

THE 1932 YUGOSLAV DRAFT CHRISTIAN-BAPTIST CHURCHES BILL

Abstract: *As one of the constitutionally adopted religions within the Kingdom of Yugoslavia, in accordance with the then established normative model that in addition to one comprehensive piece of legislation on general matters concerning religion, each of the officially recognised faiths were to be regulated by a separate statute, at the very beginning of 1932, the Yugoslav Baptist Church lodged with the Ministry of Justice its Draft Christian-Baptist Churches in the Kingdom of Yugoslavia Bill. The paper wishes to analyse the provisions of this document both with reference to the statute concerning 'traditional' Protestant churches (two Lutheran and one Calvinist) enacted during King Alexander I dictatorship regime, used as the model in preparation of the Baptist Draft Bill, as well as regards the wider social context. In its introduction, the paper presents the legal position of Baptists in the Kingdom of Yugoslavia. In conclusion, in addition to an overall evaluation of the Draft Bill, the paper tries to distinguish some of the possible reasons why the Baptist Churches Bill had never been enacted, having in mind that the same is true with respect the Old Catholic Church, the Roman Catholic Church despite extensive negotiations on a concordat, as well as an overall interconfessional statute.*

Key words: *the Kingdom of Yugoslavia, Baptists, religious legislation, church state relationship, legal framework on religious pluralism*

NACRT ZAKONA O HRIŠĆANSKO-BAPTISTIČKIM CRKVAMA KRALJEVINE JUGOSLAVIJE

Sažetak: *Kao organ jedne od ustavom usvojenih veroispovesti Kraljevine Jugoslavije, u skladu sa prihvaćenim normativnim modelom po kome se uz opšti međuverski zakon svaka konfesija uređuje posebnim propisom, zemaljski Savez baptističkih crkava početkom 1932. godine Ministarstvu pravde je na njegov zahtev dostavio svoj Nacrt zakona o hrišćansko-baptističkim crkvama u Kraljevini Jugoslaviji. U radu se analiziraju odredbe ovog dokumenta kako u odnosu na zakon o tradicionalnim protestantskim crkvama (dve luteranske i jedna kalvinistička) donet za vreme Šestojanuarske diktature, a koji je poslužio kao osnov za izradu Nacrta zakona, tako i u odnosu na širi društveni kontekst. U uvodnom delu dat je prikaz pravnog položaja baptista u Kraljevini Jugoslaviji. U zaključnim razmatranjima, pored opšte ocene Nacrta zakona, rad ukazuje na moguće razloge zbog kojih do usvajanja zakona o baptističkim crkvama nikada nije došlo, sa osvrtom na okolnost da posebni propisi nisu doneti ni u odnosu na Hrvatsku starokatoličku crkvu, te Rimokatoličku crkvu i pored ozbiljnih pregovora o Konkordatu, kao ni objedinjeni zakon o veroispovednim odnosima Kraljevine Jugoslavije.*

Ključne reči: *Kraljevina Jugoslavija, baptisti, verski propisi, odnos crkve i države, pravni okvir verskog pluralizma.*

1 Centre for Protestant Studies Gáspár Károli Subotica, E-mail: s.damir@karoli.org, ORCID ID 0000-0002-8273-9188.

Introduction

In addition to being a multinational, multicultural and multi-confessional state, Yugoslavia in its initial period was also a mosaic of six entrenched and to some extent rather divergent legal regions matching their pre-WWI jurisdictions.² Namely, the formation of the new state did not (rather, could not) amount to nullification of regulations in force before 1918. Instead, in each of the six legal regions the application of existing laws continued subject to their successive replacement by ensuing Yugoslav legislation.

Fundamental normative principles within the Kingdom of Yugoslavia³ in matters concerning religious freedoms followed a concept of enacting two types of statutes: one comprehensive piece of legislation regulating matters pertinent to all religions in a fairly generic way, similar to some of the ‘inherited’ laws already in effect in various parts of Yugoslavia⁴, supplemented by a series of separate statutes specifying in more detail rules relevant to each legally acknowledged faith.

Concerning the latter, during King Alexander I dictatorship regime (1929-1931), individual statutes with respect the Serbian Orthodox Church⁵, Judaism⁶, Islam⁷, as well as Lutheran and Calvinist churches (hereafter: ‘traditional’ Protestant churches)⁸ within the Kingdom of Yugoslavia were proclaimed. However, a comprehensive legislation regulating various issues relevant to the topic of religious freedoms in general had never been enacted,⁹ nor a separate statute on the

2 The six legal regions of the Kingdom of Yugoslavia were: (i) Dalmatian-Slovenian, (ii) Croatian-Slavonian, (iii) Bosnia-Herzegovina, (iv) Vojvodina, (v) Serbian, and (vi) Montenegrin (Мирковић 2021, 2). The regions were defined pursuant to laws applicable in them in line with pre-WWI jurisdictions.

3 In this paper the term ‘Kingdom of Yugoslavia’ is used to denote the Yugoslav state from 1918 to 1941, regardless of its official change of name in 1929 from the Kingdom of Serbs, Croats and Slovenes to the Kingdom of Yugoslavia.

4 E.g., In Slovenia and Dalmatia: Gesetz vom 25. Mai 1868, RGBL. Nr. 49, wodurch die interkonfessionellen Verhältnisse der Staatsbürger in den darin angegebenen Beziehungen geregelt werden; Gesetz vom 20. Mai 1874, RGBL Nr. 68, betreffend die gesetzliche Anerkennung von Religionsgesellschaften; in Vojvodina: 1868. évi LIII. törvény a törvényesen bevett keresztyén vallásfelekezetek viszonzásáról; 1895. évi XLIII. törvény a vallás szabad gyakorlásáról; in Croatia and Slavonia: Zakon o vjeroispovednim odnosima, 1907; in Bosnia and Herzegovina: Uredba sarajevske vlade br. 55694 od 09.07.1891.

5 The 1929 Serbian Orthodox Church Act = Закон о Српској Православној Цркви, *Службене новине КЈ* бр. 269/1929.

6 The 1929 Yugoslav Kingdom’s Jewish Religious Community Act = Закон о верској заједници Јевреја у Краљевини Југославији, *Службене новине КЈ* бр. 301/1929.

7 The 1930 Kingdom of Yugoslavia’s Islam Religious Community Act = Закон о исламској верској заједници, *Службене новине КЈ* бр. 29/1930.

8 The 1930 Kingdom of Yugoslavia’s Evangelical-Christian Churches and Reformed Christian Church Act = Закон о евангеличко-хришћанским црквама и о Реформованој хришћанској цркви Краљевине Југославије, *Службене новине КЈ* бр. 95/1930.

9 The first Yugoslav comprehensive statute on matters concerning religious affairs was enacted

Old Catholic Church, Baptist churches, as well as a concordat between the Holy See and the Yugoslav Kingdom¹⁰.

Legal and Actual Status of Baptists in the Kingdom of Yugoslavia

Article 12 of the 1921 Constitution of the Kingdom of Serbs, Croats and Slovenes proclaimed equality before the law for all adopted faiths which were, as such, allowed to publicly manifest their beliefs. The 1921 Constitution also specified as adopted all the faiths that had at some point before 1918 been granted legal (statutory) recognition in any part of the new Realm.

In 1905 the Hungarian Ministry of Religious Affairs and Education issued a decree¹¹ establishing the Baptists as a recognised faith withing the Kingdom of Hungary (Gergely 2004, 315). Since in 1918 parts of the pre-WWI Hungary¹² were incorporated into Yugoslavia, according to the aforementioned provisions, Baptists were considered an adopted religion within the new state in line with its Constitution (Бранковић 2011, 55).¹³ In this respect, their legal position in Yugoslavia improved considerably in comparison to that in Hungary. Not just that Baptists were now considered an adopted faith all across Yugoslavia, but in Hungary they enjoyed the status of a recognised¹⁴ religion, a somewhat limited position compared to its adopted religions¹⁵.

by socialist Yugoslavia, as the 1953 Religious Communities' Legal Status Basic Act = Osnovni zakon o pravnom položaju verskih zajednica, *Službeni list FNRJ* br. 22/1953.

- 10 With the formation of Yugoslavia the Holy See was not particularly interested in expanding the 1914 concordat with the Kingdom of Serbia to the newly established state (Радић 2021, 75-82). In spite extensive negotiations, concordat with Yugoslavia had never been formed. In 1966 the Protocol on the Negotiations Led Between the Representatives of the Government of the Socialist Federative Republic of Yugoslavia and the Representatives of the Holy See with two additional documents was signed by representatives of both high parties and subsequently ratified. Surprisingly enough, the Holy See had never published the convention in its official gazette (Božić 2020, 557-558).
- 11 Decree No. 77092/1905, dated November 2, 1905, issued by Dr György Lukács, the Minister of Religious Affairs and Education of the Kingdom of Hungary.
- 12 The regions of Banat, Bačka, Baranja and the Međimurje County, known in the Kingdom of Yugoslavia as the Vojvodina legal region (Milić 1921, 7).
- 13 E.g., the Temporary Directive on Marriage and Civil Records of Baptists in Croatia and Slavonia, published in *Narodne novine* No. 219, of June 20, 2024, in its initial recitals stated "Whereas the Baptist confession according to the Memorandum of the Ministry of Religious Affairs, General Department, of April 17, 1923 V. No. 12.811 is to be considered adopted in accordance with Article 12 of the Constitution [...]". Available online: https://karoli.org/wp-content/uploads/2024/10/Laws_005.pdf (Nov 20, 2024).
- 14 Hungarian legislation included three categories of religions: adopted – Hung: bevett, recognised – Hung: elismert, and tolerated – Hung: megért (Rajki 2008, 84-85).
- 15 § 6 of the 1895 Hungarian Religious Freedoms Act specifies the Catholic (including Latin, Eastern and Armenian rites), Lutheran, Calvinist, Serbian Orthodox, Romanian Orthodox, Unitarian, and Judaism, as accepted faiths. Islam gained recognition in 1916.

According Hungarian legislation, the Baptists were able to own and possess assets and they enjoyed church autonomy, though establishing additional ecclesiastical communities was subject to special state approval. Their rights concerning titles of immovable property were likewise somewhat restricted. The state would not assist them in collecting church taxes, or enforce their disciplinary rulings. Finally, their catechism teachers did not receive salaries from the state, nor did their schools enjoy state funding¹⁶. Rajki (2008, 85) points out that a good indicator of Hungarian Baptists' actual position in comparison to that of adopted faiths was that in 1906 the Ministry of Religious Affairs and Education limited the scope of the 1905 recognition only to their Budapest Community.¹⁷ As legal protection did not cover preachers outside Budapest, there were even examples of harassment. It was only after a decade long struggle that Hungarian Baptists managed to obtain their state-wide recognition (Rajki 2008, 88).¹⁸

Apart former Hungarian territories, Baptists in Yugoslavia had a number of communities in Croatia and Slavonia, a separate entity within the Hungarian part of Austria-Hungary before WWI. As religious affairs¹⁹ within the 1868-1918 period were in the sole competence of the Croatian government, the Parliament in Budapest did not regulate these matters in the given region. Hence, according Croatian legislation until the end of WWI the Baptists had not enjoyed any legal status²⁰ and as such were faced with various restrictions concerning their religious freedoms.²¹

16 §§ 9-10 of the 1895 Hungarian Religious Freedoms Act = 1895. évi XLIII. törvénycikk a vallás szabad gyakorlásáról. Available on: <https://net.jogtar.hu/ezer-ev-torveny?docid=89500043.TV&searchUrl=/ezer-ev-torvenyei%3Fpagenum%3D34> (Nov 27, 2024).

17 It is interesting to note that the Yugoslav Ministry of Religious Affairs in 1925 received a certificate regarding Hungarian Baptists' statutory recognition not from their national organisation, but from the Budapest Baptist Community officials. Source: Arhiv Jugoslavije 69-64-105; available online: https://karoli.org/wp-content/uploads/2024/10/Documents_004.pdf (Nov 9, 2024).

18 Fortunately, by the end of the 19th century, Hungarian legislation did improve the overall position of citizens not being affiliated to any of the adopted faiths, with acts of Parliament introducing civil marriage – 1894. évi XXXI. törvénycikk a házassági jogról – available on: <https://net.jogtar.hu/ezer-ev-torveny?docid=89400031.TV> (Nov 9, 2024), and state civil records (birth, marriage, death) – 1894. évi XXXIII. törvénycikk az állami anyakönyvekről. Available on: <https://net.jogtar.hu/ezer-ev-torveny?docid=89400033.TV&searchUrl=/ezer-ev-torvenyei%3Fpagenum%3D34> (Nov 9, 2024).

19 According to Article 48 of the 1868 Croatian-Hungarian Settlement, Kingdom of Croatia-Slavonia[-Dalmatia] enjoyed total autonomy with respect internal and religious affairs, education and the judiciary (save maritime law). 48.§ of the 1868. évi XXX. törvénycikk a Magyarország, s Horvát-, Szlapon és Dalmátországok közt fenforgott közjogi kérdések ki-egyenlítése iránt létrejött egyezmény beczikkelyezéséről. Available on: <https://net.jogtar.hu/ezer-ev-torveny?docid=86800030.TV&searchUrl=/ezer-ev-torvenyei%3Fpagenum%3D28> (Nov 9, 2024).

20 Legally recognised faiths were the Roman Catholic, Greek Catholic, Lutheran and Calvinist churches, as well as Judaism.

21 E.g., Baptist worship services were allowed only in their private homes, with attendance

It is evident from available archive sources that the Provincial Administration of Croatia and Slavonia in the early 1920s continued to treat the Baptists according to their pre-WWI legal position, irrespective of their significantly improved status in line with Article 12 of the Yugoslav Constitution.²² The most obvious points of controversies were related to public duties undertaken by administration of adopted confessions in lieu of the state: maintenance of citizens' civil status registers (births, marriages and deaths)²³ and adjudication in marital disputes (Новаковић 2015, 30). Also, all of the adopted religions taught their catechism as part of compulsory public-school curriculum.

Baptists in Yugoslavia, based on their strict state church separation principle were not interested in performing any public duties on behalf of state administration²⁴ or being a part of the state educational system. It seems that they aspired to maintain the legal position they had already been familiar with in line with 1895 Hungarian legislation, under which at the time they had already been operating for more than a decade.

limited to persons known and personally invited by the owner, whose responsibility was to notify the local police authorities about the meeting at least one day prior the event. Baptist weddings were considered unlawful with their children being illegitimate and considered affiliated with the faith to which their parents had belong prior to their religious conversion. As such they had to attend school catechism of these faiths, subject to the loss of parental rights should their parents obstruct such education. Baptists' civil status (births, marriages, deaths) was simply recorded by competent county and municipality administrations supported by two witnesses with the given information been filed with the competent church authorities of legally recognised faiths for final registration. Records of such marriages did not amount to their legalisation. They were to be buried in parts of cemeteries reserved for burials of stillborn children or those who died before baptism. Source: Order of the Royal Government of Croatia, Slavonia and Dalmatia No. 12.200 dated Nov 12, 1895 concerning Nazarenes and Baptists = Naredba kr. hrv. slav. dalm. zemaljske vlade, odijela za bogoštovlje i nastavu i odijela za unutarnje poslove, od 12. studenoga 1895. broj 12.200.

22 E.g., the Ministry of Religious Affairs had in June 1922 required from the Provincial Administration of Croatia and Slavonia further investigation as regards complaints raised personally by an American diplomat in Yugoslavia on maltreatment of Baptists in two Croatian towns (Marija Bistrica and Ilok) and the Medimurje County. At the time, the US ambassador to Yugoslavia was Henry Percival Dodge (1870-1936). The incident in Medimurje county, a former Hungarian region, seems rather significant as at the time of the incident the Baptists based on pre-WWI regulations had already enjoyed the status of a recognised religion for some time. Since the incident involves alleged police brutality, there is a possibility that with the replacement of Hungarian policemen with officers coming from the new state, the latter continued their habitual practice with respect neo-protestant religious minorities. Source: Arhiv Jugoslavije 69-64-104. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_002.pdf (Nov 9, 2024).

23 More accurately: records of baptisms, weddings and burials.

24 It must be noted that the Baptists apparently didn't possess the necessary structural or organisational capacities for performing such duties.

The Draft Christian-Baptist Churches of the Kingdom of Yugoslavia Bill

On January 4, 1932 the Board of the Yugoslav Baptist Churches' Union submitted its Draft Christian-Baptist Churches of the Kingdom of Yugoslavia Bill²⁵ to the Ministry of Justice for further consideration. The Draft Bill was prepared based on an oral arrangement with Mr. Slavko Hranisavljević, a high official of the Ministry of Justice in charge of religious affairs.²⁶

Background and preparations

There isn't much information on actual *travaux préparatoires* with respect to the 1930s legislative project on Yugoslav Baptists. Knežević (2006, 9) suggests that from 1929 onwards there had been some kind of communication between the state and the Baptist Union with respect to their legislative regulation, analogous to that of other constitutionally adopted religions. The introductory letter²⁷ filed with the Ministry of Justice together with the Draft Bill, dated January 4, 1932, informs the Ministry that the forwarded legislative project had been formulated by the Board of Yugoslav Baptist Churches' Union, on its meeting held that day in Novi Sad²⁸. The participants to the meeting were Vinko Vacek, Sámuel Spevák, and Adolf Lehocký. The letter also notes that the Draft Bill had been prepared based on an oral consultation with the Ministry inspector Mr. Hranisavljević in view of a need for Baptist church related legislation.²⁹

25 Nacrt zakona o hrišćansko-baptističkim crkvama u Kraljevini Jugoslaviji. Available online: https://karoli.org/wp-content/uploads/2024/10/Documents_005.pdf (Nov 20, 2024).

26 Slavko Hranisavljević was a state inspector, initially of the Ministry of Religious Affairs, and upon its dissolution in 1929, an inspector of the Religious Affairs Department within the Ministry of Justice of the Kingdom of Yugoslavia. His duties, inter alia, included overseeing the Jewish Religious Community and 'other Christian faiths' (Lutheran, Calvinist, Baptist and the Old Catholic Church). E.g., in May 1928, on behalf of the Ministry of Religious Affairs, he participated a Calvinist Church conference held in Subotica regarding YMCA activities in Yugoslavia (Radić 2019, 220); likewise, he was the official representative of the Yugoslav Ministry of Justice at the Jewish Religious Communities' Consolidation Conference held in Osijek on April 13-14, 1937 (Židov 1937). Hranisavljević was the author of entries portraying the Jewish Religious community and 'other Christian faiths' in the three-volume state-funded jubilee publication commemorating the first ten years of the Yugoslav state – *Јубиларни зборник живота и рада Срба, Хрвата и Словенаца 1918-1928*, Volume 2, pp. 647-653, 659-661. Slavko Hranisavljević was also one of the three authors (together with Joža Tašner and Augustin Čičić) of the 1940 Religions and Interconfessional Relations Directive Draft, the most extensive (147 articles) Yugoslav regulatory framework on matters concerning religious relations (Ђукић 2022, 21).

27 Arhiv Jugoslavije, 63-39-123.

28 Address: 39, Braće Ribnikara Street.

29 In its account on the Yugoslav Baptist Union General Assembly held in Novi Sad on March 29, 1932, the official church bulletin (*Glas Evandjelja*) noted that the Union Board's work

The textual analysis of the given document supports an assumption of its rather ‘quick’ composition. The 1932 Draft Baptist Bill is a mere adaptation of the 1930 Kingdom of Yugoslavia’s Evangelical-Christian Churches and Reformed Christian Church Act (hereafter: the 1930 Protestant Act). It consists of 28 sections (§§), presented one after another without any structural titles (rubrum) or chapters.³⁰ The author(s) of the Draft Baptist Bill had by and large followed the sections (§§) of the chosen model Act, replacing parts of its provisions with modifications pertinent to the Baptist vocabulary or their immediate church needs.³¹

There is a possibility that such ‘normative technique’ had been agreed with the Ministry inspector Hranisavljević in person, meaning that there were no real possibilities for Yugoslav Baptists to significantly depart from the designated model Act. If this being the case, few of the proposed alterations within the Draft Baptist Bill must be regarded as rather daring, as they significantly depart from the then standard concept of church state relations,³² with some provisions regulating in detail certain aspects of Yugoslav Baptists’ religious freedoms³³. The importance of the latter emerged due to substantial differences in inherited legal position of Baptists in various parts of Yugoslavia after WWI as well as some conceptual differences between Baptists and ‘traditional’ Protestant churches.

The provisions

Though the 1932 Baptist Draft Bill was essentially a normative duplicate of the 1930 Protestant Churches Act, as mentioned, some of its provisions were much more than simple copy/paste law-making. The project contained legislative ideas that did not only modify the model Act, or slightly depart from its provision, but they represented a clear legislative intent of discontinuation with current church state relations. The Draft Bill clearly adhered to the concept of disestablishment,

report for the previous year (1931) included activities related to the Yugoslav Baptists Act. Hence, the initial version of the Draft Bill might had been prepared either in 1931 (possibly) by one of the Board members, and then finally adopted on the January Board meeting of the ensuing year, or the Board had actually met on January 4, 1932, with a (sole) purpose of preparing its version of the Draft Bill in one day. – „Na 29. III. imali smo saveznu godišnju sjednicu u Novom Sadu. [...] izvještaj saveznog rada za prošlu godinu – osim drugog složen je i predan Ministarstvu pravde Zakon Baptističke vjeroispovjesti Kr. Jugoslavije.” – Glas Evandjelja, year 1932, issue 4, pg. 46.

30 The model 1930 Protestant Act consists of 32 sections (§§) outlined in a simple one section after another pattern.

31 For example, when the 1930 model Act stipulates certain functions to bishops as individual heads of the ‘traditional’ Protestant churches, the Draft Baptist Bill simply replaced *supreme heads of churches* with *appropriate Union Board* without any modifications in given competences or ways of their implementation – §§ 20-21 of the 1930 Protestant Act vis-a-vis §§ 17-18 of the 1932 Baptist Draft Bill.

32 Proposed provisions on civil records (birth, marriage and death registers), school catechism, church income.

33 Notably activities allowed during open-air church services and Baptists’ burial rights.

though in essence the separation of church and the state had not been the constitutional framework of the Yugoslav Kingdom.

1. Church organisation

Section 1 of the Draft Bill set forth that Baptists in Yugoslavia form smaller or larger ecclesiastical communities which, if necessary or according to nationality, establish their Provincial Associations. Together, they all constitute the Christian-Baptist Churches' Union of the Kingdom of Yugoslavia. The statutory purpose of the Union was the advancement of common ecclesiastical interests. Linguistically diverse communities could form separate ecclesiastical districts provided that the number of their believers, the number of ecclesiastical communities involved, as well as their financial conditions, allowed such grouping. The motion for their formation had to be lodged by two-thirds of interested communities (section 23). Church services in ecclesiastical communities with at least one third of members speaking another first language, had to be organised in those languages as well (Section 24).³⁴

Ecclesiastical community (crkvena opština) as an elementary organisational unit of Yugoslav Baptists at the time had already been standardised by their internal regulations.³⁵ Based on information available to the Ministry of Religious Affairs, in 1928 the Yugoslav Baptist Union consisted of 3 Provincial Associations: one Croatian, one German and one Hungarian (Хранисављевић 1929, 651).³⁶

In addition to the given structure, section 2 the Draft Bill set forth that the future Constitution of the Baptists Church would envisage their internal ecclesiastical-autonomous bodies and institutions, as well as the organisation thereof. Some of such bodies and institution were specified within the Draft Bill itself.³⁷ Likewise, for the advancement of their mutual cause, the Yugoslav Baptist Churches' Union

34 Also: §26 of the 1930 Protestant Act.

35 The Church Organisation of Baptist Communities in Yugoslavia (Црквена организација баптистичких општина у Југославији) as an internal regulation was adopted by the Baptist Association of the Kingdom of Serbs, Croats and Slovenes during its GA meeting held on March 22-23, 1922 in Bački Petrovac. The majority of the 1922 Regulations provisions dealt with determining in more details the necessary qualifications and the functions of community officers, various communal operations, as well as standards for disciplinary actions. According to the Draft Bill, all internal regulations were to be effective until the adoption of new ones (section 28).

36 The Croatian Association included 4 communities and 20 assembly posts with 235 believers and 4 preachers; the German Province had 4 ecclesiastical communities and 11 assembly points consisting of 254 believers and 4 preachers; the Hungarian Provincial Association encompassed 5 communities, 12 assembly posts and 2 mission posts (one Serbo-Slovak in Novi Sad and one in Straža, Banat), accommodating 423 believers, without any preachers.

37 E.g., church endowments and foundations (section 3); ecclesiastical authorities, charitable and organisations for religious education, agencies established for church purposes, clergy houses (section 7); church-autonomous theological seminaries (section 22).

would form its own separate bodies, defined as ‘union boards’³⁸, distinguished from the Board of the Union as its chief executive committee (section 27).³⁹

On legal capacity, the Draft Bill determined that all Christian Baptist churches and their autonomous bodies and institutions⁴⁰ were entities having legal personality with rights to acquire and possess moveable and immovable property (section 4). Apparently, the Draft Bill used the terms ‘ecclesiastical communities’ and [local] ‘Christian Baptist churches’ as synonyms, as it did not explicitly envisage any legal capacity for ecclesiastical communities, but only for Christian Baptists churches (plural).

In general, the Draft Bill was rather inconsistent with respect terminology used in the context of internal organisation, especially when it comes to local churches. As already mentioned, expressions ‘ecclesiastical community’ and ‘a [local] Baptist church’ appear interchangeably, without providing any *differentia specifica* for either. Similar normative ‘sloppiness’ is apparent in provisions regulating local church management, as it was to be carried out either by ‘a given ecclesiastical community’s spiritual administration’ (section 9)⁴¹, ‘a [local] Baptist church administration’ (section 10)⁴², or ‘a church board’ (sections 14, 21)⁴³. Finally, the Draft Bill gave no unequivocal explanation of what type of body would ‘the presidency of a [local] church’ (section 13)⁴⁴ have been, other than having a rather significant power to enact church legislation [*sic*].

2. Freedom to public manifestation of faith

Section 2 of the Draft Bill was an attempt to outline general religious freedoms granted to Yugoslav Baptists. Replicating §2 of the 1930 Protestant Act, the project declared that Baptists enjoyed full freedom to public manifestation of their faith and that they could hold open worship services. Supplementary to this-general rule rewritten from the model Act, the Draft Bill expanded the original clause, stipulating that this freedom included the right of worship within Baptist houses of prayer, in private homes, but also in the open: in public spaces. The

38 By 1928, the Yugoslav Ministry of Religious Affairs had been aware about five such ‘union boards’: the Missions Board, the Charity Board, the Publishing Board, the Construction Board, and the Property Board (Хранисављевић 1929, 651).

39 The Draft Bill envisaged a few functions of such ‘union boards’, e.g., an internal body to whom information about initiating criminal procedure against a Baptist minister would be communicated (section 17), or a body that would recommend ministers for service in state hospitals, correctional and similar facilities, and various state institutions for governmental approval (section 18).

40 Only for institutions to which such legal capacity would be granted by the Church constitution.

41 „Duhovne uprave pojedinih crkvenih opština [...]”.

42 „[...] svih Baptističkih crkvenih uprava”.

43 „[...] crkvenih odbora [...]”.

44 „[...] pretsedništvo svake crkve”.

Draft Bill even introduced an additional paragraph 2(2) enumerating specific activities allowed to the Baptists in the open: singing pious songs, reading from the holy gospels, preaching peaceful sermons, and giving public testimonies about their religious conversion and happy life.

After this ‘cataloguing’ insertion into the model provision, the Draft Bill simply continued with the original version, by copying the succeeding sentence which set forth that “They shall within their church constitution envisage their autonomous ecclesiastical bodies and institutions, as well as the organisation thereof.” The given sentence was a clear ‘leftover’ from the model Act, as its more logical position would have been either in section 1 (dealing with church organisation) or section 3 of the project regulating church autonomy.⁴⁵

The Draft Bill, apparently aiming to prevent any potential limitation of Baptists’ freedom to public expression of faith based on conceivable subsequent ‘creative’ interpretation of given provisions by courts and/or state administration, envisaged an extension to the original model clause by inserting into it a list of specific, unequivocal rights pertinent to the general religious freedoms rule. The given insertions are also a clear indication that Yugoslav Baptists considered themselves a ‘missionary church’, with a clear aim to motivate general population’s religious conversion to Baptist faith (“giving public testimonies about their religious conversion and happy life”).

3. *Church autonomy*

Provisions regulating overall church autonomy were styled after §3 of the model Act. The Draft Bill stipulated that Christian Baptist churches freely⁴⁶ regulate their religious, ecclesiastical charitable and other cultural affairs and needs, and control their possessions in accordance with their church principles (section 3). The given provision is a reduced formulation of the model Act where ‘traditional’ Protestant churches in addition to the mentioned areas of competence, autonomously regulate their religious-educational (schooling) matters as well. The Baptist Draft Bill had intentionally left out the religious education segment of church autonomy.

A possible explanation for this omission is that in contrast to other constitutionally adopted religions, Baptists in Yugoslavia did not aim at teaching their

45 It seems that the last sentence of sub-section 2(2) was a typist mistake, as its standard legal drafting position would have been a separate sub-section 2(3). Such conclusion can further be advocated by the fact that the last sentence in section 2 of the Draft Bill is separated from the rest of the text with a dash (-). Though, the punctuation mark in question is in effect a hyphen, its function seems much more that of a dash, with a possibility that the typist did not add additional hyphen to denote textual separation (--). Similar example is found in the subsequent Section 3, but not in Sections 21 and 22 of the Draft Bill where it might be expected should such outline pattern were intentional.

46 The term used in both Draft Bill and the 1930 Protestant Act is ‘by oneself’ = samostalno.

catechism in public or private schools (both elementary and secondary). Instead, they advocated for educating their children/youth in line with internal Sunday school⁴⁷ curriculum, with their grades being subsequently reported to appropriate school authorities (section 21 of the Draft Bill).

The second discrepancy with respect the model provision concerns a statutory requirement that in addition to the general standard of controlling their possessions in line with fundamental principles of their churches, all assets of Lutheran and Calvinist churches were also subjected to the government's supreme control. This regulatory difference emerged from the fact that Yugoslav Baptists explicitly rejected the idea of state authorities collecting any type of church taxes from believers on their behalf. The Baptist Union had unequivocally communicated with the Yugoslav Ministry of Religious Affairs that based on the separation of church and state principle, the advancement of the Kingdom of God relies entirely on devoted Christians and not on the state, thus governmental financial support would not be requested by Baptist churches (Хранисављевић 1929, 651). However, the project did not entirely reject the concept of state support, as certain privileges laid down in the 1930 model Act remained within the Baptist Draft Bill as well.⁴⁸

Further, in contrast to 'traditional' Protestant churches whose principal agent of church autonomy was the respective Church itself (singular)⁴⁹ as a distinct entity, the Draft Bill specified that prerogatives of freely regulating internal affairs were shared by separate Christian Baptist churches (plural)⁵⁰ in line with their ecclesiastical principles. The Draft Bill distinctly specified that Baptist church legislation lied in the competence of the presidency of each local church (section 13). However, the same provision set forth that in addition to local churches, internal legislation could have been adopted by the Union as well. Apparently,

47 Peterlin (2008, 469) suggests that Sunday school programmes for the young and/or children in Yugoslav Baptists churches were introduced not sooner than 1928, and that initially the term 'Sunday school' referred to the so-called adult catechism. However, the 1922 Baptist Internal Regulations had set forth that the principal duty of Baptist assemblies and communities was encouraging children to lead a pious life, specifying that in order to achieve this goal special services for children, known as Sunday schools, were to be arranged. Article IX, point 14 – Ecclesiastical Organisation of Baptist Communities in Yugoslavia = Црквена организација баптистичких опћина у Југославији. Source: Arhiv Jugoslavije 69-64-105. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_001.pdf (Nov 10, 2024).

48 E.g., the official mail correspondence of all Baptist ecclesiastical authorities and institutions would have been exempt from postal or telegram costs (section 13 = §15 of the 1930 Act); all the buildings dedicated to the service of God or used by ecclesiastical authorities, charitable and organisations for religious education, agencies established for church purposes, homes for ministers, including their backyards as well as graveyards were to be exempt from all property taxes and corresponding levies (section 7 = §10 of the 1930 Act).

49 §3 of the 1930 Protestant Church Act.

50 Section 26 of the Draft Bill specified certain functions of the Union of the Baptist Church (singular), this being an obvious textual error of transmission, as the remaining portion of the document strictly defined the Union as the organisation of churches (plural).

the project envisaged two types of internal regulations: local and common. Local rules would regulate church life within (elementary) ecclesiastical communities, while common rules enacted by the Baptist Union would have general effect. Since section 3 identifies only local churches as agents of church autonomy, the Union's legislative prerogatives must be construed as secondary or delegated in nature, i.e., they rest on ecclesiastical legislative powers intentionally transferred to the Union by local churches as sole statutory holders of church autonomy privileges, and such they could always be revoked.

Finally, the Draft Bill envisaged that procedure for electing church elders, members of church boards and the Board of the Union were to be defined by the Church constitution (section 14). This provision differs from its model clause (§16 of the 1930 Act) in two ways. First, in addition to various church official, the 'traditional' Protestant churches were to define the way of electing their individual heads of churches (bishops) and supreme temporal elders, while the Baptist Draft Bill obviously followed the congregational polity form of church administration, in contrast to both episcopal or presbyterian.

Second, the election of individual heads of 'traditional' Protestant churches was subject to a Royal Decree (ukase)⁵¹, with the elected supreme temporal elders being approved by the Minister of Justice. In line with the state church separation principle, the Baptist Draft Bill did not envisage any prerogative of the Crown, or of any state authority in this respect.⁵² The only exception concerned foreign preachers⁵³ whose ordination was subjected to a special approval by the Ministry of Justice (section 15)⁵⁴. Also, the enactment of the Baptist Church Constitution (that was to be drafted and submitted to the Minister of Justice for approval not later than one year upon coming into force of the Baptist Act) was subject to Royal assent (section 26)⁵⁵.

51 The Royal Decree would be issued on a motion filed by the Minister of Justice and supported by the President of the Council of Ministers (a position analogous to that of Prime Minister).

52 In line with a general rule pertinent to all, church ministers serving in state hospitals, correctional and similar facilities, and various state institutions were to be appointed by the appropriate state minister (section 18 of the Draft Bill; §21 of the 1930 Protestant Act; Article 20 of the 1929 Serbian Orthodox Church Act; §19 of the 1930 Kingdom of Yugoslavia's Islam Religious Community Act).

53 Interestingly enough, the Baptist Draft Bill had entirely left out §17 of the 1930 model Act which had set forth that subject to special approvals by the majority of church members and the Ministry of Justice, only a person fluent in language spoken by the majority of a given ecclesiastical community could serve as its parish priest.

54 Analogous provisions: §18 of the 1930 Protestant Act; §18(2) of the 1929 Yugoslav Kingdom's Jewish Religious Community Act.

55 Based on §28 of the 1930 Protestant Act.

4. Church property

The Draft Bill laid down that Christian Baptist churches and their autonomous bodies were title holders of church property as entities having legal personality (section 4). Subsection 4(2) further specified that all property of ecclesiastical autonomous bodies and institutions were to be used solely for church purposes and could not be subjected to any kind of confiscation.⁵⁶

Section 5 further specified that Christian Baptist churches independently control their revenues and expenses, in accordance with internal church accounting standards as defined by the Church constitution. The given provision is a reduced version of its model clause (§5 1930 Protestant Act), which in addition to internal accounting tools prescribed a mandatory external audit requirement for Lutheran and Calvinist church funds, pursuant to Article 2 of the Supreme Control Act⁵⁷. The given governmental authority was competent to oversee all accounts of institutions enjoying state support. As mentioned, Yugoslav Baptists had unequivocally rejected any form of fiscal support. Accordingly, the Baptist Draft Bill specifically set forth that “Financial means necessary for the operation of ecclesiastical autonomous bodies and institutions does not require any contribution from the state budget, but are self-sufficiently maintained by: 1. church income and members’ voluntary contribution; 2. possible legacies or endowments” (section 6). Members deciding to leave the Baptist church, to move from one community to another, or those excommunicated based on church discipline, could not revoke their previously given financial and other donations (section 25).

The segment of the Draft Bill regulating church property had significantly departed from its model Act, by leaving out more than three original sections (§§). Besides believers’ voluntary donations, gifts, and endowments, Lutheran and Calvinist churches were entitled to church fees, church taxes, possible allocations by municipalities, as well as permanent state support. The permanent state support was defined by a separate directive issued by the Ministry of Justice in accordance with the Ministry of Finance, based on higher church officials’ reports. The ‘traditional’ Protestant churches could levy their members with supplementary church taxes in cases of additional financial needs, subject to a special authorisation by the Ministry of Finance. Such church taxes were collected by governmental tax authorities and transferred to respective churches in quarterly intervals. The permanent state support directive, issued on March 31, 1931⁵⁸ specified that Lutheran and Calvinist churches would receive annual transfers from

56 In contrast, the 1930 model Act allowed statutory confiscation of property of ‘traditional’ Protestant churches.

57 Закон о главној контроли, *Службене новине КСХС* бр. 125/1922. Available on: <https://www.uzzpro.gov.rs/doc/biblioteka/digitalna-biblioteka/Zakon%20o%20glavnoj%20kontroli.pdf> (Oct 22, 2024).

58 Уредба о сталној годишњој државној помоћи евангеличко-хришћанским црквама и Реформованој Хришћанској цркви Краљевине Југославије, *Сл. новине КЈ* бр. 134/1931.

the state budget of 1,444,000 dinars. Furthermore, the Yugoslav government had issued a directive on state support to the clergy of all adopted religions due to increase of prices⁵⁹ that was generally used by the priesthood at the time. However, it seems that Baptist ministers did not resort to this kind of state support at all.⁶⁰

5. Church-state relations

Apparently, two issues needing immediate attention concerning the legal status of Yugoslav Baptists at the time were keeping of their birth, marriage and death registers along with their children's catechism curriculum in both elementary and secondary schools. Concerning the former, the Provincial Administration for Croatia and Slavonia in 1923 filed a request with the Ministry of Religious Affairs for instructions regarding Baptists' civil records as from 1921 onwards they were considered a constitutionally recognised religion.⁶¹ Namely, the given regional authorities continued to treat the Baptists merely as a tolerated religion⁶², meaning, inter alia, that their civil records were in the competence of ecclesiastical authorities to which they or their parents had belonged before religious conversion.⁶³ Following their state-wide recognition in 1921, a legal void emerged with respect Baptists' civil records in the region of Croatia and Slavonia.⁶⁴ Hence, in 1924, the region's Provincial Administration issued a temporary directive⁶⁵

59 Уредба о додацима на скупоћу свештенству свих уставом усвојених конфесија (Новаковић 2015, 223-226).

60 The Yugoslav State Archives (Arhiv Jugoslavije) keep numerous records of applications filed by various men of the cloth for state financial support on a count of increase of prices during interbellum. The records do not contain any documentation suggesting that Baptist preachers had resorted to this kind of monetary maintenance, though as ministers of one of the constitutionally adopted religions were entitled to it.

61 Document No. 26.165/1923 filed with the Ministry of Religious Affairs by the Provincial Administration for Croatia and Slavonia dated June 4, 1923 = *Dopis Pokrajinske uprave za Hrvatsku i Slavoniju* br. 26.165/1923 od dana 04.06.1923. godine Ministarstvu vera KSHS – Arhiv Jugoslavije 69-64-105. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_003.pdf (Oct 23, 2024).

62 Communique No. 46.322/1922 filed with the Ministry of Religious Affairs by the Provincial Administration for Croatia and Slavonia dated Nov 3, 1922 = *Obaveštenje Pokrajinske uprave za Hrvatsku i Slavoniju* br. 46.322/1922 od dana 03.11.1922. godine Ministarstvu vera KSHS – Arhiv Jugoslavije 69-64-105. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_011.pdf (Oct 23, 2024).

63 Church registers of baptisms/circumcisions, marriages and burials – §8 Order of the Royal Government of Croatia, Slavonia and Dalmatia No. 12.200 dated Nov 12, 1895 concerning Nazarenes and Baptists = *Naredba kr. hrv. slav. dalm. zemaljske vlade, odijela za bogoštovlje i nastavu i odijela za unutarnje poslove*, od 12. studenoga 1.895. broj 12.200.

64 The same issue in Vojvodina had been regulated by separate civil records legislation before WWI: 1894. évi XXXIII. törvénycikk az állami anyakönyvekről. Available on: <https://net.jogtar.hu/ezer-ev-torveny?docid=89400033.TV&searchUrl=/ezer-ev-torvenyei%3Fpagenum%3D34> (Nov 25, 2024).

65 The Temporary Directive on Marriage and Civil Records of Baptists in Croatia and Slavonia = *Naredba Pokrajinske uprave za Hrvatsku i Slavoniju, odjeljenja za prosvjetu i vjere*, od 16. septembra 1924. br. 32.995, izdana u sporazumu s odjeljenjem ministarstva pravde u Zagrebu,

stipulating that until the enactment of relevant Baptist legislation, their matrimonies were to be regulated in accordance with Chapter II of the General Civil Code⁶⁶, with all competences of clergy stipulated in both the Civil Code and the Code of Civil Procedure being transferred to residence based first-instance administrative authorities. Section (§) 2 of the Directive set forth that records of born, married and deceased Baptists shall be maintained by domicile first-instance administrative authorities, to which all cases of births and deaths were to be reported. The given records were to be considered official.

Section 8 of the Draft Bill was a carbon copy of §2 of the 1924 Temporary Directive and as such one of only two provisions having no analogous clauses in the 1930 model Act. However, the remaining portion of rules concerning state-church relations were by and large similar to that of other Protestant churches.⁶⁷ The only exception was Section 11 of the Draft Bill limiting governmental administrative support to effectuating ecclesiastical public worship affairs and maintaining public order, intentionally leaving out assistance in the enforcement of church disciplinary decrees. Here again, the Draft Bill follows the pre-WWI legal position of Baptists in line with 1895 Hungarian legislation, which specified that such state support was inaccessible with respect recognised religions.

6. Education

The Draft Bill includes two sections on matters concerning education. The proposed provisions specified issues related to catechism in elementary and secondary schools (section 21) and that of theological seminaries (section 22). As already mentioned, catechism was one of major concerns for Yugoslav Baptists during interbellum. Namely, as part of compulsory public-school curriculum, all

kojom se izdaje privremena uredba o uredjenju ženidbenih odnosa i vođenju matica glede pripadnika baptističke vjeroispovjesti na području Hrvatske i Slavonije, *Narodne novine* br. 219/1924. Available on: https://karoli.org/wp-content/uploads/2024/10/Laws_005.pdf (Oct 23, 2024).

66 §§44-136 of the 1811 Austrian General Civil Code (Allgemeines bürgerliches Gesetzbuch – ABGB). E.g., the Code forbade marriages between Christians and non-Christians (§64), the marriage announcement had to be proclaimed within the local church community and in the event of non-Catholic spouses within the territorial Catholic temple on three Sundays or feast days (§71), in case of marriage between a Catholic and a non-Catholic the solemn declaration of consent had to be made in front of a Catholic parish priest in the presence of two witnesses, with the possibility of attendance by the non-Catholic priest upon request of the interested party (§77), etc.

67 Section 9 set forth that though internal communication within ecclesiastical communities could be on their own language, correspondence with governmental authorities as well as other churches within the state were on its official language. Section 10 specified that all post of ecclesiastical communities and institution was postage free. Section 20 of the Draft Bill laid down that Baptist ministers, like traditional Protestant clergy, were not bound to perform those public offices incompatible with their dignity or calling according internal church regulations. A governmental authority that would initiate criminal action against ministers would immediately inform the competent church administration (section 17).

constitutionally adopted confessions were in a position to hold catechism classes to their children/youth within state and private schools (Rakitić 2021, 227-229). However, the absence of any kind of legislation or regulations standardising Baptist participation in these matters led to various practical problems.⁶⁸

The Baptists were not interested to teach in state or other schools, but instead they proposed the acknowledging of results obtained in Sunday schools as catechism grades recorded by school authorities for Baptist pupils. In this respect the Draft Bill proposed that Sunday school teachers' nominations as well as their withdrawal would have been in the sole competence of local church boards without any interference by the Ministry of Education, whose competences had been quite meticulously specified by the 1930 Protestant Act (§23) and other legislation, with respect catechism teachers of other faiths.

Section 22 of the Draft Bill on Baptist theological seminaries did not significantly depart from its model clause (§24 of the 1930 Act). Such institutions would have been founded and administered by ecclesiastical authorities defined by the Church constitution, subject to the approval of the Ministry of Education with respect their establishment and curriculum. Finally, while the traditional Protestant seminaries were under the direct supervision of church bishops with supreme oversight of the Minister of Education, the Draft Bill specified that all such control rests exclusively on a given ecclesiastical-educational board, and/or the Baptist Union's General Assembly.

Conclusions

One month after being lodged with the Ministry of Justice, the 1932 Yugoslav Draft Christian-Baptist Churches Bill, was marked with the following note by one of its department heads: "Acknowledged. For now, move to archive"⁶⁹. In all likelihood, from that day forward the document has never again been taken out for further consideration.

A number of reasons have led to such outcome. This paper tries to distinguish a few.

68 E.g., in 1928 Rev Vinko Vacek, the President of the Yugoslav Baptist Union filed a motion to the Grand Župan of the Srem Administrative Division reporting on events that took place in the town of Erdevik where the local Lutheran parish priest requested a payment of 50 dinars a month from each Baptist child in order to grade them in catechism. Since the children could not be graded, irrespective of otherwise excellent school results, they did not meet the formal requirements for advancing to the next form. Source: Motion for recognising Baptist Sunday school grades in public schools = Molba za priznanje ocena iz baptističkog veronauka u državnim školama u Erdeviku, Arhiv Jugoslavije 69-64-105. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_009.pdf (Oct 23, 2024).

69 „Примљено к знању. За сада, у архиву.” – Arhiv Jugoslavije 63-39-123.

The character of Baptists' social standing within the overall Yugoslav population was probably one of the most important factors of such outcome. Baptists were a small, unknown religious group, never even been heard of in many parts of the new state. In areas where present, they shared the cultural stigma of a novelty-faith (*novoverci*) together with Nazarenes, Adventists, Methodists, etc., and as such were never perceived by the general population as a faith actually enjoying rather prominent constitutional position.⁷⁰

Similar was situation in their relation to state administration. Before 1918, legal freedoms granted to Baptists had been implemented only in former Hungarian territories by an administration of what was during interbellum considered an enemy state. With the formation of Yugoslavia, the majority of the region's pre-WWI civil servants were replaced by non-Hungarian personnel.⁷¹ Further, until 1918 the Baptists in Croatia did not enjoy religious freedoms, but were merely tolerated by state administration. As already mentioned, this led to numerous problems. Similar perception of them can be noted in dealings of the Yugoslav Ministry of Religious Affairs. E.g., though a number of consultative bodies for preparation of a common interconfessional statute were formed by the Ministry, there are no records that Baptist representatives were involved in their work or called to participate (Новаковић 2015, 32-36). Almost as an exception, the State Archives contain a document showing that in 1937 the Yugoslav Ministry of Justice invited the Baptist Union to file a list items and property exempt from seizure in judgment enforcement.⁷²

In general, all religion-related legislation in interwar Yugoslavia was an issue bearing huge complexity. Numerous confessions, of which some had enjoyed the status of a state religion before WWI, had opposing views of their legal positions,

70 Even some present-day authors do not to include Baptists among the Kingdom of Yugoslavia's constitutionally adopted faiths (Новаковић 2015, 30-31).

71 In a number of region's settlements, the intention of the newly established state was to replace Hungarian civil servants with those of Slavic origins, though such intentions were somewhat restricted due to the provisions of the 1918 Belgrade Armistice. E.g., on March 1, 1919, almost all of the judges and justices of courts in town of Subotica together with their families were escorted to the Hungarian border and exiled from the state. They were allowed to take with themselves, per person, 1kg of pork grease, 4kg of flour, 2kg of meat, 3kg of beans, 3 kg of potatoes and their clothes (Šokčić 1934, 186).

72 On May 25, 1937, the Association of Baptist Churches of Yugoslavia informed the Ministry of Justice upon its request about institutions and goods that should be exempt in cases of judgment enforcement, as the implementation of the 1930 Enforcement and Security Interests Act was scheduled from January 1, 1938. The protected institutions were the Baptist Union, ecclesiastical communities, the Baptist Retired Home, and various Baptist youth associations. Goods exempt from enforcement included pulpits, communion cups and Eucharist plates, Bibles, songbooks, church archives, church furniture, organs or harmoniums, and the Baptist Retired Home furniture – Memorandum no. 255/1937, dated May 25, 1937, of the Baptist Ecclesiastical Communities Union in the Kingdom of Yugoslavia, addressed to the Ministry of Justice. – Arhiv Jugoslavije 63-39-123. Available online: https://karoli.org/wp-content/uploads/2024/10/Documents_006.pdf (Nov 20, 2024).

aiming to preserve previously granted privileges, and unwilling to accept equal status with others as well as state church separation (Новаковић 2015, 34). For Troicki (Троицки 1940, 372-373) the impossibility of enacting overall Yugoslav interconfessional legislation had been greatly influenced by dogmatism and intolerance of domestic religions, by their perception of other faiths as enemies to be fought against.

Even separate statutes on different faiths were not (more precisely: could not be) enacted as proper acts of parliament, but were only issued during King Alexander's dictatorship regime in forms of decrees (*ukase*). As such, they were not a result of (any) social dialogue, but rather mediocre legal texts, every so often containing internal deficiencies. As a result, with the ending of royal dictatorship, neither of the programmed legislation with respect remaining adopted faiths (Old Catholic, the Baptists), nor an overall interconfessional statute were enacted, including a concordat with the Holy See.

Likewise, the overall socio-political climate in 1930s Europe did not leave much room for religious freedoms. In Yugoslavia, at the time the state had to deal with a number of burning questions. In 1932 the Croatian opposition proclaimed its Zagreb Manifesto, leading to similar declarations in Sarajevo, Ljubljana and Novi Sad. In 1934 King Alexander of Yugoslavia was assassinated in Marseille, France. With the European expansion of the Third Reich, the Yugoslav government had to find solutions for its most pressing internal controversies. The 'Croatian question' was considered resolved in 1939 with the formation of the Banovina of Croatia. Three years earlier, in 1936 the state was forced to significantly modify its approach with respect its Muslim population. The result were major alterations of the 1930 Kingdom of Yugoslavia's Islam Religious Community Act effectuating state's overall retreat from various Muslim bodies and institutions (Новаковић 2015, 38-39).

Finally, though not having any significance in its legislative aftermath, the 1932 Baptist Draft Bill was in effect a hastily and hurriedly prepared document. It rested heavily on its model Act, including only one original provision on Baptists' burial rights (section 19). Inconsistent in terminology, lacking clear church administration concept, vague in terms of clergy privileges, the Draft Bill would have needed considerable improvements had it ever been used as a normative project in consecutive legislative processes.

However, it must be noted that the 1932 Baptist Draft Bill was quite unequivocal in two major aspects: clear state church separation principle and advocating the liberal tradition of religious freedoms. As a Christian denomination being greatly influenced by its well-developed USA congregations⁷³, it is no surprise that the two notions were quite strictly incorporated into the given legislative

73 Some of the most prominent leaders of Yugoslav Baptists in the period had been intentionally assigned to the region by the USA Baptists as ministers native to the region (Бјелажан 2010, 101).

project, irrespective of the fact that its model Act was based on an altogether opposing ecclesiastical concept. In this respect the 1932 Baptist Draft Bill deserves compliments for bravery and ideological consistency.

In conclusion, the 1932 Baptist Draft Bill, though being a document reflecting both many of its model Act's flaws and shortcomings, as well as echoing its author(s)' haste and stubborn intention of securing clear state church separation with respect Yugoslav Baptists, remains a commendable legislative project whose value, if for nothing else, lies in its élan and overall rareness.

References

Books and Articles

- Бјелајац, Бранко. 2010. *Протестантизам у Србији – II део*. Београд: Сотериа.
- Božić, Marko. 2020. Tito's Concordat – The 1966 Protocol on the Negotiations Between Yugoslavia and the Holy See from a Legal Perspective. *Pravni zapisi* 11 (2): 554-579.
- Бранковић, Томислав. 2011. *Протестантске заједнице у Југославији*. Београд: Православни богословни факултет.
- Ђукић, Далибор. 2022. *Интерконфесионално законодавство у Југославији и Србији 1919-2006*. Београд: Правни факултет Универзитета у Београду.
- Gergely, Jenő. 2004. Egyházi autonómiák Magyarországon a dualizmus korában (1867–1918). *Történelmi Szemle* 46 (3-4): 297-338.
- Хранисављевић, Славко. 1929. Остале хришћанске вероисповести. In: *Јубиларни зборник живота и рада Срба, Хрвата и Словенаца 1918-1928 – II део*. Београд: Матица живих и мртвих СХС. 647-653.
- Кнежевић, Ruben. 2006. Stogodišnjica zakonskog priznanja baptističke vjeroispovjesti na hrvatskome prostoru (1905.-2005.): „Slobodna crkva u slobodnoj državi?”. *Glas crkve* 26: 8-9.
- Milić, Ivo. 1921. *Pregled mađarskog privatnog prava*. Subotica: Naklada autorova.
- Мирковић, Зоран С. 2021. Рад Живојина Перића на кодификовању Грађанског законика међуратне Југославије. *Анали* 69 (1): 1-34.
- Новаковић, Драган. 2015. *Српска Православна Црква у законодавству Краљевине Срба, Хрвата и Словенаца и Краљевине Југославије*. Београд: Православни богословски факултет.
- Peterlin, Davorin. 2008. Baptistička crkva u Zagrebu: rane godine (1921.-1927.). *Časopis za suvremenu povijest* 40 (2): 455-487.
- Радић, Радмила. 2021. Преговори о конкордату између Краљевине СХС и Свете столице из 1925. године. *Анали* 69 (1): 74-116.
- Radić, Radmila. 2019. *The Mission of the British Young Men's Christian Association in the Kingdom of Yugoslavia*. Belgrade: Institute for Recent History of Serbia.
- Rajki, Zoltán. 2008. A kiségyházak és az 1947. évi XXXIII. törvény. In: Köbel, Szilvia (ed.). *Egyházak és tolerancia Magyarországon*. Budapest: Oktatási és Kulturális Minisztérium Egyházi Kapcsolatok Titkársága. 83-107.
- Rakitić, Dušan. 2021. Jugoslovenski međuradni model konfesione verske nastave u javnim školama. *Harmonius* 10 (1): 225-237.
- Šokčić, Joso. 1934. *Subotica pre i posle oslobođenja*. Subotica.

- Троицки, Сергије. 1940. Изједначење државног верског законодавства. *Архив за правне и друштвене науке* 30 (5-6): 372-388.
- Židov. 1937. Konferencija radi arondacije jevrejskih veroispovednih opština u Osijeku. *Židov (Savez cionista Jugoslavije)* 21 (17): 6.

Legal Sources

1868. évi XXX. törvénycikk a Magyarország, s Horvát-, Szlapon és Dalmátországok közt fenforgott közjogi kérdések kiegyenlítése iránt létrejött egyezmény beczikelyezéséről. Available on: <https://net.jogtar.hu/ezer-ev-torveny?docid=86800030.TV&searchUrl=/ezer-ev-torvenyei%3Fpagenum%3D28> (Nov 9, 2024).
1895. évi XLIII. törvénycikk a vallás szabad gyakorlásáról. Available on: <https://net.jogtar.hu/ezer-ev-torveny?docid=89500043.TV&searchUrl=/ezer-ev-torvenyei%3Fpagenum%3D34> (Nov 9, 2024).
- Allgemeines bürgerliches Gesetzbuch (ABGB), Justizgesetzsammlung Nr. 946/1811.
- Naredba kr. hrv. slav. dalm. zemaljske vlade, odijela za bogoštovlje i nastavu i odijela za unutarnje poslove, od 12. studenoga 1.895. broj 12.200.
- Naredba Pokrajinske uprave za Hrvatsku i Slavoniju, odjeljenja za prosvjetu i vjere, od 16. septembra 1924. br. 32.995, izdana u sporazumu s odjeljenjem ministarstva pravde u Zagrebu, kojom se izdaje privremena uredba o uređenju ženidbenih odnosa i vodjenju matica glede pripadnika baptističke vjeroispovjesti na području Hrvatske i Slavonije, *Narodne novine* br. 219/1924. Available on: https://karoli.org/wp-content/uploads/2024/10/Laws_005.pdf (Oct 23, 2024).
- Уредба о сталној годишњој државној помоћи евангеличко-хришћанским црквама и Реформованој Хришћанској Цркви Краљевине Југославије од 31. марта 1931. године, *Службене новине КЈ* бр. 134/1931.
- Устав Краљевине Срба, Хрвата и Словенаца/Ustav Kraljevine Srba, Hrvata i Slovenaca/Ustava Kraljevine Srbov, Hrvatov in Slovencev; available on: <https://www.uzzpro.gov.rs/doc/biblioteka/digitalna-biblioteka/Ustav%20Kraljevine%20Srba,%20Hrvata%20i%20Slovenaca.pdf> (Sept 28, 2024).
- Закон о евангеличко-хришћанским црквама и о Реформованој хришћанској цркви Краљевине Југославије, *Службене новине КЈ* бр. 95/1930. Available on: http://demo.paragraf.rs/demo/combined/Old/t/t2006_05/t05_0018.htm (Oct 5, 2024).
- Закон о главној контроли, *Службене новине КСХС* бр. 125/1922. Available on: <https://www.uzzpro.gov.rs/doc/biblioteka/digitalna-biblioteka/Zakon%20o%20glavnoj%20kontroli.pdf> (Oct 16, 2024).
- Закон о исламској верској заједници, *Службене новине КЈ* бр. 29/1930. Available on: http://demo.paragraf.rs/demo/combined/Old/t/t2006_05/t05_0020.htm (Oct 16, 2024).
- Закон о Српској Православној Цркви, *Службене новине КЈ* бр. 269/1929. Available on: http://demo.paragraf.rs/demo/combined/Old/t/t2006_05/t05_0019.htm (Oct 16, 2024).
- Закон о верској заједници Јевреја у Краљевини Југославији, *Службене новине КЈ* бр. 301/1929. Available on: [http://demo.paragraf.rs/WebParagrafDemo/ZAKON-O-VERSKOJ-ZAJEDNICI-JEVREJA-U-KRALJEVINI-JUGOSLAVIJI-\(Sl.-Novine-Kraljevine-Jugoslavije,-br.-301-CXXVII-29\)-.htm](http://demo.paragraf.rs/WebParagrafDemo/ZAKON-O-VERSKOJ-ZAJEDNICI-JEVREJA-U-KRALJEVINI-JUGOSLAVIJI-(Sl.-Novine-Kraljevine-Jugoslavije,-br.-301-CXXVII-29)-.htm) (Oct 16, 2024).

Archival Materials

- Communique No. 46.322/1922 filed with the Ministry of Religious Affairs by the Provincial Administration for Croatia and Slavonia dated Nov 3, 1922 = Obaveštenje Pokrajinske uprave za Hrvatsku i Slavoniju br. 46.322/1922 od dana 03.11.1922.

- godine Ministarstvu vera KSHS. Source: Arhiv Jugoslavije 69-64-105. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_011.pdf (Oct 23, 2024).
- Document No. 26.165/1923 filed with the Ministry of Religious Affairs by the Provincial Administration for Croatia and Slavonia dated June 4, 1923 = Dopis Pokrajinske uprave za Hrvatsku i Slavoniju br. 26.165/1923 od dana 04.06.1923. godine Ministarstvu vera KSHS. Source: Arhiv Jugoslavije 69-64-105. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_003.pdf (Oct 22, 2024).
- Document No. 707/1925 of the Budapest Baptists Church, dated July 3, 1925 = Bizonylat No. 707/1925, budapesti baptista hitközség, kelt 1925.VII.03. Source: Arhiv Jugoslavije 69-64-105. Available online: https://karoli.org/wp-content/uploads/2024/10/Documents_004.pdf (Nov 9, 2024).
- Ecclesiastical Organisation of Baptist Communities in Yugoslavia, March 22-23, 1922 = Црквена организација баптистичких опћина у Југославији, 22-23.03.1922. Source: Arhiv Jugoslavije 69-64-105. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_001.pdf (Nov 10, 2024).
- Memorandum no. 255/1937, dated May 25, 1937, of the Baptist Ecclesiastical Communities Union in the Kingdom of Yugoslavia, addressed to the Ministry of Justice = Dopis Saveza baptističkih crkvenih opština Kraljevine Jugoslavije br. 255/1937, od dana 25.05.1937, upućeno Ministarstvu pravde Kraljevine Jugoslavije o ustanovama i stvarima izuzetim od izvršenja. Source: Arhiv Jugoslavije 63-39-123. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_006.pdf (Nov 10, 2024).
- Request for further investigation by the Ministry of Religious Affairs to the Provincial Administration of Croatia and Slavonia on complaints made by a US diplomat in Belgrade = Dopis Ministarstva vera Pokrajinskoj upravi za Hrvatsku i Slavoniju povodom protesta američkog Poslanika zbog progona baptista i dr. Source: Arhiv Jugoslavije 69-64-104. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_002.pdf (Nov 9, 2024).
- The Draft Christian-Baptist Churches in the Kingdom of Yugoslavia Bill, date: January 4, 1932 = Nacrt zakona o hrišćansko-baptističkim crkvama u Kraljevini Jugoslaviji, od dana 04.01.1932. Source: Arhiv Jugoslavije 63-39-123. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_005.pdf (Nov 10, 2024).
- The motion for recognising Baptist Sunday school grades in public schools = Molba za priznanje ocena iz baptističkog veronauka u državnim školama u Erdeviku. Source: Arhiv Jugoslavije 69-64-105. Available on: https://karoli.org/wp-content/uploads/2024/10/Documents_009.pdf (Oct 23, 2024).