with Section 29 in 1991 Constitution (on religious freedom) and therefore cannot be used as a basis for establishing the status of religious denominations. The Court considered that the State Secretariat for Religious Affairs' decision not to admit the change of status contravened Section 29 in the Romanian Constitution as well as international treaties.⁶⁷

We agree with Bryan R. Wilson that Courts have always faced difficulties when it comes to defining religion.⁶⁸ In the present case, the Supreme Court of Justice has followed the tendency of the European Court of Human Rights to interpret the situation, namely a state not including certain religious associations among the official denominations as a violation of the freedom of religion.⁶⁹ The authorities represented by the Ministry of Culture and Religious Affairs (the institutional heir to the State Secretariat for Religious Affairs) eventually recognized Jehovah's Witnesses as an official denomination through the Ministerial Order 2.657 of May, 22, 2003. Crucially, the efforts of the Romanian Jehovah's Witnesses to be recognized as an official denomination intensified after March, 25,

1997. This was due to a certain new context, as before such a status would have meant (besides numerous advantages) some control of the state, which contradicted the beliefs of the members of this religious minority. Since 1997, the new context meant that certain rights and privileges (such as tax exemption, exemption from the military service, approvals for building places of worship and cemeteries) were conditioned by the inclusion on the list of “officially recognized denominations” (following an official letter of the State Secretariat for Religious Affairs to the local authorities, enclosing a list of denominations)⁷⁰. Also, the strategy of the Jehovah's Witnesses to gain, by appealing to court, a certain legal status is – as the study by Pauline Côté and James T. Richardson reveals – part of a larger “litigation” strategy, developed all over Europe taking mainly the shape of legal combat in order to gain official denomination status.⁷¹

As stated by APADOR-CH⁷², the state policy of not recognizing religious groups as denominations has affected religious freedom in Romania, as various components of religious freedom (such as building a place of worship) were conditioned by the recognition of a specific religious group as an official denomination.⁷³ Yet not all opinions expressed in public space follow the same line; for instance, the Romanian theologian Radu Preda claimed that the Jehovah's Witnesses were not entitled to gain a legal status equivalent to older denominations, more traditionally connected to Romanian culture and history⁷⁴. APADOR-CH noticed most adequately that the essence of the issue of the relations between the State and Romanian Jehovah's Witnesses was, ultimately, the fact that the lack of official recognition was leading – because of the contradictory legislation – to serious limitations of the right to the freedom of religion. After all, as Lavinia Stan and Lucian Turcescu have emphasized, “registration can be accompanied by privileges, but non-recognition should not lead to punishment and persecution”.⁷⁵

Factors Influencing the Relationship between the Religious Minority and State Institutions

There are two types of factors influencing the evolution of the relations between the Romanian Jehovah's Witnesses religious minority and the state in Post-Communist Romania (1990-2010): first, factors *internal* to the two entities involved (the Romanian state and the religious minority) and second, *external* factors. Among the internal factors that should be mentioned first stand some ideological and behavioral reminiscences inherited by the Romanian state from the Communist period. For example, fines given by the police to some Romanian Jehovah's Witnesses for distributing religious materials

while people were not being fine for acting violently against some members of this religious minority.⁷⁶ And mention should also be made of a brochure published by the Neamț County Police on “religious sects”, placing the Romanian Jehovah’s Witnesses in this category. The discourse in the brochure was similar to, and in fact strengthened, the anti-“sect” rhetoric from the Communist period, religious minorities concerned being characterized as “exponents of anti-democratic, anti-progressive circles, pursuing interests in no way similar to the moral sense they claim to support”.⁷⁷

If, on the one hand, the Romanian state inherited tendencies from the communist period of non-democratic action in religious issues (which affected negatively the relations between the state and the Romanian Jehovah’s Witnesses), on the other hand the internal evolution of the Romanian Jehovah’s Witnesses has not itself been a positive factor. Ronald Lawson argues in a study published in 1995 that Jehovah’s Witnesses have maintained “strongly sectarian position” in comparison to Adventists (more open to compromise with the state institutions).⁷⁸ Lawson’s conclusions can be however compared for a deeper approach to the more recent contribution of Pauline Côté and James T. Richardson, who have emphasized that during the last decades, the US leaders of the Jehovah’s Witnesses have adopted a strategy defined by the two authors as “vigilant litigation”⁷⁹, taking the shape of the fight for the rights and freedoms in the courts of law, its effects tending to influence the attitude of Jehovah’s Witnesses toward the state and society, in the sense of the reduction of the sectarian character.⁸⁰

Among those factors external to the two entities – the state and the religious minority – two key influences can be mentioned: one is the pressure the Romanian Orthodox Church exerted as a dominant religion over the Romanian state determining the relation the latter had with the Romanian Jehovah’s Witnesses, particularly in the 1990s. The second – functioning in the opposite direction – is the pressure of the international community and especially the U.S., especially influential in the 2000s.⁸¹ One explanation for the strong reaction of the Romanian Orthodox Church against Romanian Jehovah’s Witnesses and an important factor in the relation between the state and this religious group can be that the Romanian Jehovah’s Witnesses are associated with intense proselytizing (while criticizing Romanian Orthodox Church in an aggressive manner during these activities). Patriarch Teoctist’s speech, given as a reaction to the intention of the community to organize an international conference in Bucharest in 1996, crucially fostered a change of attitude on the part of the Romanian state authorities, which previously was not clearly defined. This speech advocated a strong reaction against Romanian Jehovah’s

Witnesses both at the level of state institutions and among Romanian Orthodox Church members in general. It contained very concrete references to the status of the community as a *minority*, thereby explaining its reluctance to the organization of the event:

“We are worried that the authorities have accepted so easily the organization of such a meeting in a country which is mostly Orthodox, without taking into consideration the fact that the members of this religious group represent just a small minority in our country”.⁸²

The other dominant factor influencing the relation between the state and the religious minority was the constant pressure of the international community, gaining increasing importance with the steps towards accession to both NATO and the EU. Among the countries with notable interventions – trying to convince the Romanian political authorities to improve the situation of the Romanian Jehovah's Witnesses – was the US, approaching the issue of religious freedom and the relation between the state and religious groups in Eastern Europe on the basis of its own model in this respect.⁸³ An illustrative fact for the position of the US is the fact that, during a visit to Romania in 1996, Hillary Clinton manifested her disapproval towards the actions against the Romanian Jehovah's Witnesses, by refusing to enter an Orthodox church where posters against this religious minority were present. Additionally, Romania's EU accession, with all its legal and administrative adjustments, represented an important element in the improvement of the situation of this religious minority in Romania.

All these factors should be taken into account whilst Romanian public life witnessed an increase in the presence of religion⁸⁴, a phenomenon which may be seen to bear out José Casanova's theory on the “deprivatization” of religion in the last decades of the 20th century. Casanova claims that religion does not accept the status imposed by the secularist tendencies and attempts to reinstall religion in the public space.⁸⁵

Conclusions

The evolution of the relations between the state and the Romanian Jehovah's Witnesses in Post-Communist Romania can be divided into three periods: the first, lasting since 1990 (when the religious minority became legal again by being recognized as a religious organization) until 1996. This is a period of radical improvement in the relations between the state and the religious group if compared with the Communist period. During the second

period (beginning in the summer of 1996) the situation deteriorated (starting with the strong reaction of the Romanian Orthodox Church regarding the organization of a Romanian Jehovah's Witnesses conference in Bucharest), and relations between the minority and the state remained tense until 2003. Finally, since 2003, when the recognition of the Romanian Jehovah's Witnesses as a religious denomination took place, and until today the situation has gradually improved. The improvement of the situation with respect to the compliance of manifesting religious freedom in the case of the Jehovah's Witnesses in Romania owes less to the internal debates and the local embracing of solutions, and more to an external factor: the pressure exerted by the international community on the Romanian state during the country's NATO and EU accession. The increasing compliance with religious freedom-regulating legislation in Romania is characterized, from this point of view, by a certain frailty because it has not been mainly the effect of internal debates and the embracing of their results by local political actors. Moreover, the situation of other religious minorities (such as the case of the Bahá'í community), has not improved, which renders the whole process incomplete. The conflict between the state and the Jehovah's Witnesses has manifested itself in various areas, illustrating in general the subjects of important public debates on state-church relation in Post-Communist Romania: the laws on the relation between state and the religious denominations, the right to build worship places, religious service in hospitals and prisons, religious education at school as well as religious symbols in public spaces. The problematic relation between the Romanian state and this religious minority has influenced the general context of state-religious denominations relations in Post-Communist Romania through the pressures towards the renewal of former communist legislation and its replacement with a new, pluralistic one. Also, the policies of Jehovah's Witnesses in order to gain the status of official denomination as well as the benefits following this have implicitly led to effects on the internal evolution of the religious group with respect to the diminishing of tensions in the relations of this community with state or society.

Notes:

¹ *Acknowledgement:* This paper is supported by the Sectoral Operational Programme Human Resources Development (SOP HRD), financed from the European Social Fund and by the Romanian Government under the project number ID59323.

² Bhikhu Parekh, "Religion and Public Life," in: *Church, State and Religious Minorities*, ed. Tariq Modood (London: Policy Studies Institute, 1997), 16.

³ Gerhard Robbers, "State and Church in the European Union," in *State and Church in the European Union*, ed. Gerhard Robbers (Baden-Baden: Nomos, 2005), 578-579.

⁴ Radu Carp, "Religion in the Public Sphere: Is there a Common European Model?," *Journal for the Study of Religions and Ideologies*, vol. 10 Issue 28 (Spring 2011): 97-98.

⁵ Lavinia Stan and Lucian Turcescu, *Religion and Politics in Post-Communist Romania* (Oxford: Oxford University Press, 2007). Stan and Turcescu have used as an important resource Stephen Monsma's and Christopher Soper's theories. Stephen Monsma and Christopher Soper, *The Challenge of Pluralism: Church and State in Five Democracies* (Lanham, Md.: Rowman and Littlefield, 1997), 10-12.

⁶ Besides the "established church model", "pluralist model", and finally, "the strict separation model". Stan, Turcescu, "Religion and Politics," 25-36.

⁷ Stan, Turcescu, "Religion and Politics in Post-Communist Romania," 27.

⁸ Stan, Turcescu, "Religion and Politics in Post-Communist Romania," 27.

⁹ J. Milton Yinger, *Religion in the struggle of power* (Durham: Duke University Press, 1946), 18. Tipologia lui Yinger' develops Troeltsch's distinction between *denominations* and *sect*. Ernst Troeltsch, *The Social Teaching of the Christian Churches* (New York: The Macmillan Company, 1931).

¹⁰ Yinger, 19.

¹¹ Here *sect* is used in the sociological theoretical context without a pejorative connotation. See also Bryan R. Wilson, *The Social Dimensions of Sectarianism. Sects and New Religious Movements in Contemporary Society* (Oxford: Oxford University Press, 1990), 2.

¹² Wilson, "The Social Dimensions of Sectarianism", 1.

¹³ Henceforth we shall use the term of *denomination* instead of *church*, as the former is preferred today by the sociologists of religion.

¹⁴ Benton Johnson, "On Church and Sect," *American Sociological Review* 28, 4, (August 1963): 540.

¹⁵ Johnson, 542.

¹⁶ Bryan R. Wilson, *Patterns of Sectarianism* (London: Heinemann, 1967), 44.

¹⁷ Calvin Redekop, "A New Look at Sect Development," *Journal for the Scientific Study of Religion* 13, 3 (September 1974): 347.

¹⁸ In this respect, our perspective is indebted to Lawson's approach: Ronald Lawson, "Sect-State Relations: Accounting for the Differing Trajectories of Seventh-Day Adventists and Jehovah's Witnesses," *Sociology of Religion* 56, 4 (Winter, 1995).

¹⁹ Nicolae Ioniță, "Martorii lui Iehova în Arhivele Securității Române - Problema tolerării activității cultului", *Caietele CNSAS* 1, 2 (2008): 207-208.

²⁰ *2006 Anuarul Martorilor lui Iehova* (New York: Watchtower Bible and Tract Society of New York, Inc., 2006), 75.

²¹ Since 1918, Transylvania is part of the Romanian territory.

²² The largest city in Transylvania, today Cluj-Napoca.

²³ "2006 Anuarul Martorilor lui Iehova," 76.

²⁴ "2006 Anuarul Martorilor lui Iehova," 85.

²⁵ Ioniță, 208.

²⁶ Ioniță, 209. The 1145/ May 22, 1933 decision given by the Ilfov Court (Tribunalul Ilfov, Secția I Comercială) gave a functioning license for the declared purpose to edit and sell books with biblical content.

²⁷ "2006 Anuarul Martorilor lui Iehova", 92-93.

²⁸ On August 30, 1940, Northern Transylvania was assigned from Romania to Hungary, following the "Second Vienna Award".

²⁹ Ioniță, 217.

³⁰ Alexandru Alin Spânu, "Sectele religioase în rapoartele Serviciului de Informații al Armatei," in *Partidul, Securitatea și cultele*, ed. Adrian Nicolae Petcu (București: Nemira, 2005), 118.

³¹ Ioniță, 216-217.

³² "2006 Anuarul Martorilor lui Iehova," 128-130.

³³ "2006 Anuarul Martorilor lui Iehova," 145-146.

³⁴ "2006 Anuarul Martorilor lui Iehova," 90.

³⁵ Ioniță, 210-211.

³⁶ See the Decision on the demands 63.108/00, 62.595/00, 63.117/00, 63.118/00, 63.119/00, 63.121/00, 63.122/00, 63.816/00, 63.827/00, 63.829/00, 63.830/00, 63.837/00, 63.854/00, 63.857/00 și 70.551/01 made by the religious organization "Jehova's Witnesses – Romania" and others versus Romania, European Court of Human Rights (3rd section) July, 11, 2006, European Court of Human Rights, <http://jurisprudentacedo.com/Martorii-lui-Iehova-c.-Romania.html> and "APADOR - CH Raport Anual 1996", <http://www.APADOR.org/rapoarte/1996ro.htm#capi>. Also see "2006 "Anuarul Martorilor lui Iehova", 160.

³⁷ For the difficulties faced by the Jehovah's Witnesses during the process of gaining the status of an official denomination in countries such as Germany or Bulgaria, see Pauline Côté and James T. Richardson, "Disciplined Litigation, Vigilant Litigation, and Deformation: Dramatic Organization Change in Jehovah's Witnesses," *Journal for the Scientific Study of Religion* 40, 1 (March 2001): 20.

³⁸ For an analysis on the 177 decree see Liviu Andreescu, "Romania's New Law on Religious Freedom and Religious Denominations," *Religion, State & Society* 36, 2 (June 2008): 139.

³⁹ *Stat și religii în România - o relație transparentă* (București: APADOR-CH, 2008), 50; Decision on the demands 63.108/00, 62.595/00, 63.117/00, 63.118/00, 63.119/00, 63.121/00, 63.122/00, 63.816/00, 63.827/00, 63.829/00, 63.830/00, 63.837/00, 63.854/00, 63.857/00 și 70.551/01, made by the religious organization "Jehova's Witnesses – Romania" and others versus Romania, European Court of Human Rights (3rd section) July, 11, 2006, European Court of Human Rights, <http://jurisprudentacedo.com/Martorii-lui-Iehova-c.-Romania.html>.

⁴⁰ See the Ministerial Order 2.657 issued by the Ministry of Culture and Religious Affairs on May, 22, 2003, "Ordin privind recunoașterea Statutului de organizare și funcționare al Organizației Religioase Martorii lui Iehova", *Monitorul Oficial al României*, Part I, 414 (June 13, 2003): 8.

⁴¹ *The Movement for Spiritual Integration into the Absolute (Mișcarea de Integrare Spirituală în Absolut)* created by Gregorian Bivolaru after December 1989.

⁴² On the populist public speech of the late 1990s and early 2000, see Levente Salat et. al., "Ethnocultural Diversity and Aspects of Political Culture," *Transylvanian Review of Administrative Sciences*, 27E (2009): 200. Regarding the issue of the relations state – majority – minority, Sandu Frunză notices the importance of the elaboration by the Romanian state of some multicultural policies, in order to create the institutional framework within which cultural minorities should be protected in affirming their identities. Sandu Frunză, "The Nation-State and

Multicultural Policies", *Journal for the Study of Religions and Ideologies*, vol. 2 Issue 5 (Summer 2003): 68-69.

⁴³ Important daily newspapers published articles containing attacks against the Jehovah's Witnesses organization in Romania, "APADOR- CH Raport Anual 1996", <http://www.APADOR.org/rapoarte/1996ro.htm#capi>.

⁴⁴ "APADOR - CH Raport Anual 1997", <http://www.APADOR.org/rapoarte/1997ro.htm>.

⁴⁵ "(1) Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance. (2) Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others. "European Convention of Human Rights", http://www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/ENG_CONV.pdf

⁴⁶ See the Decision on the demands 63.108/00, 62.595/00, 63.117/00, 63.118/00, 63.119/00, 63.121/00, 63.122/00, 63.816/00, 63.827/00, 63.829/00, 63.830/00, 63.837/00, 63.854/00, 63.857/00 și 70.551/01 made by the religious organization "Jehova's Witnesses - Romania" and others versus Romania, European Court of Human Rights (3rd section) July, 11, 2006, European Court of Human Rights, <http://jurisprudencedo.com/Martorii-lui-Iehova-c.-Romania.html>.

⁴⁷ "APADOR - CH Raport Anual 2003", <http://www.APADOR.org/ro2003h.php>.

⁴⁸ See the Decision on the demands 63.108/00, 62.595/00, 63.117/00, 63.118/00, 63.119/00, 63.121/00, 63.122/00, 63.816/00, 63.827/00, 63.829/00, 63.830/00, 63.837/00, 63.854/00, 63.857/00 și 70.551/01 made by the religious organization "Jehova's Witnesses - Romania" and others versus Romania, European Court of Human Rights (3rd section) July, 11, 2006, European Court of Human Rights, <http://jurisprudencedo.com/Martorii-lui-Iehova-c.-Romania.html>.

⁴⁹ For the US, see Hollis W. Barber, "Religious Liberty v. Police Power: Jehovah's Witnesses", *The American Political Science Review*, 41, 2 (April 1947).

⁵⁰ Mihaela Frunză, Sandu Frunză, Cătălin Vasile Bobb, and Ovidiu Grad, "Altruistic Living Unrelated Organ Donation at the Crossroads of Ethics and Religion. A Case Study," *Journal for the Study of Religions and Ideologies*, vol. 9 Issue 27 (Winter 2010): 3-24.

⁵¹ Mihaela Frunză et al., 3-24

⁵² Between 1967 and 1980 organ transplant was forbidden. Afterwards, as it had happened in the 1950s with vaccination, the issue became a matter of each member's conscience. See Tim Bisha, "Different Worlds: Looking at Jehovah's Witnesses," *Totem: The University of Western Ontario Journal of Anthropology* 2, 1 (1995): 12.

⁵³ As promoted by the Watch Tower Society, 1981 being a historical moment, when an article signed by J. Lowell Dixon's and M. Gene Smalley's detailed the permitted and forbidden components related to blood transfusions: "But Witnesses are deeply religious people who believe that blood transfusion is forbidden for them by Biblical passages such as: "Only flesh with its soul—its blood—you must not eat" (Genesis 9:3-4); "[You must] pour its blood out and cover it with dust" (Leviticus 17:13-14); and "Abstain from . . . fornication and from what

is strangled and from blood" (Acts 15:19-21)", J. Lowell Dixon and M. Gene Smalley, "Jehovah's Witnesses: the Surgical/Ethical Challenge," *The Journal of the American Medical Association* 246, 21 (November 27, 1981): 2471.

⁵⁴ Osamu Muramoto, "Bioethics of the Refusal of Blood by Jehovah's Witnesses: Part 2. A Novel Approach Based on Rational Non-Interventional Paternalism," *Journal of Medical Ethics* 24, 5 (Oct., 1998): 295-301.

⁵⁵ David Malyon, "Transfusion-Free Treatment of Jehovah's Witnesses: Respecting the Autonomous Patient's Motives," *Journal of Medical Ethics* 24, 6 (Dec., 1998): 376-381.

⁵⁶ Alina Titei, "Sînt gata sa mor, numai să nu fac transfuzia," *Ziarul de Iași* (June, 2, 2001), www.ziaruldeiasi.ro

⁵⁷ "APADOR - CH Raport Anual 1997", <http://www.APADOR.org/rapoarte/1997ro.htm>.

⁵⁸ Gabriel Andreescu and Liviu Andreescu, "Church and State in Post-Communist Romania: Priorities on the Research Agenda", *Journal for the Study of Religions and Ideologies*, vol. 8 Issue 24 (Winter 2009): 26.

⁵⁹ Lavinia Stan and Lucian Turcescu, "Religious education in Romania", *Communist and Post-Communist Studies* 38 (2005): 388-389.

⁶⁰ Stan, Turcescu, "Religious education in Romania," 391.

⁶¹ Gizela Horváth and Rozália Bakó, "Religious Icons in Romanian Schools: Text and Context", *Journal for the Study of Religions and Ideologies*, vol. 8 Issue 24, (Winter 2009): 194-195, 199-200. Regarding the solving of this dilemma, a solution could be that offered by Margaret Davies's opinion, the latter claiming that it is preferable for legal regulations not assume a fundamentalist secularism which would impede religious manifestations in the public space, but instead a liberal secularism, which would allow it. Margaret Davies, "Pluralism in Law and Religion", in *Law and Religion in Theoretical and Historical Context*, ed. Peter Cane et. al. (Cambridge: Cambridge University Press, 2009), 77.

⁶² Emil Moise, "Relația Stat-Biserica în privința educației religioase în școlile publice din România", *Journal for the Study of Religions and Ideologies*, vol. 3 Issue 7 (Spring 2004): 86

⁶³ "APADOR - CH Raport Anual 2010", <http://romania.usembassy.gov/2010-irf-en.html>.

⁶⁴ Jenia Peteva, "Church and State in Bulgaria," in *Law and Religion in Postcommunist Europe*, ed. W.C., Durham et. al. (Leuven: Peeters, 2003).

⁶⁵ The State Secretariat for Religious Affairs is the former Ministry of Religious Affairs in the Communist period, which was transformed into an administrative department.

⁶⁶ See the Decision on the demands 63.108/00, 62.595/00, 63.117/00, 63.118/00, 63.119/00, 63.121/00, 63.122/00, 63.816/00, 63.827/00, 63.829/00, 63.830/00, 63.837/00, 63.854/00, 63.857/00 and 70.551/01 made by the religious organization "Jehova's Witnesses - Romania" and others versus Romania, European Court of Human Rights (3rd section) July, 11, 2006, European Court of Human Rights, <http://jurisprudentacedo.com/Martorii-lui-Iehova-c.-Romania.html>.

⁶⁷ See the Decision on the demands 63.108/00, 62.595/00, 63.117/00, 63.118/00, 63.119/00, 63.121/00, 63.122/00, 63.816/00, 63.827/00, 63.829/00, 63.830/00, 63.837/00, 63.854/00, 63.857/00 and 70.551/01 made by the religious organization "Jehova's Witnesses - Romania" and others versus Romania, European Court of

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⁶⁸ Wilson, "The Social Dimensions of Sectarianism. Sects and New Religious Movements in Contemporary Society", 75.

⁶⁹ On jurisprudential tendencies of European Court for Human Rights see Malcolm D. Evans, "Freedom of religion and European Convention on Human Rights: approaches, trends and tensions," in *Law and Religion in Theoretical and Historical Context*, ed. Peter Cane et. al. (Cambridge: Cambridge University Press, 2009), 301-302.

⁷⁰ "APADOR - CH Raport Anual 1997", <http://www.APADOR.org/rapoarte/1997ro.htm>.

⁷¹ Côté, Richardson, 18.

⁷² Asociația pentru Apărarea Drepturilor Omului în România - Comitetul Helsinki (APADOR - CH)

⁷³ "APADOR - CH Raport Anual 1997".

⁷⁴ See Radu Preda's arguments in Radu Preda, "Libertatea religioasă și dușmanii ei (II)", *Adevărul literar și artistic* (Jan. 24, 2007): 7. For a more detailed opinion of the author on state-denominations relations, see Radu Preda, *Biserica în stat. O invitație la dezbateri* (București: Scripta, 1999).

⁷⁵ Stan, Turcescu, "Religion and Politics in Post-Communist Romania", 37.

⁷⁶ See the Decision on the demands 63.108/00, 62.595/00, 63.117/00, 63.118/00, 63.119/00, 63.121/00, 63.122/00, 63.816/00, 63.827/00, 63.829/00, 63.830/00, 63.837/00, 63.854/00, 63.857/00 and 70.551/01 made by the religious organization "Jehova's Witnesses - Romania" and others versus Romania, European Court of Human Rights (3rd section) July, 11, 2006, European Court of Human Rights, <http://jurisprudencedo.com/Martorii-lui-Iehova-c.-Romania.html>.

⁷⁷ See the Decision on the demands 63.108/00, 62.595/00, 63.117/00, 63.118/00, 63.119/00, 63.121/00, 63.122/00, 63.816/00, 63.827/00, 63.829/00, 63.830/00, 63.837/00, 63.854/00, 63.857/00 și 70.551/01 made by the religious organization "Jehova's Witnesses - Romania" and others versus Romania, European Court of Human Rights (3rd section) July, 11, 2006, European Court of Human Rights, <http://jurisprudencedo.com/Martorii-lui-Iehova-c.-Romania.html>.

⁷⁸ Lawson, 366.

⁷⁹ Côté, Richardson, 18.

⁸⁰ Côté, Richardson, 11, 18.

⁸¹ Lavinia Stan și Lucian Turcescu also noticed the importance of this factor in the defining of the state of its policies towards the religious denominations, showing that the key point is the control of state of the State Secretariat for Religious Affairs, see Stan, Turcescu, "Religion and Politics in Post-Communist Romania", 28.

⁸² "APADOR - CH Raport Anual 1996", <http://www.APADOR.org/rapoarte/1996ro.htm#capi>.

⁸³ According to Rodney Stark's and Roger Finke's theories, the new religious movements among which the Jehova's Witnesses can be placed are privileged by the competition between religions the US model encourages in state-religion relations. Rodney Stark and Roger Finke, *Acts of Faith. Explaining the Human Side of Religion* (Berkeley: University of California Press, 2000), 220-222, 224-225.

⁸⁴ Sorin Gog, "The Construction of the Religious Space in Postsocialist Romania", *Journal for the Study of Religions and Ideologies*, vol. 5 Issue 15 (Winter 2006): 39.

⁸⁵ José Casanova, *Public Religions in the Modern World* (Chicago: University of Chicago Press, 1994), 65-66.

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