

THE FINANCIAL POSITION OF THE ISLAMIC COMMUNITY AND ITS RELIGIOUS OFFICIALS IN SOCIALIST YUGOSLAVIA

Abstract

Implementing its policy, the new socialist government took various systematic measures to confiscate the major part of the property of the Islamic Community and, thus, make it dependant on the constant state aid. Understanding the reality and acting cooperatively and pragmatically, the newly elected leadership regulated their relations with the state and, thus, created the necessary room for manoeuvre, in order to lessen the harshness of taken measures, preserve the material substance and establish the basis for constant economic strengthening of the community and its religious officials. Carefully and cautiously implemented measures for solving the issue of vakuf properties, that initially had the form of registration and basic protection against dilapidation and, later, gained their original sense expressed through the standpoint that the proper attitude of all the structures of the religious community and the believers towards that issue was of crucial importance for preservation of Islam on Yugoslav territories. The processes of democratization and creating institutional assumptions for opening and solving some important issues, encouraged the Muslim intellectuals to start the debate on the confiscated property, and the Islamic Community leadership to publicly demand its return and use for the development of the Islamic education and culture. Freeing itself from the imposed mechanisms of control, continuously strengthening and feeling unconstrained in front of more and more obvious weaknesses of the state, the Islamic Community reactivated, started and successfully closed the complex process of re-establishing of the religious duty of collecting qurban skins and donations for forming the fund of *Zakat* and *Zakat-ul-Fitr*. Correctly estimating the sensibility of its members, the funds were publicly intended for founding of the Faculty of Islamic Studies and expansion of the schooling system, nevertheless, using the donations from foreign Islamic communities for completing the reconstruction of the planned buildings, indicated that the real aim of those activities was to

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discipline the believers and attach them to the Islamic Community. Handling those important issues, the Islamic Community created the conditions for constant improvement of the financial position of its religious officials, thus ensuring their loyalty and readiness for engagement in realization of all the planned activities, including implementation of measures for achieving certain political goals. Continuously stabilizing and strengthening its economic basis through the donations of the believers both from the country and abroad and the aid from the international Islamic organizations, the Islamic Community created the conditions for realization of an ambitious programme developed around the intensive erecting of religious buildings, education of religious officials adapted to modern conditions, expansion of the publishing activity, including women into the activities of the religious community, systematic religious education of the youngest generation and preparing for the times to come.

Key words: Islamic Community, Yugoslavia, financial position, vakufs, confiscation of property, special funds, religious officials.

Introduction

At the end of the World War II when the country was liberated, the Islamic Religious Community was in a state of complete organizational chaos. The Law on Invalidity of Legal Regulations issued before 6 April 1941 and during the hostile occupation, put out of force the Law on the Islamic Religious Community, the Constitution of the IRC from 1936 and other normative acts which regulated the internal organization and other important matters for normal functioning of a religious community. Due to the aid from the state, the elections for all bodies of the IRC were called and conducted on the territories of PR Bosnia and Herzegovina, Serbia, Macedonia, Montenegro and AR Kosovo and Metohija. The elections were conducted with great difficulties because of non-updated electoral lists, incompetence of the lower authorities and hindrances made by some influential members of the IRC who were not ready to accept the new authorities and willingness of the major part of the IRC to consolidate and regulate their relationship with the state.

The first session of the Supreme Vakuf Assembly, where the vertical organization of the IRC was established, was held on 26 and 27 August 1947 in Sarajevo. The Constitution of the IRC was adopted and, according to its provisions, Raisu-l-Ulama and the members of the Supreme Islamic Council were elected. The menshura was handed to the newly elected supreme leader on 12 September 1947 at Gazi Husrev Bey's Mosque. Organizational structure was characterized by the unity of the IRC on the entire territory of Yugoslavia and forming of republic bodies according to the federative organization of the new state. Constitution of republic organizations was followed by numerous problems

that were overcome owing to a great engagement of the supreme authorities. Vakuf Assemblies of the republics brought the majority of necessary normative acts for the sectors of religious life, transferred to the IRC republic authorities by the new Constitution.

Consistently implementing the established policy towards religion, the new authorities confiscated, by a number of systematic measures, most of the IRC property and, thus, made it financially dependent on donations. The Temporary National Assembly passed the Law on Agrarian Reform and Colonization on 23 August 1945, which prescribed confiscation of landed properties from all religious communities. There was a possibility for some church institutions, depending on their significance, to keep from 10 to maximum 30 hectares of arable land, forests, gardens, win yards, fields and meadows. The confiscated church land was assigned primarily to the people of the same religion as the church whose land had been confiscated through the new measures. Strenuousness of the commissions for agrarian reform and colonization, as well as revolutionary consistency of the new authorities and politicized judicature, enabled efficient confiscation of about 90% of the entire land possessed by churches and religious communities. The remaining property was burdened by various taxes according to the Regulation on the Purchase of Grains. Confiscation of property went further on with the Law on Nationalisation passed on 5 December 1946. Production plants and all printing offices were confiscated from religious communities, with no right to compensation. In accordance with the changes of the law from 1948, hospitals, sanatoriums and other institutions were confiscated. Church premises, building land and funds of religious communities were being nationalized on the basis of provisions of the Basic Law on Expropriation from 1947, which was amended in 1953, changed and expanded in 1957. The process was finished by passing the Law on nationalization of rental houses and building land on 28 December 1958. The remaining property of religious communities did not have any legal protection and was exposed to frequent usurpations by local authorities. The above listed laws were primarily aimed against the landed property and estate of the Serbian Orthodox Church and Catholic Church, but their enforcement also brought the Islam Religious Community in an unfavourable position.

1. The status of the vakuf property

According to the Islamic regulations, every mosque should have immovable property – vakuf, for the purpose of financing basic religious, cultural and educational functions. The authorities of the Islamic Religious Community had the duty to encourage the process of turning property into foundations (vakuf) and thus ensure normal functioning of religious objects. Landed properties were also turned into foundations, but since the Muslim people most commonly

lived in cities and towns, the major part of vakuf property consisted of tenement houses and business premises. Due to the policy of compromise with the Muslim political parties, the agrarian reform conducted between the two World Wars did not include properties of the IRC to a larger extent. During the World War II, a part of the property of that religious community had been destroyed, but the real reduction occurred after the liberation with the approval of the new authorities.

There are no precise records about the quantity of confiscated land, but, according to the information gathered from the IRC press, 3.197 dunums of various sorts of land had been expropriated in different ways until 1955. Another source states that 1.925 hectares of land and forests was confiscated and 148 buildings with 137 hectares of homestead was expropriated and nationalised from the IRC during the agrarian reform in Bosnia and Herzegovina.² During the process of agrarian reform and nationalisation, the largest part of property and premises was confiscated from the largest and the most significant Gazi Husrev Bey's Vakuf in Sarajevo. Kuršumljija, Hanikah madrasa, imaret, large number of stores, arable land and forest estates were expropriated, only Bey's mosque with maktab remained.³ The Law on Nationalisation, on the basis of which a large number of stores and other sorts of business premises was confiscated from the IRC, brought significant problems. Only in Kosovo and Metohija, 220 stores, 65 residential premises, 23 warehouses, 2 garages, 27 business premises and 12 inbuilt building spots were confiscated. According to the same source, in other parts of the Republic, 60 stores, 57 residential premises, 2 warehouses and 9 business premises were confiscated.⁴ The process of nationalisation severely damaged the IRC, but the negative consequences were lessened by the standpoint of the commission in charge that single-storied and buildings made of infirm material should be excluded from the process.

Immediately after the war, the main task of Vakuf Directorates, as the bodies in charge with the property, was adjusting to restrictive regulations of the new authorities, keeping a record of the remaining property, payment of personal incomes to central services, handling the issue of surplus employees and decentralization of vakuf administration. Collecting information in the field about the remaining vakuf property was a very slow process, and the information was mostly outdated, since the new authorities kept confiscating vakuf property for building schools, ambulance stations, communal houses, public nurseries, vet-

2 The forthcoming tasks of the IRC – a report submitted at the session of the Vakuf Assembly on 30 October 1955, *Herald of the SIC*, 1955/11-12, 386 and the group of authors, *Socio-political and legal regime of the religious communities in Yugoslavia*, the Institute for contemporary history, Belgrade, 1972, 43.

3 Šeta Ferhat, Above the Gazi Husrev Bey's vakufnamas, *Herald of the Supreme Islamic Council*, 1960/6, 50.

4 Cited according to the *Record from the extended session of the Commission for Religious Affairs of the Executive Council of AKMO*, pages 9-10. The precise date when it was held is not known, but it was received and entered up at the Republic Commission on 6 June 1959. A copy is kept at the Archives of the Ministry of Religious Affairs.

erinary stations and other premises intended for improving the social standard of the citizens. The centralization of administration and disposition of the vakuf property carried out by the Statute of 1909, turned out to be a bureaucratic brake and impediment for more flexible functioning, adjusted to the local situation, within the legal and economic area prescribed by the new authorities. A number of plans were made concerning the need to transfer a part of jurisdiction from central property authorities to Vakuf Committees, but the reforms were given up after estimating that the local authorities would, with a help of vakuf supervisors – mutevelis, use the property more for their own needs than for the needs of the religious community as a whole.

The early established relations with the new state authorities provided a better position for the IRC and much more success in their struggle against the illegal property confiscation, as well as closing of some court and administrative disputes concerning that issue in their behalf.⁵ Organizationally strengthened and politically supported IRC took a number of efficient measures with the aim of establishing order in vakuf property administration. The Vakuf Directorate from Sarajevo posted an announce to all Vakuf Committees on 29 January 1959, with precise directions for the remaining property administration.⁶ After less than two years, the Vakuf Directorate posted again a new act to all Vakuf Committees, the main task of which was to regulate the issue of vakuf property administration.⁷ In the spring of the same year, the Vakuf Directorate posted an announce to all Vakuf Committees, with the aim of precise definition and regulation of the issues of budgeting process, final account and overall financial management of vakufs.⁸

The instructions received from the supreme authorities stimulated the republic organizations to take some measures and establish the record of vakuf property, close the initiated court and legal proceedings, carry out rectifications and amendments of land registers, improve the work of mutevelis, increase the incomes and establish an economic management of the religious community's property. The IRC Council of Montenegro achieved the best results in keeping records of the vakuf property; they submitted a precise list of property they owned to the Supreme Vakuf Assembly in 1958.⁹ Other councils submitted the reports which indicated that the confiscation of the remaining property was still

5 See, Jakovljević Dragan, *Religious Diversity and Tolerance, Politics and Religion*, Belgrade, 2008/2, pp. 137-164.

6 The announce of the Vakuf Directorate, No. 467 from 29 January 1954 on vakuf property administration, *Herald of the SIC*, 1954/1-3, 70-73.

7 The administration of vakuf property, letter No. 134/56 sent by the Vakuf Directorate from Sarajevo to all Vakuf Committees on its territory on 10 January 1956, *Herald of the SIC*, 1956/4-6, 197-200.

8 See the letter from the Vakuf Directorate in Sarajevo No. 957/56 from 5 March 1956 sent to all Vakuf Committees on its territory, *Herald of the SIC*, 1956/7-9, 281-285.

9 The report on the financial state of the Islamic Religious Community in PR Montenegro, *Herald of the SIC*, 1958/6-8, 383.

happening and that there were ongoing court disputes with individuals, agricultural cooperatives and other usurpers. Graveyards in the Republic of Serbia represented a particular problem, since, according to the current regulations, they belonged to the IRC, but in some cities they were put to the disposal of public utility companies. Confiscation of the vakuf building land in cities for the purpose of building schools, hospitals and other social premises or solving various communal problems, was continued in Bosnia and Herzegovina. The Islamic Religious Community in Macedonia was forced to conduct a large number of disputes because of confiscation of the vakuf business premises and usurpation of all sorts of property in areas from which the Muslim people had been moving to Turkey those years.

Strengthening of the internal organization of the IRC and establishing discipline among imams and religious officials, enabled activating of alternative sources of income and, thus, the vakuf issue had been marginalized for years by all the IRC authorities. Particular problems related to confiscation or usurpation of vakuf property and premises in a period of more than twenty years, characterized by good relations between the state and the IRC, were being solved peacefully, by agreement and without public interference. The vakuf issue became topical again after a two-day symposium which took place in 1982 in Sarajevo, on the occasion of 450th anniversary of Gazi Husrev Bey's Vakuf. The professors from the Faculty of Islamic Studies, legal experts, religious and cultural workers participated in it. More than twenty reports were submitted, considering the history of vakufs from different aspects and pointing out the necessity of their revitalization, as one of the most significant institutions established for providing prosperity and future of Islam on Yugoslav territories.¹⁰

After the symposium, the Supreme Assembly had been reaching the conclusions annually about updating records of the vakuf property and the necessity of returning to the great tradition of endowment philanthropy among the Muslims of Yugoslavia. Actions of this kind were also a result of a real assessment made by the IRC leadership of the time, that a large number of Muslims, owing to their life abroad and working for small business, gained wealth, that could be used for prosperity of the religious community if turned into a vakuf. A special „Vakif day“, when the benefactors were rewarded for their concern about the future of the religious community, was established for the purpose of encouraging the action. The changed circumstances required adjustment of the tradition to modern times and, thus, turning money into vakuf was also approved.

10 The meaning of vakuf, *Herald of the SIC*, 1982/6, 623-627 and The scientific symposium –on vakuf and turning property into vakuf, *Preporod (Revival)*, No. 23/295, 1 December 1982, 1-2.

2. The attitude towards the confiscated property

Somewhat more favourable position in comparison with other religious communities allowed the IRC in the central republic to handle their most important property issues by acting wisely and patiently.¹¹ Firstly, they managed to denationalize, i.e. purchase under favourable conditions, the building „Đulagin dvor“ (Djulaga’s palace), where, after reconstruction and upgrading, Gazi Husrev Bey’s madrasa and the newly opened Faculty of Islamic Studies were placed.¹² After that, Kuršumljia and Hanikah madrasa, imaret, maktab, Gazi Husrev Bey’s Vakuf building and a part of business premises near Gazi Husrev Bey’s Mosque were also restored. The nationalized property of the IRC in Macedonia, Serbia and Montenegro was not restored in that time.

Complexity of the crisis in Yugoslavia and open issues of further development of economic system, made the issue of restoration of the property nationalized after the war to religious communities topical again. In their Draft law on denationalization, the Republic of Slovenia stipulated restoration of property to everybody, regardless of the status of previous owners. Bosnia and Herzegovina was preparing a similar law, while Serbia enacted a law on restoration of the nationalized property to the Serbian Orthodox Church that never came into operation because the President of the Republic denied the edict. As the first step for solving that complex problem, theorists of Islam, in a number of articles, harshly criticized the communist concept of nationalization carried out after the war. An outstanding theologian, Fikret Karčić, pointed out the following on that issue: ‘In post-war Yugoslavia, the ownership basis of the society was forcefully changed by confiscation or limitation of private property. The Marxist thesis about “expropriating the expropriator” provided an ideological justification of such measures. The property of religious communities was the object of confiscation for two reasons: 1. because the religious communities in pre-war Yugoslavia were an important private proprietor and 2. because they were qualified as dangerous ideological opponents to the process of building of „a brave, new world“.’¹³

The acting Raisu-I-Ulama J. Selimoski also started the issue of denationalization of vakuf property in his conversation with Ante Marković, the president of the Federal Executive Council at the time: „A huge property of religious communities, especially the vakuf property in case of the Islamic community, had been nationalized. That legal impoverishment of religious communities had

11 See, Branković Tomislav, *The League of Communists of Yugoslavia and Religion – with a Reference to the Relevant Laws and Practices*, Belgrade, *Politics and Religion*, 2007/2, pp. 81-96.

12 At the same time, the request of the Serbian Orthodox Church for denationalization of the Seminary building, in the centre of the city, where one of the faculties of the University of Sarajevo was located, had been rejected for years.

13 Karčić Fikret, *Vakufs and reprivatization*, *Herald of the SIC*, 1991/3, 267.

no real economic justification, which can be noticed from their irrational usage over years, but was more a sort of political manifestation of combative atheism in the early period of government constitution. Thus, it would be reasonable to take into consideration the possibility of denationalization of the property of religious communities, and this address is our initiative for that issue."¹⁴ Considering and following those issues, the Supreme Assembly of the IRC reached the decision, on 6 October 1990, that the republic meshihats should make a list of all immovable property confiscated after 1945, until April 1991. After having made the list, a request for restoration of nationalized and confiscated property would be sent to the federal and republic authorities.

For the purpose of analyzing the possible directions of reprivatization and theoretical processing of particular questions that should have helped the leadership of the IRC to take the right stand during their conversation with the state authorities about the modality and extent of restoration of vakuf property, a scientific meeting called „Vakuf under new socio-economic conditions“ took place in Mrkonjić Grad on 11 and 12 January 1991. The attitudes presented in papers and discussions served as the basis for reaching conclusions where the attitudes towards vakuf, as one of the corner stones of Islam, were synthesized. There was a request for restoration of the confiscated property and its using for economic, cultural and educational development of the Muslim people. The vakuf goods should be exploited in a modern economic way, using the experiences of some other Muslim countries as a role model. A vakuf bank should be formed, as well as a special body with the IRC authorities that would be dealing with those issues. A group consisting of experts of different profiles should have suggested new normative acts for that area in accordance with Sharia law and the needs of the IC. It was necessary to make a list of all confiscated and existing vakuf property and to make a database, using for that purpose all available modern informational and documentary achievements. Financial assets gained through using of vakuf property should be invested in the Islamic educational system, encouragement of hafiz, preservation of the Islamic cultural heritage and improving conditions for religious education of children. Adequate vakuf properties could be turned into experimental camps for recreation, socialization and professional development of the Muslim youth. It was also necessary to found a vakuf printing office that would print the publications of the IRC under favourable conditions.

The presented issues related to the confiscated vakufs showed the ability of the IRC and their leadership of the time to adapt and make profit of all weaknesses of the state for achieving their goals. They had been pointing out for years that the vakuf property should be restored for the purpose of financial

14 *The information on the discussion president of the Federal Executive Council Ante Marković had with the leaders of the religious communities on 30 January 1990, page 7. The material of the Federal Commission discussed at the session of 26 February 1990. The original is kept at the Archives of the Federal Commission.*

aid to impoverished imams and maintenance of religious buildings. Weakening of former Yugoslavia gave Islamic theologians the freedom to speak in public of the role of vakufs in reaffirmation of Islam and creating conditions for its original application on the territory of Yugoslavia.¹⁵

3. The organization of Zakat and Zakat-ul-Fitr funds

The vakuf incomes and permanent aid from the state could not provide for the increasing needs of the IRC and its educational institutions. That problem manifested itself in a dramatic way after passing the amendments to the Constitution of the SFRY in 1969, which stipulated the abolishment of the *Federal Commission for Religious Affairs, which was the main financial source for the central authorities of the IRC. The supreme authorities of the IRC concluded that it was necessary to find new financial sources and that the solution was the affirmation of the neglected religious duties of collecting qurban skins and paying Zakat and Zakat-ul-Fitr, which was obligatory according to the Sharia law. Traditionally, the Islamic press first published a number of articles where the Shariatic basis of the new duties was explained to the believers.*¹⁶

The Supreme Islamic Council also published a number of popular articles in the „Herald of the Supreme Islamic Council“ with the aim of obtaining support from the believers for implementation of the new measures. The property for which Zakat (religious tax) is paid was precisely listed, alongside with the explanation that *Zakat-ul-Fitr (Sadaqa al-Fitr, vitra) represented a duty that all Islamic believers were obliged to fulfil on a certain day of the Ramadan fast. The value of Sadaqa was determined by the cost of daily amount of food for one man, and that money was intended to be given to the poor or regular and Ramadan imams would keep it for their own needs. The supreme authorities of the IRC were of the opinion that there was no longer a need to give the Zakat-ul-Fitr money to the poor, but that it should be centralised and redirected to a special fund instead. Consistent action of collecting of the qurban skins, whose selling would be organized by the IRC, was also recommended and the money would be distributed according to the decisions of the competent authorities of the religious community. Because the believers who lived in cities could not slaughter qurban according to the religious regulations, it was decided that those interested for that action should address the directorate of the Madrasa in Sarajevo, who would buy a qurban for the received money and dedicate it to the donor.*¹⁷

15 See, Šukrić Nijaz, Historical cross-section of the use of vakufs in previous practice, *Islamska misao (The Islamic thought)*, 1991/147-148, 69.

16 Hodžić Vehbija, The duties of Muslims towards their religious community, *Herald of the SIC*, 1966/7-8, 314-316.

17 The poverty of the community is a punishment for failing to fulfil the duty of Farza Zakat, *Herald of the SIC*, 1969/7-8, 335-376.

After the theoretical preparation, getting the believers acquainted with the new actions and on the basis of the conclusion that the Supreme Assembly reached after the session held in Priština on 5 November 1969, the Supreme Islamic Council reached the decision, in the same year, of redirecting the collected financial assets into a unique Gazi Husrev Bey's Madrasa financing fund. An official announcement was sent to all IRC Committees in Bosnia and Herzegovina with the order to take the following measures: get imams and members of *jama'ah* (Muslim parish) familiar with the significance of the action; ban imams to keep the money from Zakat and *Zakat-ul-Fitr for themselves*; leave 5% to all participants of the action for their effort; The Directorate of Gazi Husrev Bey's Madrasa was to write a popular article on its history and significance and the IRC Council in Bosnia and Herzegovina was to prepare a booklet where the regulations related to Zakat and *Zakat-ul-Fitr* would be presented in a popular way and the believers recommended to invest the bonds from roads loan in the Madrasa fund.¹⁸ The cited announcement was not obligatory for other Councils, but a joint carrying out of the action was recommended, as well as investing the financial assets collected in Serbia in improving the working conditions of Alauddin Madrasa in Priština and in other republics in scholarships for students of religious schools.

The decision of founding the Faculty of Islamic Studies conditioned the change of strategy and redirecting of Zakat and *Zakat-ul-Fitr* funds for financing the reconstruction of the building. The Supreme Islamic Council sent, on 11 August 1973, an official announcement to all Committees, where they pointed out the historical significance of founding the Faculty and the necessity of maximal involvement and contribution to collecting the largest possible amount of financial assets.¹⁹ Raisul-Ulama sent a special letter to small businessmen and other rich Muslims, where he called for their participation in the action in the following way: „Since I trust in Your high level of Islamic consciousness and keen sense of responsibility for our survival and a better future of Islam, this is the way I address You, as the supreme leader of the Islamic Community in SFRY, in the name of Allah, with the appeal to contribute a part of the Allah's gifts you were granted for the benefit of certainly most noble and historically most significant action of our religious life. This is the opportunity that no Muslim should miss. A donation for the Faculty fund brings You a seven-hundredfold reward, as Allah Jalla Shanuhu guarantees in Qur'an. Financial aid to the community is one of deeds that most pleases the God. Such deeds, as Muhammad a.s. says, provide sevap even after death, no matter if a man has accomplished them while he was still alive or some-

18 The announce of the Council of the Islamic Religious Community in SFRY Sarajevo on collecting Zakat and Sadaqat- al-Fitr for the GH madrasa fund and interpretation of the Sharia law, *Herald of the SIC*, 1969/7-8, 353-355.

19 The announce of the Supreme Islamic Council No. 1585/73 from 11 August 1973 sent to all IRC Committees in FR Bosnia and Herzegovina, *Herald of the SIC*, 1973/9-10, 387-390.

body else did it for the sake of his soul".²⁰

The counsel of the representatives of the IRC supreme authorities in SFRY on collecting the assets from Zakat, Zakat-ul-Fitr and qurban skins, held in Sarajevo on 15 and 16 July 1976, encouraged further popularization of the action. Outstanding Islamic theologians submitted their thorough reports on the Sharia basis of collecting and distributing the assets and the Supreme Islamic Council wrote a special article on determining the value of Zakat. The reports and discussions served as the basis for reaching conclusions whose implementation should provide the success of the action.²¹ The second counsel dealing with the same issue took place in Priština on 26 and 27 January 1977 and there was a conclusion that the believers have widely accepted the new duty and that the amount of the collected assets was increasing annually.²²

The most influential theologian of the time, Dr Ahmed Smajlović, started a new theoretical discussion on the Sharia basis of Zakat and Zakat-ul-Fitr in 1983, whose basic meaning was to present that Islamic duty in a new, modern way and in accordance with his understanding of Islam and the role of the IRC in Yugoslavian society of the time. Zakat was no longer interpreted unambiguously, as one of basic Islamic duties, but was rather defined as a sociological, anthropological and psychological category of greatest significance for personal integrity and successful functioning of the Islamic society.²³ Dr Sulejman Mašović, who was of the same opinion as Dr A. Smajlović, summed up his past experiences in organization of such actions and thus made an indirect criticism of the Supreme Islamic Council and the measures taken.²⁴ Aziz Kadribegović, who had a similar standpoint, criticised harshly some failures of the supreme authorities of the IRC related to the means of collecting assets from Zakat and Zakat-ul-Fitr.²⁵

The departure of A. Smajlović from the political scene brought the issues of Zakat, Zakat-ul-Fitr and qurban skins back under the jurisdiction of the Supreme Islamic Council.²⁶ The action was continued with more or less success, but the

20 The cited text of the Reis' letter was published in *Herald of the SIC*, 1975/9-10, 454-455.

21 The conclusions and reports were published in *Herald of the SIC*, 1976/4, 331-384.

22 On this counsel see the text, The results of this year's actions, *Herald of the SIC*, 1977/1, 85-87.

23 See, Smajlović Ahmed, The meaning and significance of the duties of Zakat and Zakat-ul-Fitr according to Qur'an and Sunnah regulations and modern Islamic practice, *The Islamic thought*, 1983/53, 5.

24 See, Mašović Sulejman, The necessity of modern organization of collecting Zakat and Zakat-ul-Fitr – positive experiences, *The Islamic thought*, 1983/54, pages 8-9.

25 See, Kadribegović Aziz, Some remarks from the distribution of Zakat and Zakat-ul-Fitr bill pads, *The Islamic thought*, 1983/54, 11.

26 Publication of *Parergon* by D. Sušić in Sarajevo magazine „Oslobođenje“ (Liberation) in August and September 1969 was an introduction to state measures against the Muslim nationalists gathered around the Islamic Community. The speeches of H. Dožo and H. Jusufpahić at the opening of a mosque near Bugojno and their public condemnation of J.B. Tito served as the bases for replacement and retirement of the first one and pasivization of the latter. The administration of the Association of the 'Ulama' was removed from office and the editorial staff of the "Preporod" (Revival) magazine replaced. After six years, in 1985, the president of the IC Seniority for FR Bosnia and Herzegovina, Dr A. Smajlović, was removed from office, because he was estimated to

published data constantly indicated enlargement of the collected assets, especially in FR Macedonia.²⁷ There were also some efforts for expansion of this duty among the believers abroad, thus, in 1987, bill pads with designated values in Deutsche Marks were printed. With the aim of stimulation of collecting assets, it was decided that 20% of total sum be put aside for the needs of the committees and, in 1989, bill pads for Zakat and Zakat-ul-Fitr were separated.

The end of this period, which is the topic of this paper, was characterized by unregulated issue of financing the supreme authorities of the IRC. Riyasat had decided that 30% of the assets from Zakat and Zakat-ul-Fitr be appropriated for that purpose, but, due to disregard of the decision, the supreme authorities were financed by the Meshihat of FR Bosnia and Herzegovina. The assets collected from the republics were being misapplied, including their spending on the needs of the independent unions, about which the following was pointed out in the Report on the work of the Supreme Islamic Council for 1990: „This year, because of the known affairs in Kosovo, it has been approved to the Meshikat that the minimal value of the Zakat-ul-Fitr bill pads be 30 Dinars, but, as we have been informed, the Independent Union of Kosovo has made the fund of the Islamic Community become even smaller, since, owing to its activity, a large part of the assets was spent on the workers of Ramiz Sadiku and others. Neither the Meshikat of Macedonia has been excluded from that sort of occurrences, where it is speculated that 3 000 billions of old Dinars has been taken away from the Islamic Community by the activity of the Union.”²⁸ This quotation indicates that the money from the IRC was used for financing the separatist movement, because functioning of these unions was under the direct influence of the Albanian political alternative.²⁹

The analysis of all activities that followed the introduction and, later, development of Zakat and Zakat-ul-Fitr collecting actions, clearly confirms achievement of significant results. The believers had been reserved at first, but constant announces and communications from the supreme authorities of the IRC, great propaganda of the Islamic press, the significance of the goals for which the money was to be collected and good terrain work of the imams, discouraged all attempts of resistance. The sum of money collected during the Ramadan was constantly increasing, but it was obvious that the believers did not easily accept the duty of paying Zakat for their property, which was the ultimate goal of the entire action. Zakat and Zakat-ul-Fitr had also been collected in private houses

be the main proponent of fundamentalism, pan-Islamism and making close connections with the international Islamic factor.

27 See, Matevska Duška, The relationship between the political and religious elite in contemporary Macedonian Society, *Politics and Religion*, Belgrade, 2011/1, pp. 129-140.

28 Report on the activities of the Supreme Islamic Council (Riyasat) of the Islamic Community in Yugoslavia, *Herald of the SIC*, 1990/5, 128.

29 See, Novaković Dragan, The Role of the Islamic Community in Pursuing the Albanian National Interest, *Politics and Religion*, Belgrade, 2007/1, pp. 173-188.

during these years, without any reaction from the state authorities in charge that would, at the same time, punish the priests of other religious communities for collecting donations out of the religious buildings. Successful completion of all planned activities that had been financed from the collected money, was an obvious proof to the believers of the intended use of the money and creating conditions for strengthening of Islam on the territory of Yugoslavia. The majority of the IRC members did not know that the reconstruction of the Faculty and Madrasas was completed owing to large sums of foreign donations and that the introduction of Zakat and Zakat-ul-Fitr, in fact, served the purpose of disciplining the believers, their attachment to the Islamic Community and fulfilment of all Ulama's orders.

4. The financial position of religious officials

Owing to confiscation of property, the financial position of religious officials in the post-war period depended on marhamet – charity provided by the believers and state aid. Abolition of maktab additionally worsened the entire situation, since a large number of teachers of basic Islamic teaching lost their job. Vakuf Directorates were not in a position to provide payments for all religious officials and, therefore, the most capable staff left religious service and went looking for employment in the state sector or in elementary and secondary schools as teachers and professors. Since the payments were constantly decreasing and the duties towards the creditors increasing, the state was forced to increase the aid and, thus, solve the existential problems of the administration employees at supreme and republic IRC authorities and educational and cultural institutions.

The IRC authorities were taking certain measures for regulation and improvement of the material position of their religious officials. After having signed the Social insurance contract, all elderly imams with damaged health, who fulfilled the required conditions, were recommended to submit the retirement application. There was also a constant regionalization of *jama'ahs* in order to equalize the number of households and, thus, enable a more stable financing of imams. According to the decisions of Ulema Medzlis, imams were sent to perform their service in the places of their birth, because there they presumably had a house for living and some land to cultivate. Vakuf property was granted to imams free of charge when permanent income could not be provided from other funds. Regular payments of administrative staff, paid from the state aid funds, were the cause of discontent among the imams, who reasonably considered that such policy brought them in an unfavourable position and complete dependence on the believers' goodwill.³⁰ In accordance with the decision of the competent authorities, motivated by political reasons, all Republic Commissions for religious

30 *Herald of the SIC*, 1954/4-6, 113.

affairs started granting regular aid to the most impoverished religious officers, which was being paid according to the criteria of Ilmija Association.³¹

The supreme authorities of the IRC were regularly discussing the issue of the financial position of religious officials and trying to find solutions under very unfavourable conditions, which would prevent the discontent among imams and departure of the most qualified staff. In order to overcome that urgent issue, the Supreme Islamic Council assembled, in October of 1956, a broader conference where the officials of the IRC and Ilmija Association discussed the material position of religious officials, most efficient means of fundraising and some other current issues. Complexity of the issue propelled the participants to form a representative board, which would take all raised issues into consideration and suggest their solutions to the Ulema Medzlis in Sarajevo.³² After having discussed all the issues raised by the conference participants, the board proposed establishment of a special fund that would provide bonus rewards for religious officials and financial assets through tax assessment of Vakuf incomes, voluntary contributions and collecting qurban skins. The Supreme Islamic Council refused to empower the board to investigate the issue of material position of religious officials on the entire territory of Yugoslavia, which led to self-dissolution of that body and gradual marginalization of its proposals.³³

The issue of unenviable financial position of the religious officials of the IRC was often discussed by state commissions in charge of religious affairs, because of possible public manifestations of discontent and negative political consequences. The conclusions on unfavourable financial position served, typically, as the basis for constant increase of the aid. The Commission of Serbia, discussing this issue, reached the following conclusion in 1955: „Since the majority of Muslim clergy in Serbia is being poor, the Executive Council of PR Serbia, beside regular personal aid given to the Muslim clergy, also pays a social contribution to the Social Insurance Administration in the amount of 75% of basic pension“.³⁴

The believers' rising standards of living resulted in a gradual but constant improvement of the financial position of the IRC religious officials. An increasing number of Islamic believers temporary working abroad made a great contribution to the process, by investing surplus of the money they had earned in religious buildings and funds for supporting imams instead of production,

31 The Commission of Serbia had been granting regular aid to impoverished imams until 1980. Their number was varying from 100 to 300. The complete financial documentation related to the aid can be found in the Archives of the Ministry of Religious Affairs of Serbia.

32 The report on the activities of the Supreme Islamic Council – section: The issue of finding means for improving the financial position of religious officials, *Herald of the SIC*, 1956/10-12, 403.

33 The report on the activities of the Parliamentary Committee of Sarajevo for 1957 – section: The financial position of religious officials, *Herald of the SIC*, pages 341-342.

34 The report on the position of religious organizations and sects in PR Serbia, page 6. Material of the Republic Commission for Religious Affairs, 1995. The original is kept at the Archives of the Ministry of Religious Affairs.

since the private sector was ideologically proscribed at the time. After thorough evaluation of all possibilities, it was decided that the lacking money for financing imams and the community as a whole should be collected through more systematically organized donations from the believers. Ambitious religious officials familiar with economic fluctuations quickly reached the conclusion that the traditional way of collecting donations through money boxes in mosques became anachronous and that it was necessary to find some alternative means for it, more suitable to modern times and better educated believers.³⁵ Bayram greeting cards were being sent to the believers, to remind them of the duties towards their religious community. Specially designed acknowledgments were awarded during the ritual of Cuma Namazi on Fridays. Names of the believers who had given greatest donations were mentioned at hutbas or published on notice boards at the IRC Committees. The Islamic press regularly published photographs and occasional articles about the greatest donors, which encouraged competition among the individuals, who often gave donations that were beyond their actual financial possibilities. Obligatory monthly contributions were established for all adult members of the IRC, in the amount that was equal to TV subscription in some areas. Establishing such duty was followed by numerous problems, since the believers reluctantly accepted putting money aside regularly, but the continuous propaganda and imams' refusal to perform religious rituals for members of the households that did not pay the contribution, gave results quickly. Money collected through membership fees was centralized within Committees and allocated to imams' salaries. Positive results of the action, besides the reward for fulfilled religious duties, provided a stable financial position for the imams during the 1970s.

The issue of small jama'ahs in urban and, especially, rural environments was being solved successfully. Insufficient number of households in some jama'ahs implied much greater monthly allocations for financing imam and his family. Imams from smaller jama'ahs started the initiatives for forming the salary funds on the Council level, but the proposition was turned down. Instead of forming a unified payment fund, Councils often merged jama'ahs, which resulted in equal distribution of the believers' duties in supporting the imam. The issue of official apartments for imams was also solved very successfully, since a house for imam's family used to be built beside every new mosque. In order to stimulate religious officials to permanently solve their housing issues, the Assembly of the IRC for FR Bosnia and Herzegovina adopted, on 23 April 1975, "The book of regulations for the Mutual aid fund", from which housing and consumer durable loans were granted under favourable conditions. It is interesting to point out that articles 16, 17 and 18 contain provisions on interests upon approved funds, which is

35 Mujić Husein, How to provide financial assets for the purposes of the Islamic religious community, *Herald of the SIC*, 1964/5-6, 251-254.

not in accordance with the Sharia law, which strictly prohibits economic, bank and trade transactions burdened by interest rates.³⁶ The above listed measures, as well as gradual but constant intake of considerable amounts of money from abroad directed, inter alia, into imams' salaries, provided a stable solution for the financial position of imams in early 1980s, which implied decent monthly incomes and official apartments and houses or private property provided.

The state was regularly monitoring the financial position of the IRC and its religious officials and, according to the information collected from the field, changed and adjusted its policy and the amount of funds intended for the religious community. The tax policy was balanced towards the imams, and its aim was developing of the sense of responsibility towards the duties, not filling the budget. Special attention was paid to collecting donations from the believers, since, for the ideologically based state of the time, it was the best proof of success or failure of the official atheistic policy. Monitoring the issue, the State Security Service reached the following conclusions in 1961: „Ramadan and Bayram are used for collecting financial assets from the believers, which are further used for hodjas' fees on these days, i.e. during the Bayram celebration, as well as for reconstruction and building of new maktabas and mosques“.³⁷ In 1969, the Commission of Serbia estimated that the IRC was collecting funds for financing their activities through donations, presents and taxes for performing religious services, but that its existence would be in question without the constant state aid directed for financing the republic authorities, madrasa and on behalf of the financial support of a large number of impoverished imams.³⁸ The state authorities noticed that the financial position of the IRC was stabilized in the late 1970s, and the Federal Commission found out that enormous amounts of money collected from the believers were further directed for university and mardasas and that some individuals were giving excessively large donations.³⁹

Gradual worsening of the economic situation and the beginning of a serious inflation in 1985 made the issue of financial position of the religious officials of the IRC topical once again. The Supreme Assembly obliged the Committees, by its conclusions, to monitor the price increase and harmonize personal incomes of the officials with the increase of the costs of living on a daily basis. For the sake of solving that topical issue, the Assembly proposed the following measures: “The centralization of funds is, by all means, one of the necessities in that direction, and it has to be a maximum centralization, so that the collected funds

36 The book of regulations of the Mutual aid fund, *Herald of the SIC*, 1977/1, 97-103.

37 *Information on Ramadan and Bayram celebration in 1961*, page 1. Material of the State Security Administration, Second department – Clergy section. A copy is kept at the Archives of the Ministry of Religious Affairs of Serbia.

38 *Information on some issues referring to relations and activities of the religious communities in FR Serbia*. Material of the Republic Commission, Belgrade, January of 1969. The original is kept at the Archives of the Ministry of Religious Affairs of Serbia.

39 *Brief information on the Islamic Community in SFRY*, Belgrade 1977. Material of the Federal Commission. The original is kept at the Archives of the Federal Commission.

could be distributed as properly as possible. Then, establishing separate funds for aiding religious officials (and pensioners) and better stimulation of their activity. Then, solidarity aid from richer Committees and putting certain percent of the incomes aside for the poorer ones, gaining extra income by better use of certain potentials, vakufs and other property of the Islamic community etc".⁴⁰ Some imams, close to the Councils and senior officials of the IRC, were striving to win city jama'ahs for themselves, outside the given criteria, and, thus, permanently solve their existential issues.⁴¹ The discontent with their material position, as well as the appetite for higher earnings, affected the decision of more than 30 imams from the territory of Bosnia and Herzegovina to leave their service and go to work in some of the Western European countries.⁴²

The issue of the financial position of religious officials was used for political purposes after Dr Ahmed Smajlović had been deposed from all the functions within the IRC. Since 1985, the most influential magazine of the time called „Preporod“ (Revival) had continuously been publishing the articles that pointed out the unenviable financial position of all the employees of the IRC and called for the authorities in charge to take all possible measures for improving the situation.⁴³ The financial position of imams, that was not much different than the position of other employees of the IRC during the period of the greatest inflation, served as the cause for the supporters of Dr A. Smajlović to use their discontent over that issue as the basis for their gathering and setting the request, that followed the ready-made scenario, for deposal of the president of the IRC Council in Bosnia and Herzegovina, as well as to force the retirement of Raisul-Ulama H. Mujić.⁴⁴ After the enforced changes, that had been the main goal of the protest, the material position of religious officials was no longer a topical issue, even though the inflation was not quenched and the imams were living harder and harder, just as the rest of the population of Yugoslavia at the time, until the economic reforms of the last federal Prime Minister A. Marković.

The Commissions for relations with religious communities regularly estimated that the financial position of the IRC had been constantly improving since 1980. The inflow of funds from various sources, especially from the international Islamic organizations, was substantial, and troubles occurred only with the distribution of money, because of the tendency of some individuals to keep the

40 Current issue, Standard of a religious official, *Herald of the SIC*, 1985/4, 331-333.

41 The report on the activity of the Supreme Islamic Council from 5.84. to 5.85 – section Harmonization of personal incomes, *Herald of the SIC*, 1985/3, 310.

42 The report on the activity of the Supreme Islamic Council – section Religious official, *Herald of the SIC*, 1983/4, 579-582.

43 The financial (in)security of religious officials, *Revival*, No. 24/392, 15.12.1986, 1. See also Smajlović's article, Imams' salaries on the scales, *Revival*, No. 24/440, 15 December 1988, page 1.

44 See, Abdulmahdi Saheeb Jaafar, Arab View of Balkans Muslims: an Attempt at Shedding More Light of the Role of Islamic Fundamentalists, *Politics and Religion*, Belgrade, 2008/1, pp. 53-64.

donations for themselves. Considering the relations with the IRC, the Federal Commission estimated the financial position of the religious community as follows: "The accomplished results within the Islamic Community were, among the rest, the product of an elaborate system of financial donations from the believers, that were frequent and large, which helped this community to create a financial basis for solving its organizational, personnel and other issues without particular difficulties. One may conclude that the Islamic Community had almost completely settled its financial position, with the exception of some issues in so called diasporas. The system of material donations from the believers of this religious community was not always merely a lawfully determined voluntariness, it sometimes seemed to take the form of taxation of the believers. Besides that, collecting of funds for religious needs had also been followed by insults, pressure, public praising of the donors and competition in the amount of donations, which often overstepped the real abilities of the believers and resulted in their lesser engagement in solving everyday issues within the social community"⁴⁵ The instrumentalized campaign on the unenviable financial position of the religious officials did not dissuade the Commission of Serbia to conclude the following in 1987: "The rapid economic development of our country in the post-war period enabled a significant raise of standards of all the citizens, including the believers. That raise of standards also made possible the establishment of a stable material basis of the Islamic Community, that enabled effortless financing of all the activities intended for intensifying of the religious life".⁴⁶

45 *The relations between the state and the Islamic Community in SFRY*, page 5. Material of the Federal Commission, Belgrade, April of 1982. The original is kept at the Archives of the Federal Commission.

46 *The analysis of the actual movements within the Islamic Community in FR Serbia*, page 5. The material of the Republic Commission discussed at the session on 2 August 1987. The original is kept at the Archives of the Ministry of Religious Affairs of Serbia. The quoted standpoint is confirmed by the objective information on the Dinar and foreign currency funds that were at the disposal of the Council of the Islamic Community in Bosnia and Herzegovina, Croatia and Slovenia in 1985 and 1988: „The commission (the one formed at the request of F.Šeta, after the imams' protest, to determine the financial activity of the Seniority/Council) exposed the precise data on the financial assets of the Council. After the deposal of Dr Ahmed Smajlović (three years ago), the Council disposed of 702.173 Deutsche Marks, 205.807 US Dollars, 16.237 Pounds and 3.459.397 Dinars. On 31 December 1988, the Council had the following assets on its banking accounts: 2.526.515 Deutsche Marks, 513.745 US Dollars, 17.864 Pounds and 123.046.476 Dinars. It should also be mentioned that the Council invested over 300 billions of Dinars for the reconstruction of significant religious buildings during the last year", *The information on gathering of the imams in FR Bosnia and Herzegovina and the efforts of the Islamic Community authorities for normalization of the situation*, page 8. Material of the Commission of Serbia. The original is kept at the Archives of the Ministry of Religious Affairs of Serbia.

Conclusion

The establishment of a stable economic basis and generally favourable financial position of the religious officials enabled normal activity of the Islamic Religious Community and intensifying of all forms of religious life during the era of Socialist Yugoslavia. Constant changes of Constitutions and harmonization of their provisions with changing life conditions enabled the consolidation of the internal organization, and, owing to the great authority of the Councils and controlling-directive function of the Assembly, which also had some laymen among their members, a strong discipline was established among the religious officials and the concept of inseparability of secular and spiritual spheres was carefully promoted. The erection of religious buildings had not been that frequent since the departure of the Ottomans from the Yugoslav territories. The foundation new madrasas and starting the activity of the Faculty of Islamic Studies modernized the schooling system, with the aim of producing professionals capable of working in modern conditions. Publishing became a priority, which enabled printing of some of the most valuable works from the fields of philosophy and theology, popular literature for elementary religious education and starting a number of different magazines and periodicals. Both the youth and the secularized middle generation were being introduced, through various methods, in all the activities of the religious community. Religious education adopted the characteristics of systematic education and, in certain milieus, the involvement of elementary-school children was almost complete. Through attractive programmes and breaking with century-long traditions and conservatism, women as pillars of their families and an unavoidable factor in raising of young generation in Islam, found their place in the religious community. Every suitable opportunity was used for mass gatherings of the believers, which were practical manifestations of the power of religious community and its impact on the people.

The IRC used the disorganization within the state and unreadiness of the authorities in charge to get to the essence of all the processes, for constant rejuvenation of its staff through the imams educated at the best Islamic universities. Well educated and ideologically prepared during the years spent abroad, they set as their primary task the formulation and implementation of a new strategy for acting of the Islamic Community, which was in accordance with the patterns formulated in the centrals of the most significant international Islamic organizations. Gradually strengthening their position, the "new forces" decidedly demanded changing of the IRC leadership's policy of the time, which was characterized by cooperation with the state. The lack of nostalgia for the old times enabled their connection with political elites, which correctly understood the essence of global changes sprung from the weakening of socialist regime and were well acquainted with the dimensions of irreconcilable national contradic-

tions and the economic crisis of the state. Realistically estimating the changed circumstances, but, at the same time, unready to accept the possibility of disappearance of such a powerful spiritual force like the Islamic Community from the historical scene and its sharing the destiny of once equally powerful League of Communists, the „new forces“ put effort to preserve it, even in times of disintegration of Yugoslavia in a bloody civil war and creation of new states on its ruins.

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МАТЕРИЈАЛНИ ПОЛОЖАЈ ИСЛАМСКЕ ЗАЈЕДНИЦЕ И ЊЕНИХ ВЕРСКИХ СЛУЖБЕНИКА У СОЦИЈАЛИСТИЧКОЈ ЈУГОСЛАВИЈИ

Резиме

Спровodeћи утврђену политику нова социјалистичка власт је низом системских мера Исламској заједници одузела највећи део имовине и тако је учинила зависном од сталне државне помоћи. Увиђајући реалност и поступајући кооперативно и прагматично, новоизабрано руководство уредило је односе са државом и тако створило неопходан маневарски простор за ублажавање оштрине предузетих мера, очување материјалне супстанце и постављања основа из којих је произашло стално економско снажење заједнице и њених верских службеника. Пажљиво и опрезно предузимане су мере у циљу решавања проблема вакуфских поседа, које су у првој фази имале карактер евидентирања и елементарне заштите од пропадања, да би протеком времена добијале изворни смисао изражен кроз став да је правилан однос свих структура верске заједнице и верника према том питању од пресудне важности за очување ислама на југословенским просторима. Процеси демократизације и стварање институционалних претпоставки за отварање и решавање неких важних питања, охрабрили су исламске интелектуалце да покрену дебату о одузетој имовини, а руководство Исламске заједнице да јавно затражи њен повраћај и стављање у функцију развоја исламске просвете и културе. Ослобађајући се наметнутих контролних механизма, непрекидно снажећи и осећајући се неспутаном пред све евидентнијим слабостима државе, Исламска заједница је реактивирала, започела и са успехом окончала сложени процес поновног успостављања и наметања верницима обавезе давања курбанских кожица и средстава за формирање фонда зеката и зекатул фитра. Правилно процењујући сензибилитет својих припадника, средства су јавно намењивана за оснивање Исламског теолошког факултета и ширење школског система, али чињеница да су планирани објекти завршени уз помоћ донација из исламског света, указују да је прави циљ тих активности био дисциплиновање верника и њихово везивање за Исламску заједницу. Уређујући та важна питања, Исламска заједница је стварала услове за стално побољшавање материјалног положаја верских службеника обезбеђујући на тај начин њихову оданост и спремност за укључивање у све планиране активности. Непрекидно стабилизујући и јачајући економску базу прилозима верника из земље и иностранства и примањем сталне

помоћи од међународних исламских организација, Исламска заједница је створила претпоставке за реализовање амбициозног програма у чијем средишту је било административно учвршћивање, интензивна изградња верских објеката, школовање савременим условима прилагођеног верског кадра, развијање издавачке делатности, укључивање жена у активности верске заједнице, систематско верско образовање најмлађе генерације и припрема за времена која су долазила.

Кључне речи: Исламска заједница, Југославија, материјални положај, вакуфи, одузимање имовине, посебни фондови, верски службеници.

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