RELIGIOUS INSTITUTIONS WITHIN SECULAR STATES: THE CASE STUDY OF ISLAMIC COMMUNITY OF BOSNIA-HERZEGOVINA

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Abstract: The logic of secularism, that foresees the separation of religion and state with relegating religion to private sphere dominates international relations theory. However, privatization of religion can be hard to achieve, mainly in pluralistic societies where religion is the key determinant of identity, and where nationalism is expressed with the religious rhetoric, such as in the example of Bosnia Herzegovina. The state has adopted a positive form of secularism, which is conceptualized as Judeo-Christian secularism in the literature. The position of religion vis-à-vis the state is defined in the constitution and law defines the role of religious organizations (Karcic, 2013) by protecting the "freedom of thought, conscience, and religion for all citizens of Bosnia and Herzegovina. The Constitution also specifically protects the three major ethnic groups, Croats, Serbs, and Bosniaks, which means, as a practical matter, that it also protects the three major religious traditions, Muslims, Serb Orthodox, and Roman Catholics. The secular structure of the state acts as a barrier, rather than suppressing, guaranties that there will be no state interference into the inner affairs of any religious community. Religious communities enjoy great autonomy and emerge as powerful actors, not only in terms of shaping everyday lives but also for contributing to identity building of its followers. The Islamic Community declares itself as the sole and unique community of Muslims living in Bosnia and Herzegovina, of Bosniaks (Bosnian Muslims) living outside their homeland and other Muslims who accept this community as their own. Islamic community was a weak and malfunctioning body before the independence. Although it was to represent all Muslims in former Yugoslavia including Bosnian Muslims its real power was limited. There was direct involvement of communist regime to activities and decision-making process of the institute (Branco, 2004). However, IC emerged as a powerful, strong and active organization following the declaration of independence. It broke up with Belgrade and restored its headquarter in Sarajevo in 1993. Today the institution is the main institution directing religious life of Bosniaks and enjoys great autonomy. The institutional performance can be analyzed in three categories; IC has an administrative role, interpretative power, and educative responsibility. Beside its institutional capacity this work aims at questioning the role of Islamic Community over nation building of Bosniaks. In the early 1990s, Muslim nation building in BiH entered a new phase distinguished by the construction of the Bosniak national identity. (Larise, 2015). The name "Bosniak" was introduced during the war period in 1993 referring to the Bosnian Muslims. Although motivated by the urgent need for a stronger symbolical tie between BiH and its Muslim population in the face of the growing territorial aspirations of the neighboring countries, the concept of the new Bosniak nation, constructed as such by the intellectuals close to the institutions of the official Islamic Community in Bosnia and Herzegovina and the nationalist Party of Democratic Action (Larise, 2015). Due to inseparable bond between religion and identity, religion plays significant role in identity building. Hence, Islamic Community as the sole religious institutions of Bosniaks contributes directly or indirectly to this process.
Keywords: Bosnia-Herzegovina, Islamic Community, Nation Building, Revivalism, Secularism.

1. DEFINING SECULARISM AND ITS IMPLICATIONS IN BOSNIA HERZEGOVINA

The logic of secularism, that foresees the separation of religion and state with relegating religion to private sphere dominates international relations theory. This dualistic approach perceives human life in two levels, as public and private realm. Although people have right to choose their own religion and beliefs this should be contained not to allow it to expand in the public sphere, meaning that religion is a private issue. However, privatization of religion can be hard to achieve, mainly in pluralistic societies where religion is the key determinant of identity, and where nationalism is expressed with the religious rhetoric, such as in the example of Bosnia Herzegovina (BiH), it is seen as a crucial element of the modernization theory. Bosnia Herzegovina is a secular state, guaranteed by its constitution, however secularism in BiH deserves more attention in order to understand social dynamics, as well as role of religion in society.

The role of religion in social and public life, stemming from Enlightenment thought and modernization theory assumes that societies will secularize, as the significance of religion diminishes as a historical concept. The mainstream secularization thesis states that as societies become more modernized, the authority and influence of religious beliefs and institutions will eventually disappear from public life and will only be relevant to individuals on a private level, if at all (Wilson, 2012, p.36). Although we can talk about a consensus regarding conceptualization of

secularism and the secularization theory, the implication and predictive character of it is highly debated. While Erin Wilson challenges the assumption that the role of religion declines, scholars such as Peter Bergen and Charles Taylor discuss whether political secularism is a monolith. Taylor states that "there are at least two models of what constitutes a secular regime. Both involve some kind of separation of church and state. The state can't be officially linked to some religious confession, except in a vestigial and largely symbolic sense…But secularism requires more than this. The pluralism of society requires that there be some kind of neutrality, or "principled distance," (Taylor, 2010). Berger distinguishes between three kinds of secularism: one that separates church and state but is not anti-religous; one that has an animus against public religion but is fine with privatized faith; and one that actively tries to suppress all religion (Berger, 2008).

Wilson also points out that there is no one secularism but secularisms and illustrates two mainstream types namely "laicite" and "Judeo-Christian" secularism (Wilson, 2012). Elizabeth Shakman Hurd also adopts this categorization when discussing politics of secularism in international relations. Laicism refers to a separationist narrative in which religion is expelled from politics, and Judeo-Christian secularism to an accommodationist narrative in which Judeo-Christian tradition is perceived as the fount and foundation of secular democracy (Shakman Hurd, 2008). While states adopting laicite play an assertive role for the exclusion of religion from public space, Judeo-Christian or passive secularism does not attempt to expel religion, or at least Judeo-Christianity, from public life but rather requires that the secular state play a "passive" role in avoiding the establishment of any religions, allowing for the public visibility of religions (Wilson, 2012). Despite their differences, however, both types of secularism aim at some level to control or limit the presence and influence of religion in politics and public life.

In our case study, Bosnia-Herzegovina the state has adopted positive secularism, which fits closely with Judeo-Christian conception in the literature. The position of religion vis-à-vis the state is defined in the constitution of Bosnia and Herzegovina and law defines the role of religious organizations (Karcic, 2013). Article 2 of the 1995 Constitution protects the "freedom of thought, conscience, and religion for all citizens of Bosnia and Herzegovina. The Constitution also specifically protects the three major ethnic groups, Croats, Serbs, and Bosniaks, which means, as a practical matter, that it also protects the three major religious traditions, Muslims, Serb Orthodox, and Roman Catholics. The BiH Law on Religious Freedom has a number of provisions governing the licensing of religious groups, granting legal status to religious organizations, and providing them concessions characteristic of a non-governmental organization.

Religious communities enjoy great autonomy and emerge as powerful actors, not only in terms of shaping everyday lives but also for contributing to politics and identities building of its followers. Only this could explain the strong ties and collaboration between the Islamic Community and the Bosniak political parties for building a nation from war torn Bosnian Muslims, or the motivation behind Reis-ul Ulema, paying official visits to various countries at the state level. The leader of Islamic Community, Reis-ul Ulema, establishes international diplomatic conducts in order to represent the Bosniak community and to establish ties with other Muslim states. The secular structure of the state acts as a barrier, rather than suppressing, guaranties that there will be no state interference into the inner affairs of any religious community. Far from limiting the activities of religious organizations the law makes sure that religious communities emerge as autonomous bodies. By gaining its statute from law and legitimacy from the society these institutions (Muslim and Christian) are important actors, capable of shaping and mobilizing society.

Today in BiH each religious community enjoys great autonomy, in their administrative capacities, in social lives of people due to interpretative authority of the institution and via education institutions which are under direct control of the religious communities. Although, religiosity among both Christians and Muslims is believed not to be high, nature of religion and nationalism in these soils guarantee the significance of religion and Islamic Community. Even non-practicing Bosniaks are to declare themselves as Muslims and hence subject to Islamic Community. Furthermore, the officials of the Islamic community are highly respected among the society, mainly in rural areas and are capable of directing masses.

2.   INSTITUTIONAL STRUCTURE AND AUTONOMY OF THE ISLAMIC COMMUNITY

The Islamic Community declares itself as the the sole and unique community of Muslims living in Bosnia and Herzegovina, of Bosniaks (Bosnian Muslims) living outside their homeland and other Muslims who accept this community as their own (rijaset.ba). It has been founded in 1882 by Muslims in response to Austria-Hungarian annexation of Bosnia and disconnect of Muslims from Istanbul, their spiritual headquarters. Until the occupation, there had no separate religious organization in Bosnia and Herzegovina, given that the religious authorities of Ottoman Empire, as an Islamic state, were organically one and the same (Can, 2012).Having experienced hard days, IC survived the communist legacy and broke away from Belgrade in 1993. IC today is in charge of controlling mosques, waqfs (religious endowments), religious education centers as well as hiring imams and issuing Fatwa's for the Muslim community. The Islamic Community of Bosnia and Herzegovina runs eight high schools and four

university-level institutions. The central institutions of Islamic education, culture, and thought are the Gazi Husrevbey madrasa, the Gazi Husrevbey library, and the Faculty of Islamic Studies in Sarajevo. The madrasa and library will celebrate 480 years of existence next year (Jugo, 2016).

IC holds monopoly of representing Islam in Bosnia-Herzegovina. If one is to be buried in an Islamic way he/she is supposed to be a member of IC, paying its membership fees regularly and declaring himself as part of the organization. The community is also in charge of controlling all mosques, imams' education centers and waqfs. The political culture of the state also helps strengthen the position of IC, in the eyes of public; Bosnia-Herzegovina is a weak democracy, with its corrupt politicians, and hardly functioning system. People having no thrust toward the politicians directed their respect and thrust toward religious personnel. IC with its "ethical" staff, imams, muallims, is very much respected among the society, mainly in rural areas enjoy great soft power among the Bosniaks. The impact of IC could be analyzed in two levels; one being the institutional structure while the second being its role in the social level. In the institutional level, law guarantees the statute of the IC, like the other two religious communities in Bosnia-Herzegovina. On the other hand IC adopted a significant social role, during and after the Bosnian War, 1992-1995, for the re-construction of Bosniak identity.

3. ISLAMIC COMMUNITY AS THE SOLE RELIGIOUS INSTITUTION OF THE MUSLIM COMMUNITY

Islamic community was a weak and malfunctioning body before the independence. Although it was to represent all Muslims in former Yugoslavia including Bosnian Muslims its real power was limited. There was direct involvement of communist regime to activities and decision-making process of the institute (Branco, 2004). However, IC emerged as a powerful, strong and active organization following the declaration of independence. It broke up with Belgrade and restored its headquarter in Sarajevo in 1993. Today the institution is the main institution directing religious life of Bosniaks and enjoys great autonomy. The institutional performance can be analyzed in three categories; IC has an administrative role, interpretative power, and educative responsibility. Eldar Sarajlic on the other hand refers to the IC as exercising administrative, representative, and interpretative domains. This work relies on Sarajlic's, by categorizing education as a separate and important domain (Sarajlic, 2010).

4. ADMINISTRATIVE AUTHORITY

The organization enjoys great power with its high number of members, employees, waqf property and educational centers. Majority of the Muslims in BiH are members of IC. Although membership is voluntary it is a requirement since important occasions such as wedding and funeral ceremonies are held by IC, and only members can make benefit from these services. These members contribute to the activities of community by paying membership fees. This leads to establishment of an independent budget for IC, which allows it to act independently from any other organization. IC also issued a fatwa saying that it is appropriate for Muslims to give their Zakat's to the institution, which forms another monetary channel for the community.

There are around a thousand mosques (Shatzmiller, 2003) in Bosnia Herzegovina all of which are administered by the community. Although majority of these mosques are not very crowded during daily prayers, Muslims gather together in the mosques mainly in rural areas, and the mosque is the meeting point for Friday and Bayram prayers. Mainly in small communities imams are very much respected by the people, thus they listen to and care about imam's word. In BiH since politicians are not very much respected nor trusted, imams and religious representatives have greater chance to route peoples ideologies. Via these local roots, IC is able to reach and interact with very different segments of the Muslim community.

IC does not only represent Bosniaks but also muslims in the surrounding regions via "Meshiats". In Zagreb Muslims are gathered around the Zagreb Islamic Centre. In my visit to Zagreb Islamic Center in 2012, my observation was that Muslims in Zagreb are pretty active and the institute acts as the platform for various activities. In Sandak region, Meshiat was subject to conflict. There was a rivalry among Belgrad based Islamic Community, and Sarajevo based Islamic Community. Turning even to a small scale armed conflict, the issue led to separation of Muslims in the region to two competing groups.

5. INTERPRETATIVE AUTHORITY

Muslims all over the world feel the necessity of a single authority, capable of answering contemporary issues of the Muslims. Ummah lacks a unified institution, which could enjoy interpretative authority worldwide and be binding to all Muslims globally. The crisis of authority is discussed in more detail by, Hira Amin who states; While, historically, the ulama played a central role as the 'Guardians of Religion', the crisis of authority, which began in the Muslim world from the nineteenth century, led to the loss of power, the erosion of religious authority structures and the individualization of belief—with the task of preserving Islam falling on each individual Muslim (Amin, 2019) Although there is no global organization as such, Bosniaks handle with their contemporary issues via local units. Fatwa issuing office is a body of IC, and it tries to answer questions of Bosniaks as well as every other Muslims who

direct their questions. As technical information it might be useful to note that Hanafi maghdab is applied in interpretation and practice of Islamic worship duties.

In an interview conducted by a university professor of IUS, the followings remark was concluded; "Muslims appreciate Islam as a way of life and also bounded to the institution itself. Sometimes people personally do not agree with the IC but try to follow mainstream issues" (Draganovic, 2012) . Majority of the Bosniaks do not question the role and legitimacy of IC. People sometimes contradict with certain decisions, however Bosniaks society is pretty conservative toward new and foreign ideas, and prefers to stick to traditions and mainstream views. Muslim community in terms of "ideology" is not very much separate. But in reality, not all Bosniaks are practicing Muslims, and they contradict with other members of Muslims and they contradict with other members of Muslim community and decisions of IC in general. Draganovic continued his words with the following statement; "The issue is broad part of society declare themselves as Muslims but in real life it is hard to observe it. They also perceive themselves to be part of IC, but they are not practicing."

According to Fikret Karcic, an important scholar in this field, institutionalization of Fatwa authority was a reaction to the rise of various other Fatwa issuing authorities in Bosnia and Herzegovina (Karcic, 2010). Mainly alternative authorities are Salafi oriented, result of increasing Arabic Islamic activities in the country. Salafism, arrived into the country during 1992-1995 war, through Arab foreign fighters that joined the raw within Bosnian Army. Beside their dominance in number of mosques, the ideology is still perceived fundamentalist according to mainstream Islamic ideology of Bosniaks. Islamic Community has institutionalized the Fatwa authority in 2005. It usually serves through online question and answer method, as well as official journal of Islamic Community, the Glasnik Rijaseta islamske zajednice u BiH in which questions were answered by the Reis-ul Ulema.

6. EDUCATION

Education and contributing to moral values of the Muslim community is one of the most important tasks of IC. In an interview conducted with the former Reis-ul-ulema Ceric he refers to educative role of the institution with the following statement; "The role of institution can be analyzed in three levels; institutional, educational, moral. In terms of education and morality, Rijaset has the role of educating young people through its institutions; Mektebs (weekend schools), Madrasas (religious schools), and Faculties (there if one Islamic faculty and two Islamic pedology faculties). Also Hatibs, Imams, mosques hutbas, muallims, religious education in public schools, are all part of the education. Rijaset has the role of making programs, writing books, training the teachers, and professors up to the doctorate (Can, 2011), (Jugo, 2016).

IC enjoys all necessary equipment's for fulfilling these duties. It gives education via Mektebs religious education in primary and secondary schools, madrasas and thee Islamic Faculties (two of these are pedogeological schools and one Islamic university). The system is structured in a good way, although there are several problems and complaints from the Bosniaks regarding the activities of IC. As an example; A Bosniak lady, mother of three children notes the followings regarding the makteb education. "Many people who have completed the makteb education still attend other courses to learn and read Quran". Although these education mechanisms are very important, this critique raises a challenge for the efficiency of education provided in mektebs. Another member of IC on the other hand criticizes the institution for not being able to adopt with social changes. Society is very dynamic adapting to a transformation from totalitarian system to democracy he says.These challenges point out necessity to strengthen institutional capacity of education centers under the administration of IC.

Table 1. Education Centers Administered by Islamic Community (rijaset.ba)

Islamic Faculties
• The Faculty of Islamic Studies
• The Islamic Teachers' Academy (Pedagogy Academy) In Bihać
• The Islamic Teachers' Academy In Zenica
Madrasas
• Gazi Husrev-Bey's Madrasa*
• Elči Ibrahim-Pasha's Madrasa
• Madrasa "Osman Ef. Redžović"
• Madrasa "Džemaluddin Čaušević"
• Karađoz-Bey's Madrasa
• Behram-Begova Madrasa
*Unlike other education centers, Gazi Husrev-Bey's Madrasa was continuously operating for 470 years

7. ANALYZING RELIGION AS A SOCIAL INSTITUTION AND RELIGIOUS INSTITUTIONS IN SHAPING THE SOCIETY

The main concerns of this section is to understand the role of religion as a constituent element of Bosniak identity and to question if IC played any role in identity building mainly in the post Yugoslav period. Bosniak identity is based on an intermingled set of values, including ethnicity and religion, and twisting of these two make religion an inseparable part of the identity (or any other level of analysis). Islam is the moral system on which a Muslim collective identity is based; it forms the main constitutive factor in a collective identity that distinguishes Bosnian Muslims from Bosnian Catholic Croats and Bosnian Orthodox Serbs (Hamourtziadou, 2002). While Serbs and Croats managed to transform themselves into a national category, Muslims remained as a religious group. Throughout Yugoslav Experience Bosnian Muslims were left with a question mark in their mind regarding their identity, remembering their quasi-situation in every ten years in census. Bosnian Serbs were belonging to "Serb" national Bosnian Croats choosing the "Croat" option while Bosnian Muslims found themselves without a proper choice for national identity.

Between 1961 and 1991, the share of Muslim population of Bosnia grew from 25.7% to 43.7% (Hamourtziadou, 2002). Majority of the Bosnian Muslims declared their identity as "Muslimani", with a capital "M" referring to a national group not to a religious community. Parallel transformation took place for the structure of the Islamic community. Its title has been changed from Islamic Religious Community (Islamska vjerske zajednica) to Islamic community (Islamska Zajednica). This change indicated a clear tendency to transform the Islamic community into a national institution of Bosnian Muslims that would fill the absence of Bosnian Muslims that would fill the absence of Bosnian Muslims' cultural institutions in Socialist Yugoslavia (Sarajlic, 2010).

Until the end of 1960's Bosnian Muslims belonged to an undefined national category and Islam, which is among the most important constituent element of this nation, was in ruin. There were two factors behind this; one being the pressure over Bosniaks exerted by the Yugoslav state, while the second was degeneration of Islam as part of Muslims' identity. Until the end of 1970's and even till the end of Yugoslavia attendance at mosque remained vey low, hijab was almost completely removed from the society, madrasas were closed except only one in Sarajevo, and Islamic Community was not to function efficiently under direct control of Yugoslav system.

The situation was to be responded with two waves of Islamic revivalism, one coming in 1970's and the other in 1990's as an unexpected outcome of the war in Bosnia. Introduction of this "Muslim" national group in 1974 corresponded with the Islamic revival of Bosnian Muslims. In 1978 Alija Izetbegvic published his book "Islam Declaration". The book was expression of deep Islamic feelings and was introducing a road map for Muslims to follow, spiritual revivalism supported by necessary political actions. Haruc Karcic notes the followings regarding 1970's.

> Islamic revival started in Yugoslavia in the 1970s with the liberalization of the Yugoslav regime after the removal of Aleksander Rankovicˇ in 1966 as the Vice President of the much feared Internal Security Service, the UDBA. This was followed by the rise of locally educated Islamic intellectuals on the scene as well as graduates from several Middle Eastern countries. The opening of a new female section of the Gazi Husrev Begova madrasah and even the Faculty of Islamic Theology (later renamed as Faculty of Islamic Studies) followed suit. A great deal of the reconstruction of mosques and masjids (smaller prayer areas) was done with the help of Bosniak gasterbaiter (guest workers) working abroad, mainly in Germany, Austria and Switzerland and other West European countries. Since the Yugoslav state was staunchly secular, and since the official Islamic Religious Community did not have sufficient funds of their own, the burden of reconstructing mosques demolished mainly during World War II and of constructing new ones fell upon ordinary Bosniaks. (Karcic, 2010)

In the early 1990s, Muslim nation building in B&H entered a new phase distinguished by the construction of the Bosniak national identity. (Larise, 2015). The name "Bosniak" was introduced during the war period in 1993 referring to the Bosnian Muslims. Although motivated by the urgent need for a stronger symbolical tie between B&H and its Muslim population in the face of the growing territorial aspirations of the neighboring countries, the concept of the new Bosniak nation, constructed as such by the intellectuals close to the institutions of the official Islamic Community in Bosnia and Herzegovina and the nationalist Party of Democratic Action (Stranka demokratske akcije; SDA), was never explicitly tied to Bosnian Muslims only, but had the potential to be extended to other Muslims in the western Balkans from the start (Larise, 2015).

Islamic Community, which is the sole representative of Bosnian Muslims, played crucial role for the establishment of this identity. Former Reis-Ulema expires his ideas regarding increasing religiosity among Bosniaks, and how past memories contributed for this process. "When we speak about faith and religion about the experience of Islam in Bosnia, you have so many aspects of that. There is an increase of religious awareness, and the youth is more

religiously oriented now than it used to be, and in particular in Bosnia-Herzegovina because of the genocide, because of the experience that we had here. I think people are relying more now on supernatural help than on human help, because human help in Bosnia failed. When you see that people do not help you, then you seek something beyond human help, or beyond human understanding which is of course God, the supernatural and so on" (Ceric, 2012).

Bosnian war 1992-1995 had a shock effect over Bosnia's Muslim citizens; the aggression from neighbors and genocide necessitated Bosnian Muslim community to re-posit themselves and to construct their national identity vis a vis other communities. John Fine and Mark Pinson analysis the historical development of Bosnian identity, and claims that "..the three so-called ethnic groups of Bosnia speak the same language and have shared the same historical past. The only difference among them is religious background…Unless one notices the personal name, one may spend considerable time with a Bosnian and go away having no idea which group the Bosnian belonged to" (Fine, Pinson 1993). The sparking effect of war for nation building coincided within the period of Islamic revivalism. This has strengthened the bond between the religion and national identity, creating room for Islamic Community to adopt a political role in terms of nation building beside its ethical and moral responsibilities to carry out ordinary tasks of a religious institution.

8. CONCLUSION

This paper claims that Islamic Community of Bosnia, although operating in a secular state enjoys great autonomy and flexibility due to secular structure of the state. Having adopted a positive form of secularism, Bosnian state is not suppressive against neither of the religious communities. The institutional capacity of the Community allows it to play active role via education and interpretive authority of it. Furthermore, the role of Islam for Islamic community cannot be understood by only looking at theological concerns. Due to inseparable bond between religion and identity, Islam is a dividing line between Bosniaks and Bosnian Croats and Serbs. Hence, religion plays significant role in identity building among the Bosnian Muslim community.

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