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YUGOSLAV COMMUNIST COURT FULMINANTLY ATTACKS POET FOR OFFENDING RELIGIOUS FEELINGS

A January 1966 sentence for "a criminal deed" passed by the Ljubljana District Court against a young student of philosophy, Vladimir Gajsek, for offending the religious beliefs of his fellow citizens in his poem "The Holy Family,"¹ has excited Yugoslav Communists who have started posing the question: Is this a Communist state we're living in or not? The court action was taken following protests against Gajsek's poem by the theological students of Ljubljana and formal accusations by three Slovenian Catholic bishops.

In ruling against Gajsek, the judges of the Ljubljana District Court, all of them Party members and atheists, concluded that Yugoslavia is not only Communist but also a country in which the Constitution has become the supreme law. So it appears that although Gajsek, a really gifted young poet, may love Marx, Engels, Lenin and Tito and live by their teachings, he is first and foremost obliged to follow the provisions of the Constitution. For Yugoslavia is a socialist, i.e., a constitutional state.

1. Tribuna, Ljubljana, 19 May 1965.

2. Emilijana novine, Belgrade, 16 April 1966.

In having sentenced Gajsek to two weeks imprisonment, but with a one year period of probation, the Ljubljana judges gave the following explanation:

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The accused Gajsek, being a student of philosophy, was, in the opinion of the Court, fully aware that he would provoke religious intolerance by his way of expression. This is why his defense, that he did not commit the deed intentionally, is not convincing. From the judicial point of view, in the behaviour of the accused there exists all evidence of a criminal deed, according to Article 119/III of the Penal Code. The above-mentioned conclusion of the Court could not have been escaped even by the expert proposed by the accused, and so his proposal was rejected.³

Disappointment Over Sentence is Great.

Although the text of Gajsek's poem is available here, it would be distasteful to reproduce it, since it contains a really scurrilous and offensive description of the Holy Family. For this reason, we prefer to quote another section from the Court's explanation, which reads:

In this poem, the man with the pierced neck, hanging on the rusty hook in an out-house is referred to with the names, expressions and terms used by the Catholic Church in its religious teachings; the author did this in such a way that religious feelings and convictions based on these terms are undoubtedly ridiculed and put to shame.⁴

The Court also mentioned other derogatory remarks and, with no apparent hesitation, came to the conclusion that Gajsek had to be punished. As a coincidence, one might add that fifteen years to the day before the sentence against Gajsek was passed, on 29 January 1944, the late Slovenian Bishop Anton Vovk of Ljubljana was scouped with gasoline and set afire in the railroad station of the Slovenian town of Novo Mesto. His assailant was given a ten-day sentence, which an understanding court suspended on grounds that he had "acted under a justified impulse of revolt against the reactionary clergy, enemy of the people."

However, one need not go that far back to find examples of the Communist regime's inimical attitude toward the church. As recently as October 1943, a Catholic priest in the Croatian town of Vukovar, Matija Marusic, was sentenced to 18 months

3. Ibid.
4. Ibid.

imprisonment for having made an "anti-State speech" during the funeral of a Belgrade physician. According to Yugoslav papers, Karacic "offended the constitutional order in Yugoslavia" when he said that "all non-baptized people and those who do not believe in God, are traitors to their nation and country."⁵

In the meantime, the regime has been making efforts to improve its relations with the Vatican, i.e., to resume the diplomatic ties broken 13 years ago. The negotiations are proceeding. Obviously, the sentence of Gajsek will serve this purpose, in spite of the loud protests of the more dogmatic Communists. These latter have been trying to find examples in the distant past of Slovenian history to prove that the Catholic Church has interfered in Slovenian cultural life.⁶

The disappointment of Yugoslav Communist dogmatists is great. Thus, for instance, the well-known Slovenian Communist novelist, Ivan Potrč wrote recently:

I do not know for whom our protesting will be useful, when the people's court did its best to enable the clerics to celebrate their silent victory.

The Belgrade critic Dr. Milan Fakocovic said for his part:

The case of Gajsek has provoked lively comments among the Ljubljana youth, especially among those who are progressive and politically mature. Conservative youth sees in the whole case a strengthening of the power of the Church; in this way, they provide yet another piece of evidence that the statistics published by the religious paper Brskina [The Company] about the increase in churchgoers are correct...⁷

Dr. Fakocovic reminded his readers of Tito's words at the recent Third Plenum of the Central Committee in Belgrade, where the Yugoslav state and Party chief called upon the Communists to continue making a struggle against class enemies. Fakocovic said: "This is why we would like to hear the opinion of the broad Yugoslav public, especially of our leading cultural and political workers."⁸

Religious People Also Build Socialism

As far back as October 1964, the Croatian author Ivica Klivencic said in a mild article that consistent and uninterupted anti-religious activity was highly necessary. Klivencic

5. Vjesnik, Zagreb, 10 October 1963.
6. Priloge Novina, 16 April 1966.
7. Novi Načledi, Ljubljana, 12 March 1966.
8. Priloge Novina, 16 April 1966.
9. Ibid.

said:

Socialism guarantees the complete freedom of the individual in a free society and, therefore, permits anti-religious propaganda. But at the same time socialism does not bring brute forces to bear on citizens [who are] religious. Guaranteeing all citizens freedom of conscience, the Constitution gives the same rights and the same freedom to [those] citizens who believe and [to those] who do not believe. The Church is separated from the state just so that its standards and apparatus would not encroach on the right of free conscience and belief guaranteed by the Constitution.¹⁰

Krivonozic is aware of the fact that the freedom guaranteed by the Constitution hampers the work of the Communists. So he admits that "our atheistic work among the masses has been reduced to a minimum" and that "scientific atheistic propaganda has been left to chance and to campaign work." He makes the further admission:

Even today, a considerable number of our people lives and works under the influence of religion: young people go to church; women are the most regular church-goers; and a not inconsiderable number of the intelligentsia participated in religious rites.¹¹

But Krivonozic is a very practical Communist. He simply tells his readers that in Yugoslavia both "those people without religious convictions and those with various religious convictions are building a socialist society." So it is a bad thing to antagonize religious people for by antagonizing them one erects obstacles to the construction of a "socialist" Yugoslavia. Still, there cannot be an ideological compromise between socialism and religion. Said Krivonozic:

Religious people, whether they want to or not, are building socialism. However, there is the question of whether they could do more for socialism if they did not cling to their ideological concepts. There cannot be any ideological compromise between socialism and religion, since socialism rests on scientific foundations, whereas religion is an unscientific and mystical view of the world. With this as a starting point, theoreticians of Marxism have a serious task: is the creative contribution of an atheist under socialism greater and better than that of a believer?¹²

10. Idem, Zagreb, October 1964, p. 1468.

11. Idem, p. 1469.

12. Idem, pp. 1689/1670.

Milovanovic does not give a direct answer to his question. He is obviously convinced of the fact that it has been easier for ordinary people to believe in God than for the atheists to fight this belief effectively. Here is how Milovanovic explains his ideas:

It is essential for atheism that it give man faith in himself and in his own powers. A religious person [believes that he] can accomplish something only if God wants it so; without God's will he is not in a position to put in motion his own creative capability, and under socialism this is of fateful significance. The man of socialism must rely on himself alone... This is the basis of atheist progress, but it should be expanded by conscious and open struggle against religion.¹³ [Emphasis supplied]

Still, Milovanovic stressed again and again that "the constitutional freedom to belong to some religion is a sacred principle of socialism." On the other hand, his interpretation of the Constitution is that if religion should become harmful to socialism, "the Constitution would not [any longer] approve it and would not protect it at all."¹⁴

Communists To Read Bible

Milovanovic's Belgrade colleague Josip Marinkovic is of the same opinion that religion must be fought against, but not by means of force. Writing in the Belgrade monthly Slavija, openly attacked by Tito in his February 25, 1968 speech at the Third Plenum of the Central Committee in Belgrade, Marinkovic recognizes the fact that Christianity has been the "spiritual framework" of Europe's cultural movement. He said:

For instance, [some people assert that] knowledge of the myth about Oedipus plays a greater role in understanding the cultural-historical events of our historical area than that, for example, which is said of Christ. If that were the case it would be justifiable for pupils to be more informed, for example, about Buddhism than about Christianity. But it is difficult to believe that any reasonable and informed person could assert such a thing. The old Israeli religion and Christianity, which accepted its legends, have been the spiritual framework of the cultural movement of the European area through many centuries. Without a knowledge of them, comprehension of the development of European culture would remain distorted if not

13. Ibid., p. 1671.

14. Ibid., p. 1670.

incomprehensible. The subject of many artistic works is connected with the legends from the Bible and scenes from the Gospels, legends which are ignored in our system of education.⁴³

Marinkovic, therefore, advocates the reading and studying of the Bible and describes as "primitivistic" people who believe that "knowledge of a religion current among us can have adverse political effects among intellectually still immature young people." He said:

The conviction that knowledge of the Bible or the Gospels could be religious propaganda is completely in error. Such an assertion can only be made by one who is not generally familiar with these writings or who himself believes in their supernatural nature... To think that reading matter itself performs propaganda is unrealistic in the educational sense, inasmuch as both the Bible and the Gospels can just as well serve as the basis for anti-religious instruction and anti-religious propaganda as the writings of Feuerbach and Marx could serve as a basis for religious propaganda.⁴⁴

Therefore, Marinkovic's conclusion is that "atheist views cannot be based on an ignoring of Christianity, the most current religion in our sphere, but on the contrary only on a knowledge of it." His final word on religion is: "Transparent belittlement is no longer any kind of argument." Here one may see the ideological basis of the sentence passed in Ljubljana against Vladimir Gajsek. His anti-Christian poem cannot be accepted -- at least by the liberal Communists in Yugoslavia -- as a valuable argument in the struggle the atheists have been waging against religion. Yugoslavia here again gives an important example to all Communist countries in the Constitutional guarantee of religious freedom⁴⁵ which it is upholding for its citizens.

Elebodan Stanekovic

14. ibid.

17. Article 40 of the Yugoslav Constitution deals with the kinds of freedoms the Constitution guarantees. Paragraph three of Article 40 reads: "These freedoms and rights nobody can use with the aim to destroy the basis of the socialist democratic order established by this Constitution, to threaten peace, international cooperation based on equality or the independence of the country, to stir up national, racial or religious hatred or intolerance, or to incite to the committing of criminal deeds, nor to be used in a way which offends the public morals." Paragraph three of Article 41 reads: "Every propagation or practicing of national inequality, as well as every stirring up of national, racial or religious hatred or intolerance is unconstitutional and is punishable." The first paragraph of Article 46 reads: "The profession of religion is free and is a private affair of man."