

# CONTEXT

JOURNAL OF  
INTERDISCIPLINARY STUDIES

ČASOPIS ZA  
INTERDISCIPLINARNE STUDIJE

# CONTEXT

ČASOPIS ZA  
INTERDISCIPLINARNE STUDIJE

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*Context: Časopis za interdisciplinarnu studiju* je recenzirani, naučni časopis posvećen unapređenju interdisciplinarnih istraživanja najurgentnijih društvenih i političkih tema našeg vremena kao što su posljedice ubrzane globalizacije, pluralizam i raznolikost, ljudska prava i slobode, održivi razvoj i međureligijska susretanja. Pozivamo istraživače u humanističkim i društvenim naukama da daju doprinos boljem razumijevanju glavnih moralnih i etičkih problema kroz kreativnu razmjenu ideja, gledišta i metodologija. U nastojanju da premostimo razlike među kulturama, u ovom časopisu objavljujemo i prijevode važnijih radova. U *Contextu* su dobrodošli i članci i prikazi knjiga iz svih područja interdisciplinarnih istraživanja.

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# CONTEXT

Članci i rasprave / Articles

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## Kad demografska zima zakuca na vrata: Denatalitet i prirodna depopulacija u Bosni i Hercegovini

Mirza Emirhafizović

### Sažetak

Sama činjenica da Bosna i Hercegovina već godinama bilježi jednu od najnižih stopa rađanja u svijetu<sup>1</sup> nalaže da se tumačenju ovog fenomena pristupi analitički. Stoga je primarni cilj rada predstaviti dugoročne promjene u nivou nataliteta / fertiliteta u svjetlu njegovih odrednica. Primjenom obiju metoda u analizi fertiliteta – transverzalne i longitudinalne, kvantificirane su intergeneracijske razlike u reproduktivnim normama. Tok demografske tranzicije upućuje na to da je ona imala progresivan karakter, jer je pad fertiliteta nastavljen i nakon što je 70-ih godina prošlog stoljeća dosegnut prag jednostavne reprodukcije stanovništva (nešto više od dvoje djece po ženi). Po ulasku u kasnu podetapu demografske tranzicije uslijedio je trend usporenijeg pada nataliteta u odnosu na prethodni period, koji je trajao do početka 90-ih godina. No, kao posljedica rata (1992–1995), stanovništvo Bosne i Hercegovine isforsirano je uvedeno u posttranzicijsku etapu svog razvoja, budući da nisu postajali odgovarajući socio-ekonomski uvjeti za to. Ulazak u taj stadij razvoja stanovništva, koji

1 U publikaciji pod nazivom “World Fertility Patterns 2015“ Bosna i Hercegovina se našla među deset zemalja svijeta s najnižom totalnom stopom fertiliteta (TFR) – prosjek za petogodišnji period 2010–2015. Osim Bosne i Hercegovine, tu su još četiri evropske (Moldavija, Portugal, Španjolska i Mađarska) i pet azijskih zemalja. Vidjeti: United Nations (2016) World Fertility Patterns 2015 Data Booklet, dostupno na: <http://www.un.org/en/development/desa/population/publications/pdf/fertility/world-fertility-patterns-2015.pdf>, pristupljeno 19. 11. 2018.

karakterizira denatalitet,<sup>2</sup> starenje, rast stope mortaliteta te kao rezultat toga prirodna depopulacija, označava početak *demografske zime*.

**Ključne riječi:** natalitet / fertilitet, demografska tranzicija, depopulacija, Bosna i Hercegovina

## Uvod

*Demographic Winter: The Decline of the Human Family*<sup>3</sup> naslov je poznatog dokumentarnog filma snimljenog 2008. godine u američkoj produkciji.<sup>4</sup> U njemu sudjeluju istraživači i publicisti, koji, iz uže ili šire perspektive, komentiraju uzroke i mnogobrojne implikacije izmijenjene demografske realnosti. Ona se prvenstveno ogleda u padu fertiliteta ispod praga obnavljanja generacija te u sve intenzivnijem starenju stanovništva. Disparitet među generacijama odrazit će se na odnose u društvu, jer će teret održavanja rastućeg postradnog kontingenta pasti na malobrojnije mlađe generacije.

Pojedini sugovornici (kao što je Gary Becker<sup>5</sup>) akcentirali su višestruke posljedice dezintegracije tradicionalnog modela porodice, posebno u razvijenim zemljama, koju su potaknule strukturne društvene promjene povezane s (post)modernizacijskim procesima. Njihova gledišta u mnogim segmentima podudarna su s konceptom “druge demografske tranzicije”.<sup>6</sup>

2 “(O)padanje rodosti“; u demografiji denatalitet je blisko vezan za depopulaciju te se u užem smislu rabi za oblik depopulacije koji je uvjetovan prirodnim kretanjem stanovništva, poglavi- to smanjenjem broja poroda u stanovništvu...“, (Leksikon migracijskoga i etničkoga nazivlja, Emil Heršak (ur.), [Zagreb: Institut za migracije i narodnosti, 1998], str. 32.)

3 *Demografska zima: propadanje ljudskog roda*  
Demograf Philip Longman (autor knjige “Prazna kolijevka: kako opadanje nataliteta prijete svjetskom napretku” [“The Empty Cradle: How Falling Birthrates Threaten World Prosperity”]) primjećuje: “Globalni pad stope rađanja, koji je u toku, najmoćnija je pojedinačna sila koja djeluje na sudbinu nacija i budućnost društva u 21. stoljeću.” (<http://www.theneweconomicreality.com/learn.html>, pristupljeno 10. 11. 2018.)

4 Vidjeti: <https://www.imdb.com/title/tt1954377/>, pristupljeno 15. 11. 2018.

5 Bio je profesor na Univerzitetu u Čikagu. Dobitnik je Nobelove nagrade za ekonomske znanosti 1992. godine. Autor je poznate studije *Rasprave o porodici* [A Treatise on the Family], prvi put objavljene 1981. godine, u kojoj se brak, rađanje, razvod, podjela rada u kućanstvu, prestiž i druga nematerijalna ponašanja analiziraju u okviru kategorija karakterističnih za ekonomsko ponašanje. Vidjeti opširnije: Gary S. Becker, *A Treatise on the Family* (Cambridge and London: Harvard University Press, 1991).

6 Kulturološki pristup objašnjenju veoma niskog fertiliteta zastupljen je u teorijskom konceptu “Druge demografske tranzicije”, čiji su utemeljitelji van de Kaa i Lesthaeghe. Vidjeti npr. Ron Lesthaeghe, “The unfolding story of the second demographic transition“ *Report 10-696* (Population Studies Center, University of Michigan Institute for Social Research), dostupno na: <https://www.psc.isr.umich.edu/pubs/pdf/rr10-696.pdf>, pristupljeno 19. 10. 2018.



Unatoč drugačijem sistemu vrijednosti, konzervativnijem društvenom okruženju, jačini porodičnih veza<sup>7</sup> i, naglašenom familizmu,<sup>8</sup> stopa rađanja u Bosni i Hercegovini (BiH) već je godinama niža u odnosu na mnoge visoko razvijene zemlje. Taj svojevrsni demografski paradoks može se razumjeti jedino ukoliko se uzmu u razmatranje dugoročni populacijski procesi u svjetlu kontekstualnih faktora (socio-ekonomskih, političkih, bioloških, psiholoških i ostalih).

Budući da je uslijed rata (1992–1995) isforsirano (prerano) završena demografska tranzicija, bez postojanja adekvatnih socio-ekonomskih pretpostavki za otpočinjanje posljednje etape svojstvene postindustrijskim društvima,<sup>9</sup> prije se može govoriti o “kvaziposttranziciji” ili “induciranoj posttranziciji”.<sup>10</sup>

## Metodološke napomene

U demografskoj analizi fertiliteta razlikuju se dva pristupa: transverzalni (periodske mjere) i longitudinalni (kohortne mjere). Transverzalna analiza uključuje standardne mjere fertiliteta (najpoznatija je totalna stopa fertiliteta) koje se izračunavaju za svaku kalendarsku godinu, pri čemu se u obzir uzima broj živorođene djece od majki x+5 godina i ukupan broj žena u fertilnoj dobi (15–49 godina). Totalna stopa fertiliteta (TFR)<sup>11</sup> u osnovi je hipotetska mjera, jer je zasnovana na

7 Po svojim socio-demografskim karakteristikama (jačina porodičnih veza, obrazac tranzicije u odraslost, bračno ponašanje, stopa divorcijaliteta, udio izvanbračnog rađanja, nivo fertiliteta itd.), Bosna i Hercegovina pripada klasteru južnoevropskih zemalja. O sličnosti Bosne i Hercegovine i Italije u kontekstu porodične podrške, napuštanja roditeljskog doma i međugeneracijskih veza vidjeti npr. Elisabetta Santarelli & Francesco Cottone, “Leaving home, family support and intergenerational ties in Italy: Some regional differences”, *Demographic Research*, 21:1 (2009), pp. 1-22, dostupno na: <https://www.demographic-research.org/volumes/vol21/1/21-1.pdf>, pristupljeno 19. 11. 2018.

8 Familizam, kao porodična ideologija ili socijalna struktura, odnosi se na suštinske vrijednosti koje naglašavaju privrženost porodici kao jedinici. Ostajanje u braku radi dobiti djece upućuje na postojanje takvih vrijednosti. To je ujedno i model društvene organizacije koji je baziran na dominantnom položaju porodične grupe i njenom blagostanju u odnosu na pojedinačne interese i potrebe njenih članova kao individua. Familizam je dio tradicionalnog shvaćanja društva koje daje prednost lojalnosti, povjerenju i kooperativnosti unutar porodične grupe. (<http://sociologyindex.com/familism.htm>, pristupljeno 7. 11. 2018)

9 Prema vitalno-statističkim pokazateljima, Bosna i Hercegovina se nalazi u posttranzicijskoj etapi u razvoju stanovništva, kao i zapadna društva, ali s neusporedivo nižim životnim standardom, i, općenito, bitno drugačijim socio-ekonomskim uvjetima.

10 Vidjeti Alica Wertheimer-Baletić “Razmatranja o posttranzicijskoj etapi razvoja stanovništva”, *RADOVI – Zavod za hrvatsku povijest*, 37 (2005), str. 377-388.

11 Totalna stopa fertiliteta (engl. Total Fertility Rate – TFR) definira se kao prosječan broj živorođene djece koju bi rodila žena tokom svoje reproduktivne dobi pod pretpostavkom da se zadrže iste vrijednosti specifičnih stopa fertiliteta prema dobi iz godine promatranja i da doživi 50. godinu. To je preciznija mjera rađanja od opće stope nataliteta, koja se računa u odnosu na ukupno stanovništvo, bez apstrahiranja predfertilnog i postfertilnog kontingenta.

pretpostavci transgeneracijskog održavanja reproduktivnog modela u skladu s aktualnim specifičnim stopama fertiliteta prema dobi<sup>12</sup>, uz uvjet da se doživi 50. godina. Periodske mjere, kao što je TFR, ovise o međudodnosu dviju komponenta: tempa (vrijeme) rađanja i kvantuma (nivo) fertiliteta. Stoga su podložne varijacijama, ako se uspoređuju višegodišnje vrijednosti. Poremećaji u periodskom fertilitetu dovode se u vezu s prolongiranjem rađanja ("tempo učinak"), što je dosta rasprostranjena pojava u uvjetima savremenog režima reprodukcije, iako u konačnici broj djece po ženi može ostati nepromijenjen.<sup>13</sup>

Kohortna stopa fertiliteta najpreciznija je mjera koja se koristi za retrospektivnu analizu rađanja, jer pokazuje stvarni prosjek rađanja po ženi tokom trajanja reproduktivnog perioda, tj. sve do navršene 50. godine. Longitudinalni pristup, stoga, omogućava uvid u ostvarenu plodnost za kohorte žena koje su izašle iz svoje reproduktivne dobi. Dodatna prednost kohortnog u odnosu na periodski fertilitet ogleda se u tome što pruža i podatak o postotku žena koje nisu sudjelovale u reprodukciji, odnosno nisu rodile nijedno dijete. Međutim, ako je izvor podataka popis stanovništva, faktori koji su utjecali na takav ishod ostaju nepoznanica.

Upravo autorice Kohli i Albertini (2009) smatraju da je vjerovatno važnije kako neko svoj reproduktivni period okonča bez potomstva od same činjenice da nema djece.<sup>14</sup>

Za kohortnu analizu fertiliteta potrebno je raspolagati podacima o *reproduktivnoj biografiji* žena koje čine postfertalni kontingent, a oni se najčešće dobivaju popisom stanovništva ili anketama o fertilitetu. Ipak, treba imati u vidu da su posljednjim popisom stanovništva, koji je proveden 2013. godine, obuhvaćene samo žive žene s prebivalištem u Bosni i Hercegovini.

## Tranzicija nataliteta / fertiliteta – od prekomjernog do nedovoljnog rađanja

Bosna i Hercegovine je poslije Drugog svjetskog rata svrstavana u grupu manje razvijenih republika u sastavu bivše Jugoslavije, koje ostvaruju visoke stope nataliteta. Sredinom prošlog stoljeća žene su u prosjeku rađale više od petero djece,

12 Specifične stope fertiliteta prema dobi računaju se kao koeficijenti broja živorođene djece od majki u dobi  $x+5$  godina na 1 000 žena iz iste dobne grupe.

13 Vidjeti John Bongaarts and Griffith Feeney, "On the Quantum and Tempo of Fertility: Reply", *Population and Development Review*, 26:3 (2000), 560-564; Michaela Potančoková, Tomas Sobotka, and Demter Philipov, *Estimating tempo effect and adjusted TFR*, European Demographic datasheet 2008, dostupno na: [https://www.oew.ac.at/fileadmin/subsites/Institute/VID/PDF/Publications/Datasheet/DS2008/Tempo\\_effect\\_Documentation\\_VID\\_23-07-2008.pdf](https://www.oew.ac.at/fileadmin/subsites/Institute/VID/PDF/Publications/Datasheet/DS2008/Tempo_effect_Documentation_VID_23-07-2008.pdf), pristupljeno 18. 11. 2018.

14 Citirano prema Pearl A. Dykstra, "Childless older adults", in *Encyclopedia of Adulthood and Aging Whitbourne*, S. K. (ed.) (New Jersey: Wiley-Blackwell, Hoboken), pp. 1-5.

premda je i stopa smrtnosti dojenčadi u to vrijeme također bila dosta visoka (više od jedne desetine djece umiralo bi prije navršene prve godine života). Visokoj frekvenciji rađanja pogodovao je predmoderni društveno-ekonomski ambijent, kojeg zorno ilustriraju strukturna obilježja stanovništva:

- Udio agrarnog stanovništva prema popisu iz 1948. godine bio je 71,8%<sup>15</sup> (ili skoro tri četvrtine ukupnog stanovništva Bosne i Hercegovine), što indicira prevladavajući način života i s tim povezani pronatalitetni mentalitet; sela su bila prenapučena, a najveći dio populacije živio je u siromaštvu.<sup>16</sup>
- Obrazovna slika stanovništva očekivano je bila veoma loša, jer se još uvijek ne vide efekti uvođenja obaveznog osmogodišnjeg školovanja: u kategoriji bez škole ili sa 1–3 razreda osnovne škole (42,1%) i sa završenom četiri razreda osnovne škole (46,3 %) bilo je koncentrirano čak 88,4% stanovništva u dobi od 10 i više godina (stanje iz 1953. godine).<sup>17</sup>
- Stopa nepismenosti 1948. godine iznosila je čak 44,9 %, s izražajnim razlikama među spolovima jer je postotak nepismenih žena iznosio skoro 60%.<sup>18</sup>

Dinamične socijetalne promjene, odnosno val modernizacije od 50-ih godina prošlog stoljeća (industrijalizacija, urbanizacija, ruralni egzodus, ekspanzija obrazovanja...) utjecale su, posredstvom strukturnih preobrazbi stanovništva, na stvaranje drugačijih uvjeta njegove reprodukcije. Treba naglasiti postojanje kauzalnosti između porasta udjela urbanog stanovništva, što podrazumijeva i širenje gradskog načina života, te masovnog uključivanja žena na tržište rada,<sup>19</sup> s jedne, i snižavanja normi rađanja, s druge strane. Usto, veliki pomaci u suzbijanju smrtnosti dojenčadi također su značajno utjecali na modificiranje reproduktivnog ponašanja parova kao reakcija na veću vjerovatnoću preživljavanja djece.<sup>20</sup> Urbani-

15 Podatak preuzet iz publikacije: *The Population of Yugoslavia* (Belgrade: Institute of Social Sciences, Demographic Research Center, 1974), str. 49.

16 Vidjeti Vera Katz, *Društveni i ekonomski razvoj Bosne i Hercegovine 1945. – 1953.* (Sarajevo: Institut za istoriju, 2011).

17 Izvor podataka: Savezni zavod za statistiku, *Žena u društvu i privredi Jugoslavije – Statistički bilten 298* (Beograd: Savezni zavod za statistiku, 1964), str. 15.

18 Izvor podataka: Vera Katz, *Društveni i ekonomski razvoj Bosne i Hercegovine 1945. – 1953.* (Sarajevo: Institut za istoriju, 2011), str. 58.

19 Podaci iz 1963. godine pokazali su dominantan udio žena u sljedećim zanimanjima: proizvođači tekstila (80,7%), krojači i šivači konfekcije (76,3%), prerađivači duhana (84,3%), konfeksionari papira i kartonažeri (81,1%), pakeri i etiketari (67,6%), uslužni radnici u hotelima i kućama (79,1%), kuhari (83,9%), stenografi i daktilografi (89%), učitelji (56%), odgajatelji (61,6%), bibliotekari i arhivisti (62,4%), lingvisti, prevoditelji i srodni (65,1%) (SZS, 1964). Kao što se vidi iz navedenih zanimanja, uglavnom se radi o niskokvalificiranim poslovima u industriji, ali i u sektoru uslužnih djelatnosti te prosvjeti. Izvor podataka: Savezni zavod za statistiku, *Žena u društvu i privredi Jugoslavije*, str. 29-30.

20 Sredinom 70-ih godina objavljena je studija *Čovjek, rađanje i društvo: socijalna uslovljenost nataliteta i demografska politika u BiH* dr. Zlate Grebo. Izuzetan značaj spomenutog djela jeste u tome što sadrži nalaze obilnog istraživanja nataliteta / fertiliteta na području Bosne i Hercegovine u periodu kad su se događale dinamične društvene promjene. Stoga je nemjerljiv doprinos te studije prouča-

zacija i deruralizacija postupno su izazvale premještanje težišta reprodukcije sa sela u gradski tip naselja.<sup>21</sup> Takav obrat dovodi u pitanje održanje jednostavne reprodukcije stanovništva, jer je urbana sredina, po svojoj prirodi, stjecište faktora koji remetilački djeluju na prokreaciju.

Uzimajući u obzir destruktivne posljedice rata iz 90-ih na razvoj stanovništva Bosne i Hercegovine, trend nataliteta, mortaliteta i prirodnog prirasta bit će odvojeno tabelarno predstavljen za dva perioda: 1950–1990. i 1996–2016.

Tabela 1. PROSJEČNE STOPE NATALITETA, MORTALITETA, PRIRODNOG PRIRAŠTAJA PO PETOGODIŠTIMA OD 1950–1954. DO 1985–1989. ZAKLJUČNO SA 1990. GODINOM

Godine	Na 1 000 stanovnika		
	živorođenih	umrlih	prirodni prirast
1950–1954.	38,2	13,9	24,3
1955–1959.	35,2	11,5	23,7
1960–1964.	31,8	9,2	22,6
1965–1969.	26,2	7,4	18,8
1970–1974.	21,0	6,6	14,4
1975–1979.	18,9	6,3	12,6
1980–1984.	17,4	6,6	10,8
1985–1989.	16,5	6,9	9,3
1990.	15,4	6,7	8,7

Izvor: *The Population of Yugoslavia* (Institute of Social Sciences, Demographic Research Center, Belgrade, 1974); *Statistički godišnjak BiH* (Sarajevo: Republički zavod za statistiku, 1991), str. 42.

Iz podatka o kretanju stope nataliteta u periodu od 1950. do 1990. godine prikazanih u tabeli br. 1. jasno se vidi kakva je bila dinamika njegove tranzicije u Bosni i Hercegovini.

Unutar ovog višedecenijskog vremenskog obuhvata kretanja stope nataliteta u Bosni i Hercegovini, hronološki se izdvajaju sljedeći periodi: godine nadoknadne rodnosti (do 1954. godine), kad je demografska tranzicija još uvijek bila u svom početnom stadiju, od 1955. do 1964. godine postepeni pad nataliteta, čija vrijednost stope od 29 promila najavljuje ulazak u zonu umjerenog nivoa nataliteta, da bi već naredne dekade, tačnije 1974. godine stopa nataliteta pala ispod 20 promila (19,8‰), od 1978. do sredine 1980-ih uslijedio je period stabilizacije nivoa nataliteta sa stopom višom od 17 promila,<sup>22</sup> potom tendencija njenog

vanju tranzicije nataliteta u Bosni i Hercegovini. Vidjeti Zlata Grebo, *Čovjek, rađanje i društvo: socijalna uslovljenost nataliteta i demografska politika u BiH* (Sarajevo: Svjetlost, 1975).

21 Vidjeti šire o tome: Aleksa Milojević, "Demografske i ekonomske posljedice migracije", u *Migracije i Bosna i Hercegovina*, Nusret Šehić et al. (ur.) (Sarajevo: Institut za istoriju; Institut za proučavanje nacionalnih odnosa, 1990), str. 333-356.

22 Slične opservacije iznijela je u svom radu i demografkinja Grebo, vidjeti Zlata Grebo, "Stano-

umjerenijeg pada, koja 1990. godine rezultira vrijednošću od 15,4 promila. Stopa smrtnosti stanovništva, koja je u značajnoj mjeri bila funkcija dobne strukture stanovništva s visokim udjelom djece i mladih i relativno niskim udjelom osoba starijih od 65 godina, imala je tendenciju opadanja do 70-ih godina, da bi se potom stabilizirala na nivou nižem od 7 promila.

Društvena uvjetovanost nataliteta (školovanje, radni angažman žena, intergeneracijska socijalna mobilnost, kontrola rađanja, stambeni prostor itd.) poprimila je takve razmjere da je reproduktivni model postao skoro pa socijalni konstrukt.<sup>23</sup> Multipliciranjem uloga žene i promjenom njenog društvenog statusa<sup>24</sup> stvorene su pretpostavke da planiranje porodice zaživi kao individualna praksa, barem u urbanim sredinama.

To se očitovalo na dinamiku tranzicije nataliteta (prijelaza na niže nivoe), koja je već 70-ih godina ušla u svoju završnu podetapu, brže nego u svim drugim područjima Balkana sa sličnom startnom pozicijom.<sup>25</sup> Demografska tranzicija u suštini opisuje proces prilagodbe velike, ruralno-agrarne porodice<sup>26</sup> principima industrijskog društva.<sup>27</sup> Transformacijom velike, patrijarhalne porodice nastala je mala, nuklearna porodica.<sup>28</sup> Smjena generacija u promjenjivim socijetalnim prilikama važna je za razumijevanje modificiranog demografskog ponašanja i porodičnih odnosa. Sociolog Kuljić s tim u vezi piše:

“Već s uvođenjem prvih državnih penzija porodica je lišena kontinuiteta, jer je dr-

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vnitvo Bosne i Hercegovine 1980-ih godina“, *Pregled – časopis za društvena pitanja*, 11-12 (1985), str. 1269-1295.

- 23 Američka autorica Beth Rushing problematizira socijalni konstrukt reprodukcije iz rodne perspektive, vidjeti Beth Rushing, “Choices and Contexts: The Social Construction of Reproduction“, in *Gender Mosaics: Sociological Perspectives*, Dana Vannoy (ed.) (Los Angeles, CA: Roxbury, 2001), pp. 448-457.
- 24 Ipak, masovno zapošljavanje žena pratili su brojni problemi i proturječnosti, posebno kad je riječ o majčinstvu, imajući u vidu vrste poslova koje su obavljale i režim rada. O tome vidjeti npr. Franjo Kožul, *Samoupravni i radni status žene u Bosni i Hercegovini: (rezultati istraživanja)* (Sarajevo: Univerzitet u Sarajevu, Fakultet političkih nauka, 1973); Ivana Dobrivojević, „Svi u fabrike! instant industrijalizacija u Jugoslaviji 1945–1955“, *Istorija 20. veka*, 2 (2009), str. 103-115; Stojčić, Marijana, “Proleter i svih zemalja-ko vam pere čarape? Feministički pokret u Jugoslaviji 1978–1989.“, u *Društvo u pokretu: Novi društveni pokreti u Jugoslaviji od 1968. do danas*, Đorđe Tomić i Petar Atanacković (ur.) (Novi Sad: Cenzura, 2009), str. 108-121; Ivana Dobrivojević, “Planiranje porodice u Jugoslaviji 1945–1974“, *Istorija 20. veka*, 2 (2016), str. 83–98.
- 25 O tome detaljnije vidjeti u: Ilijas Bošnjović, *Demografska crna jama: nova zamka industrijskog društva* (Sarajevo: Veselin Masleša, 1990).
- 26 Sociolog Musabegović konstatira da “(s)eoska porodica doživljava značajan preobražaj uslijed urbanih utjecaja i to prije svega reduciranjem porodičnih funkcija. Naime, biološko-reproduktivna funkcija porodice se transformira kroz pad nataliteta seoskog stanovništva (...).“ Vidjeti Nijaz Musabegović, *Ruralno-urbani antagonizmi i moderni svijet* (Sarajevo: FEB, 1997), str. 328.
- 27 Vidjeti David Lam and Leticia Marteleto, “Stages of the Demographic Transition from a Child’s Perspective: Family Size, Cohort Size, and Children’s Resources“, *PSC Research Report* 06-591 (2006).
- 28 Vidjeti Salih Fočo, *Sociologija* (Sarajevo: Svjetlost, 1998).

žava počela preuzimati brigu o starima, a s državnim školstvom i brigu o odgoju mladih. Time je “moralna ekonomija” osiguranja budućnosti pomjerena s porodice i srodničke grupe na državu. S rastom univerziteta unutar kohorte mladih studenti se postepeno izdvajaju kao najaktivniji faktor promjena, jer se nalaze u procesu najintenzivnijeg obrazovanja i sazrijevanja...<sup>29</sup>

Još je 80-ih godina, analizirajući stanovništvo Bosne i Hercegovine, demografkinja Grebo upozorila na poremećaj u reprodukciji koji je izazvan spuštanjem totalne stope fertiliteta ispod praga obnavljanja generacija. Iako je prirodni prirast u toj deceniji bio umjereno visok, u svom je radu također poentirala da je zadržavanje niskog nivoa fertiliteta, a posebno njegovo daljnje opadanje neprihvatljiva tendencija u dugoročnom razvoju stanovništva.<sup>30</sup>

U toku (samo) četiri desetljeća (1950–1990), stopa nataliteta je više nego prepolovljena, što je uvjetovalo znatno usporeniji tempo porasta stanovništva, premda je i emigracijska komponenta imala velikog udjela u tome.

Tabela 2. STOPE NATALITETA, MORTALITETA  
I PRIRODNE PROMJENE, 1996–2016.

Godine	Na 1 000 stanovnika		
	živorođenih	umrlih	prirodni prirast / promjena
1992–1995 <sup>31</sup> .	-	-	-
1996.	12,8	6,9	5,9
1997.	12,9	7,5	5,5
1998.	12,3	7,9	4,5
1999.	11,4	7,7	3,7
2000.	10,5	8,1	2,4
2001.	9,9	8,0	1,9
2002.	9,3	7,9	1,4

29 Todor Kuljić, *Sociologija generacije* (Beograd: Čigoja štampa, 2009), str. 45.

30 Grebo, “Stanovništvo Bosne i Hercegovine 1980-ih godina“, str. 1272-1273.

31 Budući da vitalna statistika tokom ratnih godina nije u potpunosti funkcionirala, ne postoje pouzdani podaci koji se odnose na broj smrtno stradalih (poginulih, ubijenih) osoba, ali ni na broj živorođenih u tom periodu. Ipak, Federalni zavod za statistiku izvršio je procjenu broja živorođenih na teritoriji Federacije BiH, koristeći kao osnovu podatke o broju upisa u osnovne i srednje škole korigirane za stope neupisa. Usporedbom apsolutnih iznosa broja živorođenih u predratnim i ratnim godinama uočavaju se znatne razlike. Od 1987. do 1991. na području koje danas zauzima FBiH rađano je više od 40 000 djece na godišnjem nivou (1990. čak više od 43 200), dok je za prvu ratnu, 1992. godinu procijenjeno da je broj živorođenih iznosio više od 28 300. Treba uzeti u obzir da se dio rađanja ostvario u nekoliko mirnodopskih mjeseci, ali unatoč tome ratom depresirani natalitet rezultirao je umanjnjem od jedne trećine broja živorođenih u odnosu na prethodnu, 1991. godinu. Izvor podataka: Federalni zavod za statistiku, *Stanovništvo Federacije Bosne i Hercegovine 1996-2006*. (Statistički bilten 110) (Sarajevo: Federalni zavod za statistiku, 2008), str. 29.

Godine	Na 1 000 stanovnika		
	živorođenih	umrlih	prirodni prirast / promjena
2003.	9,2	8,3	0,9
2004.	9,1	8,5	0,7
2005.	9,0	9,0	0,1
2006.	8,9	8,6	0,2
2007.	8,8	9,1	-0,3
2008.	8,9	8,9	0,0
2009.	9,0	9,1	-0,1
2010.	8,7	9,1	-0,4
2011.	8,3	9,1	-0,8
2012.	8,5	9,3	-0,8
2013.	8,7	10,1	-0,4
2014.	8,6	10,2	-1,6
2015.	8,5	10,8	-2,3
2016.	8,6	10,4	-1,8

Izvor: Tematski bilten Demografija 2016, BHAS, 2018. (dostupno na [www.bhas.ba](http://www.bhas.ba))

U prve tri postkonfliktne godine (1996, 1997. i 1998) opća stopa nataliteta bila je iznad 12 promila, s tim da je 1997. godine, kad je zabilježen najveći broj rađanja, ovaj pokazatelj dosegnuo vrijednost od skoro 13 promila. Takvi trendovi rađanja bili su donekle očekivani, jer su uslijedili nakon teških ratnih godina, tokom kojih je smrtnost, kao negativna sastavnica prirodnog kretanja stanovništva, bila dominantna. Prestankom rata i normalizacijom tokova života uobičajeno nastupaju godine tzv. natalitetne kompenzacije. Unatoč činjenici da je stopa nataliteta pripadala niskom tipu, iz današnje perspektive tri godine bi se uvjetno mogle označiti kao period demografskog oporavka. Međutim, nivo rađanja od 1999. godine u stalnom je padu, tako da je tokom dvadeset godina (1996–2016) stopa nataliteta smanjena za 4,2 promila.<sup>32</sup> S druge strane, nizak i opadajući natalitet prati porast opće stope mortaliteta zbog sve veće zastupljenosti osoba u trećoj životnoj dobi, odnosno starenja stanovništva. Pad nataliteta nije se zaustavio ni onda kad je bila uspostavljena ravnoteža između broja živorođenih i broja umrlih, već je nastavljen, tako da je 2007. godine prvi put broj umrlih nadmašio broj živorođenih. Počevši od 2010. godine negativna prirodna promjena u porastu je, a najveća negativna razlika između broja živorođenih i broja umrlih, otkad je na snazi prirodna depopulacija, zabilježena je 2015. godine (-8 380).<sup>33</sup> U dese-

32 Broj živorođenih u 2016. manji je za 16 411 u odnosu na 1996. godinu (46 594 i 30 186 respektivno), podaci Agencije za statistiku Bosne i Hercegovine, dostupni na: [www.bhas.ba](http://www.bhas.ba).

33 Od 141 općine i grada u BiH, samo njih 24 bilježi pozitivan prirodni prirast, a to su: Bosanska Krupa, Bužim, Cazin, Velika Kladuša, Banovići, Gračanica, Kalesija, Srebrenik, Živinice,

togodišnjem periodu 2007–2018. samo je po toj osnovi evidentiran gubitak više od 40 000 stanovnika.

Razloge za kontinuirani pad ionako niske stope nataliteta, koji se bilježi od kraja 90-ih godina, treba tražiti u djelovanju spleta izrazito nepovoljnih faktora koji su imanentni ratu (visok mortalitet i raseljavanje stanovništva) i poratnoj društveno-ekonomskoj tranziciji, koja se često poistovjećuje s krizom.<sup>34</sup> Strukturna nezaposlenost, između ostalih, zasigurno predstavlja jedan od najvećih društvenih problema u postkonfliktnom periodu, koji se reflektira i na nivo nataliteta. Ovaj negativni trend više pogađa žene,<sup>35</sup> ali unatoč izostanku pritiska povezanog s oportunistnim troškovima, kojem su izložene zaposlene majke tokom porodiljskog odsustva, ta okolnost nije pogodovala povećanju stope rađanja.<sup>36</sup> Objašnjenje za to velikim dijelom leži u nužnosti dualnih prihoda kako bi se podmirili rastući troškovi izdržavanja djece, odnosno dosegnuo određeni životni standard, barem iznad praga rizika od siromaštva.<sup>37</sup> Pojava “novog siromaštva” među pripadnicima nekadašnje srednje klase svojstvena je postsocijalističkoj zbilji Bosne i Hercegovine kao tekovina rata i jedna od manifestacija tranzicije.<sup>38</sup> Međutim, i prekarni<sup>39</sup> poslovi

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Doboj-Jug, Kakanj, Maglaj, Tešanj, Zavidovići, Žepče, Donji Vakuf, Vitez, Hadžići, Ilidža, Ilijaš, Novi Grad, Vogošća, Banja Luka i Laktaši (stanje iz 2018. godine). Vidjeti podatke vitalne statistike entitetskih zavoda za statistiku, dostupni na: <http://fzs.ba> i <http://www.rzs.rs.ba>.

- 34 Po okončanju rata, Bosna i Hercegovina se “suočila s trostrukom tranzicijom:
- iz rata u mir,
  - iz socijalizma na tržišnu ekonomiju,
  - iz izgradnje i obnove zemlje k tržišnoj ekonomiji“, piše Stojanov. Vidjeti Dragoljub Stojanov, “Bosna i Hercegovina od 1995: Tranzicija i rekonstrukcija ekonomije“, u *Međunarodne politike podrške zemljama jugoistočne Evrope – lekcije (ne)naučene u BiH* (Sarajevo: Fond otvoreno društvo, grupa autora, 2001), str. 52.
- 35 Izostanak systemske potpore majkama s djecom, u prvom redu nedostupnost usluga za dnevni smještaj djece, ali i rodno konotirajuće razlike pri zapošljavanju doprinose održavanju jaza u stopama zaposlenosti muškaraca i žena. Vidjeti o tome u: Milanka Miković i Sanela Bašić, *Rodne (ne)jednakosti na tržištu rada: ženska strana priče* (Sarajevo: Udruženje Žene ženama i Friedrich-Ebert-Stiftung-FES, 2012).
- 36 Nalazi istraživanja o korelaciji između stopa fertiliteta i zaposlenosti u OECD-zemljama koje su proveli Da Rocha i Fuster pokazali su da nezaposlenost potiče žene da odgode, odnosno naprave razmak između rađanja, što zauzvrat dovodi do snižavanja totalne stope fertiliteta. Oni su bili motivirani nekim opservacijama koje su sugerirale da nezaposlenost može biti važan faktor u razumijevanju pozitivne veze između dviju promatranih pojava. Vidjeti: Jose Maria Da Rocha and Luisa Fuster, “Why are Fertility Rates and Female Employment Ratios Positively Correlated across O.E.C.D. Countries?”, *International Economic Review*, 47:4 (2006), pp. 1187-1222.
- 37 Vidjeti analizu Dr. Žarko Papić, *Siromaštvo i radničko siromaštvo u BiH: “Socijalna kriza u BiH – siromaštvo i socijalna nejednakost – Šta da se radi?”* (Sarajevo: Forum lijeve inicijative, 2018), [http://radnici.ba/wp-content/uploads/2018/02/FSA\\_Analiza-7.pdf](http://radnici.ba/wp-content/uploads/2018/02/FSA_Analiza-7.pdf), pristupljeno 29. 11. 2018.
- 38 Vidjeti o tome u: Žarko Papić, “Jačanje socijalnog uključivanja i NVO-a: Uloga NVO Fondacije za socijalno uključivanje”, u *Šta da se radi? Socijalna uključenost i civilno društvo – praktični koraci*, Ranka Ninković-Papić (ur.) (Sarajevo: Nezavisni biro za humanitarna pitanja – IBHI, 2009), str. 32-54.
- 39 O prekarnom radu vidjeti Guy Standing, *The Precariat: The New Dangerous Class* (London: Bloomsbury Academic, 2011).



(uglavnom koncentrirani u području trgovine i ugostiteljstva) na kojima je angažiran znatan postotak ženske radne snage, zbog svoje nesigurnosti i nedostatnih prihoda, mogu imati slične efekte na natalitet kao i nezaposlenost. Drugim riječima, osim demografskih posljedica rata, i izrazito restriktivni socio-ekonomski uvjeti osnivanja i proširenja porodica generiraju niske stope rađanja. Nemogućnost pronalaska posla, potplaćenost i/ili nesigurnost radnog mjesta, kao i neriješeno stambeno pitanje, dovode se u vezu s produženim ostankom u roditeljskom domu, čak i nakon završetka školovanja. "Najkasniji kasni obrazac tranzicije u odraslost"<sup>40</sup> u kasnim 20-im ili 30-im godinama prije je iznuđen socio-ekonomskim neprilikama, nego što predstavlja preferirani životni aranžman kod većine mladih.

Totalna stopa fertiliteta od 2002, s izuzetkom 2009. i 2012. godine, u kontinuitetu je ispod *crvene linije* od prosječno 1,3 djece po ženi, što predstavlja "najniži niski fertilitet".<sup>41</sup> Zadržavanje niske totalne stope fertiliteta, koja je za oko 40% ispod praga zamjene generacija, znači da će naredna generacija za toliki postotak biti manja od sadašnje.<sup>42</sup> Inkliniranje modelu jednog djeteta u porodici (vrijednost TFR tendira jedinici) prije signalizira neostvarivanje fertilitetnih aspiracija, nego svjesno odustajanje od (ponovljenog) roditeljstva. S druge strane, prosječan broj djece po ženi na nacionalnom nivou *prikriva sve upadljiviju polarizaciju unutar društva na porodice s dvoje djece ili više djece i parove bez djece*.<sup>43</sup>

## Intergeneracijske razlike u fertilitetu

Duga je tradicija interesiranja sociologa i demografa za međugeneracijski reproduktivni obrazac. Neke studije ističu važnost normi iz primarne porodice koje mogu djelovati na buduće odluke njenih potomaka u vezi s prokreacijom i planiranjem porodice. Reproductivne norme drugih referentnih grupa u okruženju – zasnovane na prijateljstvu, etnicitetu, socijalnoj klasi i religiji – također su obuhvaćene različitim istraživanjima.<sup>44</sup> Pristup životnog toka (engl. Life-course approach) proučavanju fertiliteta doprinosi boljem razumijevanju složenih mehanizama koji determiniraju reproduktivno ponašanje.

U skladu s postavkama te teorijske paradigme, autori Huinink i Kohli navo-

40 Francesco C. Billari, "Becoming an Adult in Europe: A Macro (/Micro)-Demographic Perspective" *Demographic Research (special collection)*, (2004), pp. 15-44.

41 Francesco C. Billari and Hans-Peter Kohler, "Patterns of low and lowest-low fertility in Europe", *Population Studies*, 58:2 (2004), pp.161-176.

42 Peter McDonald, "Very Low Fertility: Consequences, Causes and Policy Approaches", *The Japanese Journal of Population*, 6(1) (2008), pp. 19-23.

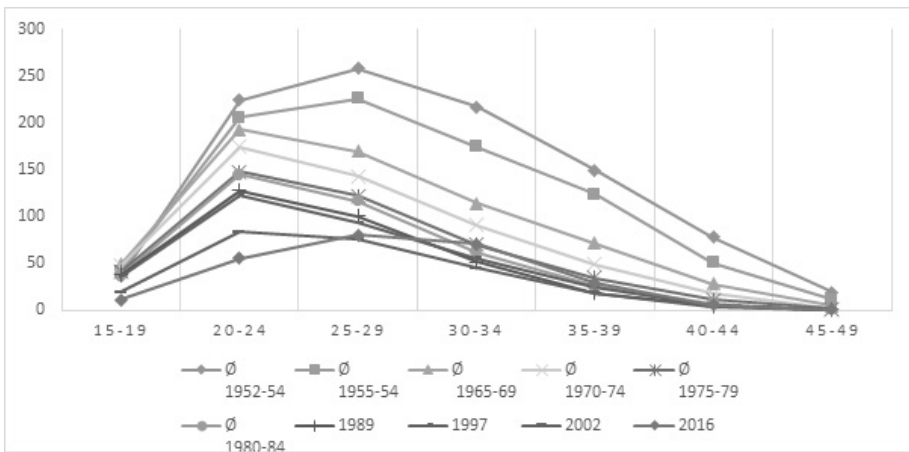
43 Linda Hantrais, Dimiter Philipov, and Francesco C. Billari, *Policy implications of changing family formation*, Population studies, No. 49 (Strasbourg: Council of Europe, 2006), pp. 12.

44 Alison L. Booth & Hiau Joo Kee, "Intergenerational Transmission of Fertility Patterns in Britain", *IZA Discussion Papers* 2437, Institute for the Study of Labor (IZA), pp. 1.

de da je “reproduktivno ponašanje inkorporirano u promjenjivi multirazinski obrazac kulturalnih, socio-strukturnih i institucionalnih uvjeta životnog toka, (izvanjski uvjeti), i da je pod utjecajem individualnih i fizioloških faktora (unutarnji uvjeti)”.<sup>45</sup>

Najpregledniji način da se vizualno prikažu intergeneracijske promjene u reproduktivnom obrascu jeste kriva fertiliteta konstruirana za sukcesivne periode tokom više decenija.

Slika 1. Kretanje specifičnih stopa fertiliteta u odabranim periodima



Autorova konstrukcija na temelju sljedećih izvora: *Statistički godišnjak BiH* (1991), str. 49; Tematski bilten *Demografija 2016* (BHAS, 2018) (dostupno na [www.bhas.ba](http://www.bhas.ba))

Slika br. 1. pokazuje enormne razlike u intergeneracijskom fertilitetu, koje su odraz drugačijih reproduktivnih obrazaca. Primjetne varijacije oblika krive proizlaze iz različitih vrijednosti specifičnih stopa fertiliteta i nejednake distribucije broja živorođene djece u odnosu na žene u dobi od  $x+5$  godina (15–19...45–49) u promatranim godinama.

Kao što se vidi na grafikonu, najdominantnija je kriva iz trogodišnjeg intervala 1952–1954. godine, jer se radi o još uvijek početnom stadiju demografske tranzicije, koji karakteriziraju visoke stope fertiliteta. Najviša tačka krive izdiže se iznad fertile kohorte 25–29, jer ima najveću ostvarenu plodnost, a sa nešto nižim nivoom rađanja slijede je prethodna (20–24) i naredna (30–34). Ovakav tip visokog fertiliteta odgovara tradicionalnom (predmodernom) reproduktivnom režimu. Slična distribucija živorođenih po petogodištima, ali sa sniženim kvantumom fertiliteta u skoro svim dobnim grupama (izuzev prve, *adolescentske* fertile

45 Johannes Huinink -& Martin Kohli, “A lifecourse approach to fertility“, *Demographic Research*, 30:45 (2014), pp. 1293–1326.

kohorte 15–19, koja u kasnijim decenijama bilježi nešto više vrijednosti) zadržala se i u narednom periodu, tačnije do 60-ih godina. Rapidan pad fertiliteta vrlo je upadljiv na grafičkom prikazu, jer spljoštenost krive ukazuje na to da nivo ostvarene plodnosti permanentno tendira nižim vrijednostima u svim dobnim grupama. Uspoređujući vrijednosti specifične stope fertiliteta za početni i krajnji period (prosjek 1952–1954. i 2016), za kohortu 20–24 četverostruko je snižena, dok je za naredno petogodište (25–29) opala skoro za trećinu.

Odgoda rađanja za tridesete godine uočava se na krivoj iz 2016. godine, a na njoj se uočava i najmanja razlika između visine specifičnih stopa fertiliteta za kohorte 25–29 i 30–34.

S obzirom na tek neznatan doprinos najstarije fertile kohorte (45–49) ukupnom rađanju u svim godinama počevši od 70-ih, krive u toj tački dodiruju osu x.

Analizirajući kohortni fertilitet u Bosni i Hercegovini, Frejka i Sardon zapazili su sljedeće tendencije:

- Među kohortama rođenim 1930-ih i 1940-ih udio rađanja žena mlađih od 22 godine bio je u porastu, tj onih žena koje su rađale nešto ranije u odnosu na prethodne generacije.
- Nakon toga, kao posljedica oštrog pada stope fertiliteta među ženama starosti 25–29 (kohorte rođene 30-ih i 40-ih godina), težište maksimalnog rađanja prelazi na prethodnu fertile kohortu (20–24).<sup>46</sup>
- Usporedbom nivoa rađanja između kohorti godišta 1940. i 1930, ostvarena plodnost kod mlađe generacije žena bila je niža, i to: za dob 22–29 godina do 30%, u 30-im godinama do 60 posto i u 40-im godinama čak i do 80%.<sup>47</sup>

Od druge polovice 50-ih svaka sljedeća kohorta imala je upadljivo nižu normu rađanja od prethodne. Razlika u ostvarenoj plodnosti (prema vrijednostima kumulativnih stopa fertiliteta) između majki koje pripadaju kohortama rođenim u drugoj polovini 30-ih, pa i početkom 40-ih, i njihovih kćerki rođenih krajem 1950-ih i u prvoj polovini 60-ih godina u prosjeku iznosi skoro troje djece po ženi u fertilej dobi.

U nastavku se daje osvrt na distribuciju živorođenih prema dobi majke u periodu od 1996. do 2016. godine. U prvoj poslijeratnoj godini (1996) kohorte u 20-im godinama (godišta u intervalu od 1967. do 1976.) imale su podjednak udio u ukupnom rađanju, pojedinačno sa više od 29%. Nije zanemariv doprinos ni dviju starijih kohorti: 30–34 i 35–39 (godišta 1957–1966) zbirno sa skoro 30% (19,9 i 9,3 respektivno), ali ni mlađe (15–19) sa 8% (osobe rođene uglavnom u drugoj polovini 70-ih godina). Distribucija rađanja među pojedinim ko-

46 Taj trend traje sve do 2004. godine, od kada dozna grupa 25–29 godina, prema ostvarenoj plodnosti, ponovno preuzima primat, ali s drugačijim reproduktivnim obrascem.

47 Vidjeti Tomas Frejka and Jean-Paul Sardon, *Childbearing Trends and Prospects in Low-Fertility Countries. A Cohort Analysis* (Dordrecht, Boston and London: Kluwer Academic Publishers, 2004).

hortama nije se bitnije mijenjala od 1997. do 2006, s tim da su nešto značajnije oscilacije primjetne u udjelima majki u dobi 20–24 i 25–29 godina. Krajem prve decenije novog milenija i najmlađe pripadnice velike *Baby Boom* generacije, rođene do početka 60-ih godina, okončavaju svoju reproduktivnu karijeru, pa rađanje počinje isključivo ovisiti o malobrojnijoj generaciji, koja je dodatno okrnjena vanjskim migracijama ili stradanjem u ratu. Sve izraženija *kontrakcija* jezgre fertalnog kontingenta (20–35) negativno se odražava na bioreprodukcijski potencijal, što uz ostale nepovoljne okolnosti, dodatno usložnjava perspektivu rađanja<sup>48</sup>.

Od 2007. godine zapaža se trend stalnog smanjenja udjela kohorte 20–24 u ukupnom rađanju, dok se paralelno povećava doprinos kohorte 30–34, tako da je 2016. godine dosegnuo skoro 29% (godišta 1982–1986). Iako je zbog pomjeranja dobne granice rađanja došlo je do preraspodjele rađanja unutar dobnih grupa 20–34, udio kohorte 25–29 s oko trećinom rađanja, zahvaljujući svojoj središnjoj poziciji, ostao je stabilan.

Red rađanja usko je povezano s dobi majki jer je rađanje drugog, trećeg i svakog narednog djeteta, uz određene vremenske razmake, očekivano zastupljenije kod majki starijih godina, počevši od 28. godine pa naviše.

Prosječna dob prvotkinja povećava se iz godine u godinu, tako da je od 2009. godine pomjerena u drugu polovinu dvadesetih godina, čime se približava evropskom prosjeku. To implicira i linearni porast prosječne dobi majki za svaki viši red rađanja, koja je za drugo dijete još uvijek do navršene 30. godine. Najčešći razlog za porast prosječne dobi rađanja žena jeste produžetak trajanja školovanja<sup>49</sup> i posljedično pomjeranje dobne granice sklapanja braka.

Očekivano, najviši udio u ukupnom broju živorođene djece prema redu rađanja ima prvo dijete, u 2016. godini iznosio je 48.8%, što je za skoro 9% više u odnosu na 1996. godinu; slijedi udio drugog djeteta sa oko 35% u periodu 1996–2016. Apsolutni iznos rađanja drugog djeteta iz godine u godinu smanjuje se, što se podudara s padom vrijednosti totalne stope fertiliteta. Rođenje trećeg djeteta sve je rjeđa pojava, tako da je od 2005. godine broj takvih slučajeva manji od 4 000.

U sljedećoj tabeli predočeni su podaci o prosječnom broju djece po ženi za kohorte koje su izašle iz fertalnog perioda, uključujući i dva petogodišta (40–44 i 45–49) na izmaku reproduktivne karijere.

48 Vidjeti Mirza Emirhafizović i Hasan Zolić. “Dobna struktura i reprodukcija stanovništva Bosne i Hercegovine“ u *Demografske i etničke promjene u BiH*, Ivan Cvitković (ur.), Posebna izdanja, knjiga CLXXII, (Sarajevo: Akademija nauka i umjetnosti Bosne i Hercegovine, Odjeljenje društvenih nauka, knjiga 9, 2018), str. 11-26.

49 Obrazovne statistike u mnogim zemljama, uključujući i BiH, pokazuju da su žene već godinama brojnije u studentskoj populaciji, pa se može govoriti o feminizaciji visokog obrazovanja.

Tabela 3. Žensko stanovništvo od 40 do 75 i više godina prema broju živorođene djece

Kohorta	40-44	45-49	50-54	55-59	60-64	65-69	70-74	75 i više
Prosječan broj djece	1,49	1,57	1,67	1,67	1,75	1,87	1,97	2,11
Prosječan broj djece žena koje su rađale	1,97	2,05	2,11	2,17	2,27	2,44	2,61	2,86
Razlika*	-0,48	-0,48	-0,44	-0,50	-0,52	-0,57	-0,64	-0,75
Postotak žena koje nisu rađale*	13,5	12	10,7	10,2	9,7	9,2	10	11,7

Izvor: *Popis: starost i spol, bračni status, fertilitet ženskog stanovništva*, (BHAS, 2016) (dostupno na: <http://www.popis.gov.ba/popis2013/knjige>)

\*Autorov izračun

Za kohorte od 50. godine pa naviše riječ je o kumulativnoj stopi fertiliteta, koja označava ostvarenu plodnost tokom trajanja fertile dobi, a čija se vrijednost razlikuje ovisno o tome jesu li uračunate i žene bez djece. Osim prosječnog broja djece po ženi, predstavljeni su udjeli žena koje nisu rađale u pojedinim kohortama.

Iz prikazanih podataka može se uočiti sljedeće:

- Svaka starija kohorta u prosjeku je rađala više djece, po čemu prednjače ratna i međuratna generacija (žene rođene prije 1945. godine).
- Na prosječan broj djece po ženi snažno utječe postotak nerađanja, odnosno nesudjelovanja u reprodukciji (razlika se kreće u rasponu od 0,44 do 0,75 djece), što se u konačnici odražava na nedostizanje praga nužnog za obnavljanje generacija.
- Raste udio žena koje su svoj reproduktivni period okončale bez djece; kod kohorte 40–44 izvjesno je da će biti viši od 13 posto.

Činjenica da će više od 10 posto žena u treću životnu dob ući ili je već ušlo bez potomstva navodi na konstataciju da zastupljenost “neporodičnog sektora”<sup>50</sup> u bh. društvu nije zanemariva i da je, stoga, ne bi trebalo ignorirati.

Imajući u vidu da pad fertiliteta nije uvjetovan samo niskim reproduktivnim normama, već i time da jedan postotak žena ne sudjeluje u reprodukciji, ova pojava zaslužuje istraživačku pažnju. Ona je u literaturi poznata i pod sintagmom socijalitetni sterilitet, a “označava nepostojanje individualnih ili društvenih uvjeta za stvarno sudjelovanje u reprodukciji stanovništva”.<sup>51</sup>

50 Vidjeti Nico Keilman, *Demographic and social implications of low fertility for family structures in Europe* (Population studies No. 43) (Strasbourg: Council of Europe, 2003).

51 Alica Wertheimer-Baletić, *Stanovništvo i razvoj* (Zagreb: Mate, 1999), str. 209.

Od sredine XX stoljeća i u drugim evropskim zemljama primjetan je porast ove kategorije, uz ostale promjene u demografskom ponašanju.<sup>52</sup> Prema mnogim autorima, sporno je jasno razlikovanje između namjernog (dobrovoljnog, svjesnog)<sup>53</sup> i nenamjernog (nedobrovoljnog) socijalitetnog steriliteta. Kod prvog je izbor svjestan i samovoljan.<sup>54</sup> Međutim, često se događa da se parovi suočavaju sa smetnjama u oplodnji tek pošto žele ostvariti želju za djetetom nakon odgode tranzicije u roditeljstvo. Zbog toga se, isprva svjesno, privremeno nesudjelovanje u reprodukciji može pretvoriti u trajni a neželjeni socijalitetni sterilitet kao posljedica zalaska u poznije godine, u kojima opada plodnost.<sup>55</sup>

## Umjesto zaključka

Na temelju analize dugoročnih promjena u nivou nataliteta / fertiliteta, u radu se pokušalo dati odgovor na pitanje kako je Bosna i Hercegovina upala u “zamku (*izrazito*<sup>56</sup>) niskog fertiliteta”.<sup>57</sup> Tranzicija nataliteta potaknuta modernizacijskim procesima nastavljena je i nakon što je dosegnut *umjereni* nivo rađanja dovoljan da se osigura generacijska obnova. Time je ubrzana demografska tranzicija, dodatno intenzivirana emigracijom, već 80-ih godina prošlog stoljeća rezultirala poremećajem u reprodukciji stanovništva. Iako je dvoje djece u porodici postala prevladavajuća norma, totalna stopa fertiliteta je već na prijelazu iz sedamdesetih u osamdesete godine bila ispod praga koji je nužan za obnavljanje generacija. Ipak, još uvijek je postojao demografski kapacitet za održavanje rasta stanovništva, koji je, međutim, u velikoj mjeri uništen tokom rata (1992–1995). Uzimajući u obzir dalekosežne učinke demografskih posljedica rata, one se ne mogu svesti samo na zbrajanje direktnih ljudskih gubitaka i iseljenih stanovnika izvan zemlje.

52 Michaela Kreyenfeld and Dirk Konietzka, “Analyzing Childlessness”, in *Childlessness in Europe: Contexts, Causes, and Consequences*, Kreyenfeld Michaela, Konietzka Dirk (eds.) (Dordrecht: Springer, 2018), pp. 3-15.

53 Komentirajući nove bihevioralne trendove u redefiniranom sistemu vrijednosti koji potiskuju reproduktivnu funkciju suvremene porodice, sociologinja porodice Milić primjećuje: “U savremenim društvima umjesto broja djeca, raste broj brakova koji se dobrovoljno odriču djece i roditeljskih zaduženja. Od svog nastanka, porodica se nije našla na tako skliskom terenu za svoje održanje i postojanje kao društvena institucija“, vidjeti Anđelka Milić, *Sociologija porodice: kritika i izazovi* (Beograd: Čigoja štampa, 2007), str. 55.

54 Anđelko Akrap i Ivan Čipin, *Socijalitetni sterilitet u Hrvatskoj – zašto smo neoženjeni i neudane* (Zagreb: Ministarstvo obitelji, branitelja i međugeneracijske solidarnosti, 2006), str. 18.

55 Martina Beham, “Familiengründung heute”, in 5. *Familienbericht 1999 – 2009 – Die Familien der Wende zum 21. Jahrhundert*, BAND I (Wien: Bundesministerium für Wirtschaft, Familie und Jugend, 2010), pp. 229-322.

56 Dodao M.E.

57 Vidjeti Maria Rita Testa, Vegard Skirbekk and Wolfgang Lutz, „The Low Fertility Trap Hypothesis. Forces that May Lead to Further Postponement and Fewer Births in Europe“, *Viena Yearbook of Population Research*, 4:1 (2006), pp. 167-192.

Kratkotrajna natalitetna kompenzacija u prvim poratnim godinama bila je odraz normalizacije života nakon agonije i proživljenih traumatičnih iskustava kod velikog dijela stanovništva. Utjecaj psiholoških faktora igrao je značajnu ulogu u tome, pa materijalni uvjeti života, iako su u mnogim slučajevima bili suboptimalni, nisu predstavljali smetnju sklapanju braka i rađanju djece. Permanentna društveno-ekonomska kriza, koja je uslijedila u postkonfliktnom i tranzicijskom bh. društvu, nesumnjivo je djelovala krajnje destimulativno na osnivanje porodica, odnosno realiziranje fertilitetnih aspiracija (željeni broj djece). Ukoliko predodžba o veličini porodice premašuje prosjek, veća je vjerovatnoća da željeni broj djece ne bude ostvaren u kasnijim godinama života. Ipak, u Bosni i Hercegovini i progresija ka drugom djetetu nerijetko je upitna. U tom kontekstu, problematičan je odabir metoda planiranja porodice. Mada ne postoje pouzdane statistike o tome, i grube procjene o broju artifičnih pobačaja (namjerni prekid trudnoće) navode na zabrinutost s obzirom na dob žena, razloge koji stoje iza takve odluke, kao i moguće posljedice takvog zahvata.<sup>58</sup>

Smjenom generacija i stalnim odljevom populacije u *najboljim* reproduktivnim godinama smanjuje se volumen jezgre fertileg kontingenta, što znači da se dodatno sužava biološki okvir reprodukcije stanovništva. Izostanak stimulaturnih mjera populacijske politike usklađenih sa stvarnim potrebama porodica s djecom upućuje na postojanje antinatalitetnog društvenog ambijenta. U okolnostima izrazito niskog fertiliteta, stalnog iseljavanja te negativne prirodne promjene, biološka regresija uzima sve više maha, ne samo u kvantitativnom nego i u kvalitativnom smislu, što se očituje u transformaciji dobne strukture stanovništva. Shodno navedenom, može se konstatirati da je *demografska zima* već okovala Bosnu i Hercegovinu.

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58 Brojni web-portali u BiH bavili se ovom temom; vidjeti npr. <http://www.narod.ba/vijesti/sokantni-podaci-maloljetnice-sve-cesce-prekidaju-trudnocu>, pristupljeno 1. 12. 2018.

# When the *Demographic Winter* knocks the door: Natural decrease and depopulation in Bosnia and Herzegovina

## Summary

For years, the birth rate in Bosnia and Herzegovina has been one of the lowest in the world.<sup>59</sup> This fact suggests a need to approach the phenomenon analytically. The main goal of this paper is to present the changes in birth and fertility rates over the longer term in relation to the factors determining them. Two standard methods are normally used in analysing fertility rates, the transversal and the longitudinal. Applying them both, we have quantified the inter-generational differences in reproductive norms. The pattern of demographic transition seems to have been progressive in character, with the fall in fertility continuing past the point during the 1970s at which the threshold of simple population reproduction was reached (just more than two children per adult female). Entry into the late sub-phase of demographic transition was followed by a trend of more gradually declining natality. This lasted into the early 1990s. The 1992–1995 war saw the population of Bosnia and Herzegovina forcibly induced into a post-transitional stage of development, for which the social and economic preconditions were not yet in place. Entry into this phase of demographic development, whose major characteristics are denatality,<sup>60</sup> an aging population, and a rising death rate, resulting in natural depopulation, has marked the onset of demographic winter.

**Key words:** Natality/birth rate, fertility, demographic transition, depopulation, Bosnia and Herzegovina

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59 A UN publication, *World Fertility Patterns 2015*, places Bosnia and Herzegovina among the ten countries in the world with the lowest total fertility rate (TFR) – taking an average for the five-year period from 2010 to 2015. Four of the other countries are also European (Moldavia, Portugal, Spain, and Hungary), while the remaining five are Asian. See: United Nations (2016) *World Fertility Patterns 2015 Data Booklet*, available at: <http://www.un.org/en/development/desa/population/publications/pdf/fertility/world-fertility-patterns-2015.pdf>, accessed 19. 11. 2018.

60 “Falling birth rate”. In demography, the term denatality is closely associated with depopulation and is used in a narrow sense to mean a form of depopulation informed by natural population trends, particularly a falling number of births in a given population ...”, (Leksikon migracijskoga i etničkoga nazivlja, Emil Heršak (ed.), [Zagreb: Institut za migracije i narodnosti, 1998], p. 32.)



## Islamic Theological Studies at the University of Vienna: Between Academic Freedom and the Right of the Islamic Community to Self-Determination

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*Rijad Dautović*

### Abstract

This paper deals with the legal basis for establishing Islamic theological studies at the University of Vienna and the corresponding conflict of norms between academic freedom and the right to (religious) self-determination. The author's central claim is that the relevant legal provision is in accordance with neither the constitutional principle of equality nor the constitutional guarantees on the status of legally recognised churches and religious societies. The study begins with a comparison between the legal situations in Germany and Austria on Islamic theological studies. This is followed by a discussion of § 24 of the Islam Act of 2015, the main legal basis for Islamic theological studies, and a comparison with the legal status of Evangelical theological studies. Finally, the paper examines the role of the Islamic Community in Austria in the appointment of teaching personnel and its self-definition, based on its teachings, tradition and constitution.

**Keywords:** Islamic Studies, Austria, Germany, Islamic Community, academic freedom, Islam Act, freedom of religion

## I. Introduction

On April 1, 2015 a new Islam Act<sup>1</sup> came into effect in Austria, giving rise to regulations, some of them disputed. One such is § 24, which is the legal basis for establishing (Islamic) “theological studies” at the University of Vienna. They were inaugurated in October 2017. The ambition to provide university-level Islamic theological education in Austria is not new. In 2007, the then president of the Islamic Community in Austria (*Islamische Glaubensgemeinschaft in Österreich*; IG-GiÖ), Anas Schakfeh, entered talks with representatives of the University of Vienna and the Ministry of Education on plans for an Islamic theological faculty.<sup>2</sup> While the introduction of Islamic theological studies had long been both desired and clearly necessary, it soon became apparent, not least during the legislative evaluation process for the *Islamgesetz* or Islam Act, that perceptions on the issue were far apart.<sup>3</sup> The impression was soon conveyed in a number of statements that Islamic religious societies should not have any influence on the studies at all. As Heinig had already pointedly suggested in 2010, this entailed an implicit accusation or a warning against a “hostile takeover”, with an eye to the case of Germany.<sup>4</sup>

From the legal point of view, the tension between the right of (legally recognised)<sup>5</sup> churches and religious societies to self-determination on the one hand and academic freedom on the other is of central importance. Since the problems show some similarities to the situation regarding Islamic theological studies in Germany, some comparison with the legal status there may be helpful. The emerging legal situation is further complicated by the circumstance that there is already a legally recognised Islamic religious society (possibly two) at the Austrian or national level. This is not the case in Germany. These somewhat different conditions must also be taken into account.

Of more central importance for this essay is comparison with the status of theological studies of other legally recognised churches and religious societies in Austria, especially the Evangelical theological studies at the Evangelical Theological Faculty (of the University of Vienna). This is because the legal basis for these

1 Bundesgesetzblatt Nr. 39/2015. In the following text, use is made of the official English translation provided by the foreign ministry <[https://www.bmeia.gv.at/fileadmin/user\\_upload/Zentrale/Integration/Islamgesetz/Islam\\_Law.pdf](https://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Islamgesetz/Islam_Law.pdf)> [accessed December 7, 2017].

2 Erich Kocina, ‘So wird man islamischer Religionslehrer’, *Die Presse*, June 18, 2007 <<https://diepresse.com/home/wirtschaft/karriere/studenten/311108/So-wird-man-islamischer-Religionslehrer>> [accessed December 7, 2017].

3 ‘Stellungnahme der Islamischen Glaubensgemeinschaft zum Entwurf zum Islamgesetz (2014)’, 68/SN-69/ME XXV. GP p. 20 ff., ad § 15 <[https://www.parlament.gv.at/PAKT/VHG/XXV/SNME/SNME\\_02076/fname\\_371638.pdf](https://www.parlament.gv.at/PAKT/VHG/XXV/SNME/SNME_02076/fname_371638.pdf)> [accessed December 11, 2017].

4 See Hans Michael Heinig, ‘Was sind die rechtlichen Vorgaben für eine Imamausbildung?’, in *Imamausbildung in Deutschland. Islamische Theologie im europäischen Kontext*, ed. by BüilentUcar (Göttingen, 2010), pp. 49–58 (p. 54 and 56 ff.).

5 Richard Potz and Brigitte Schinkele, *Religion and Law in Austria* (Vienna: Wolters Kluwer, 2016), p. 47 ff.

studies, § 15 of the *Protestantengesetz* or Protestants Act of 1961, provided at least a structural model for § 24 of the Islam Act of 2015.<sup>6</sup>

In short, we are posing a couple of questions regarding § 24 of the Islam Act of 2015. Are (Islamic) “theological studies” under § 24 constitutional? Do the regulations meet the requirements of the right to self-determination of (legally recognised) churches and religious societies, as guaranteed under art. 15 of the *Staatsgrundgesetz* or Basic State Law of 1867?<sup>7</sup> Can the tension between this right and academic freedom be resolved, and, if so, how? Do the regulations under the Islam Act comply with the principles of equality (art. 7 of the *Bundes-Verfassungsgesetz*/Federal Constitutional Law) and of parity (art. 15 of the Basic State Law of 1867)?

These constitutional concerns derive from the religious policy question of whether § 24 of the Islam Act of 2015 transgresses or at least infringes upon the Islamic Community’s rights to self-determination and (corporate) freedom of religion. To clarify these constitutional concerns, we shall naturally have to look closely at how the regulations came about, but also at Islamic self-definition.

## II. Comparison to Germany

The best way to understand the exceptional status of Muslims in Austria can often be by contrasting it with the situation of Muslims in Germany. To understand the following section, it may be useful to ask why Islamic theological studies were started in Germany before Austria. Demand was growing in both countries, but even more in Austria, where the percentage of Muslims in the country’s population was higher than in Germany.<sup>8</sup>

6 ErlRV 446 BlgNR XXV. GP 9 ad § 24 <[https://www.parlament.gv.at/PAKT/VHG/XXV/II/I\\_00446/fname\\_377359.pdf](https://www.parlament.gv.at/PAKT/VHG/XXV/II/I_00446/fname_377359.pdf)> [accessed December 11, 2017]; for the English translation of the foreign ministry see <[https://www.bmeia.gv.at/fileadmin/user\\_upload/Zentrale/Integration/Islamgesetz/Islam\\_Law\\_-\\_Commentary.pdf](https://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Islamgesetz/Islam_Law_-_Commentary.pdf)> [accessed December 11, 2017].

7 Reichsgesetzblatt no. 142/1867 version of Bundesgesetzblatt no. 684/1988 <<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10000006>> [accessed December 11, 2017]; Since this constitutional provision is of central legal importance, we cite it here:

“Every legally recognised church and religious society has the right to communal public religious practice and may organise and administer its internal affairs independently and retain possession and beneficiary use of all and any institutions, foundations and funds for the purposes of worship, education or charitable activities, but remains, like any other society, subject to the general laws of the state.”

This and following translations are by the author. Citations of the Islam Act of 2015 are taken from the official translation of the foreign ministry, unless otherwise indicated.

8 Stichs, *Wie viele Muslime leben in Deutschland?*, December 14, 2016 <[http://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/WorkingPapers/wp71-zahl-muslime-deutschland.pdf?\\_\\_blob=publicationFile%7CSudie](http://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/WorkingPapers/wp71-zahl-muslime-deutschland.pdf?__blob=publicationFile%7CSudie)> [accessed August 27, 2017]; cf. Goujon/Jurasszovich/Potančoková, *Demographie und Religion in Österreich - Szenarien 2016 bis 2046*, Ös-

There has been an Academy for Islamic Religious Education (*Islamische Religionspädagogische Akademie*)<sup>9</sup> in Austria since 1998/99. It operates entirely within the Islamic Community of Vienna (*Islamische Religionsgemeinde Wien*), which is part of the Islamic Community in Austria. There is still no comparable institution in Germany. Islam has been legally recognised in Austria since at least 1912 and a unified religious organisation for all Muslims has existed for decades. In Germany, no such recognition has been given to Islamic religious societies (as public corporations), except for the *Ahmadiyya Muslim Jamaat* in Hessen (in 2013).

As mentioned above, the then president of the Islamic Community, Schakfeh, held talks on establishing an Islamic theological faculty in 2007, alongside negotiations with the Federal Minister of Education, Elisabeth Gehrler, on a concrete draft for a new Islam Act. Both plans took as their starting point the legal status of the Evangelical Church.<sup>10</sup> All the circumstances suggested that Islamic theological studies would be established at Austrian universities first.

In 2010, the German Academic Council (*Wissenschaftsrat*) recommended the establishment of Islamic theological studies at German tertiary institutions.<sup>11</sup> The concept involved differed somewhat from what the Constitution envisaged,

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terreichischer Integrationsfond 2017 <[https://www.integrationsfonds.at/fileadmin/content/AT/Downloads/Publikationen/Forschungsbericht\\_Demographie\\_und\\_Religion\\_inkl\\_Vorwort\\_Web.pdf](https://www.integrationsfonds.at/fileadmin/content/AT/Downloads/Publikationen/Forschungsbericht_Demographie_und_Religion_inkl_Vorwort_Web.pdf)> [accessed August 27, 2017].

9 Martina Schmied, 'Die Islamische Religionspädagogische Akademie', *Österreichisches Archiv für Recht und Religion*, 46 (1999), 434–43.

10 According to Schakfeh, the plans were abandoned after release of the so called "Islamic teacher study" (*Islam-Lehrer-Studie*) or "Khorchide study" (*Khorchide-Studie*), which suggested, among other things, that more than a fifth of Islamic religious education teachers reject democracy. See Mouhanad Khorchide, *Der islamische Religionsunterricht zwischen Integration und Parallelgesellschaft: Einstellungen der islamischen ReligionslehrerInnen an öffentlichen Schulen* (Wiesbaden: Verlag für Sozialwissenschaften, 2009). See also Kocina, 'Khorchide-Studie: Islam-Lehrer als Problemfall', *Die Presse*, January 28, 2009

<[http://diepresse.com/home/panorama/oesterreich/447494/KhorchideStudie\\_IslamLehrer-als-Problemfall](http://diepresse.com/home/panorama/oesterreich/447494/KhorchideStudie_IslamLehrer-als-Problemfall)> [accessed August 27, 2017]. The study was promoted by the "Austrian Integration Fund" (*Österreichischer Integrationsfonds*), then a public fund associated with the Federal Ministry of the Interior and the Secretary of Integration, Sebastian Kurz (2011–2013). This relationship moved, with Kurz, to the Ministry for Europe, Integration and Foreign Affairs. Although the study's methodology and results were immediately criticised as "bad science," one result was probably that Schakfeh did not run again for the presidency of the Islamic Community in 2011. See ORE, 'Bildungsforscher: Islam-Lehrer-Studie "wissenschaftlich unhaltbar"', <[http://religionv1.orf.at/projekt03/news/0901/ne090130\\_hopmann\\_fr.htm](http://religionv1.orf.at/projekt03/news/0901/ne090130_hopmann_fr.htm)> [accessed August 27, 2017]. Cf. Farid Hafez, *Anas Schakfeh. Das österreichische Gesicht des Islams* (Wien: Braumüller, 2012), p. 180 et seqq.

11 Wissenschaftsrat, 'Empfehlungen zur Weiterentwicklung von Theologien und religionsbezogenen Wissenschaften an deutschen Hochschulen', 2010, p. 7 ff.

<<https://www.wissenschaftsrat.de/download/archiv/9678-10.pdf>> [accessed December 11, 2017]; for a comprehensive overview on the status quo in Germany see Moritz Indenhuck, *Islamische Theologie im staatlichen Hochschulsystem*, Schriften zum Religionsrecht, 7 (Baden-Baden: Nomos, 2016), vii.

however. Instead of involving the relevant religious communities, as per art. 140 of the (German) Basic Law and art. 137, para. 3, of the Weimar Constitution (whose content is very similar to art. 15 of the Austrian Basic State Law of 1867),<sup>12</sup> which imply a need for formal agreement between the state and the religious community, the Council suggested getting so-called (and then non-existent) “advisory councils” involved. These advisory councils would comprise representatives of Islamic umbrella associations, members of the “academic community”, and representatives of the “majority of non-organised Muslims”.<sup>13</sup>

Heinig points out, with a reasonable degree of scepticism, that the justifications given for this model were the same as for the lack of nationwide Islamic religion classes in Germany, viz,<sup>14</sup> a lack of organisational density compared to Christian churches,<sup>15</sup> politicians’ doubts as to whether the “Coordination Council of Muslims” (the umbrella organisation for almost all lower-level Muslim umbrella associations) and its member umbrella associations really met the criteria of a religious community (despite expert evidence that they did)<sup>16</sup> doubts as to how representative these Islamic umbrella associations were, and political reservations.

As a result, the advisory councils’ model continued in the mould of the German Islam Conference. This meant that, as well as determining which representatives of Islamic umbrella associations were acceptable (some were rejected),<sup>17</sup> the

12 German Bundesgesetzblatt I 1949, p. 18

<[https://www.bgbl.de/xaver/bgbl/start.xav?start=%2F%2F\\*\[%40attr\\_id%3D%27bgbl149s0001.pdf%27\]#\\_\\_bgbl\\_\\_%2F%2F\\*%5B%40attr\\_id%3D%27bgbl149s0001.pdf%27%5D\\_\\_1513121674043](https://www.bgbl.de/xaver/bgbl/start.xav?start=%2F%2F*[%40attr_id%3D%27bgbl149s0001.pdf%27]#__bgbl__%2F%2F*%5B%40attr_id%3D%27bgbl149s0001.pdf%27%5D__1513121674043)> [accessed August 27, 2017].

13 See Farid Hafez, ‘Disciplining the “Muslim Subject”: The Role of Security Agencies in Establishing Islamic Theology within the State’s Academia’, *Islamophobia Studies Journal*, 2 (2014), 43–57 (p. 49 ff.).

14 Heinig, ‘Imamausbildung in Deutschland’, p. 54 ff.

15 Muslims in Austria were denied recognition by the usual route of an application under the Recognition Act of 1874, which is why recourse was considered necessary to a special act of parliament, the Islam Act of 1912. For more on this argument, see Rijad Dautović, ‘Der Sonderweg österreichischer Islampolitik’, *Österreichische Zeitschrift für Politikwissenschaft*, 2019, forthcoming.

16 See Engin Karahan, ‘Rechtlich zweifelhaft, politisch 10 Jahre in der Vergangenheit’, <<http://www.migazin.de/2015/11/25/rechtlich-zweifelhaft-politisch-10-jahre-in-der-vergangenheit/>> [accessed August 27, 2017]; cf. Volker Beck and Cem Özdemir, ‘Den Islam und andere Religionen der Einwanderer ins deutsche Religionsverfassungsrecht integrieren’, *Kirche und Recht* (2015) 129–41.

17 Cf. Karahan, ‘Islamische Theologie an deutschen Universitäten’, 2013, p. 1 <[https://www.academia.edu/4861163/Islamische\\_Theologie\\_an\\_deutschen\\_Universit%C3%A4ten\\_-\\_Die\\_Problematik\\_der\\_fehlenden\\_Vertretung\\_der\\_muslimischen\\_Gemeinschaften](https://www.academia.edu/4861163/Islamische_Theologie_an_deutschen_Universit%C3%A4ten_-_Die_Problematik_der_fehlenden_Vertretung_der_muslimischen_Gemeinschaften)> [accessed 29 August 2017]; for more on the problem, see Engin Karahan, ‘Verfassungsschutzberichte und IGMG - Erfahrungen und Auswirkungen’, in *Islam und Verfassungsschutz: Dokumentation der Tagung am 7. Dezember 2006 an der Universität Münster*, ed. by JaberndOebbecke, Bodo Pieroth, and Emanuel Towfigh (Münster: Peter Lang, 2007), pp. 91–112, and Werner Schiffauer, ‘Suspect Subjects: Muslim Migrants and the Security Agencies in Germany’, in *The Social Life of Anti-Terrorist Laws. The War on Terror and the Classification of the ‘Dangerous Other’*, ed. by Julia Eckert (Bielefeld: Transcript, 2008), pp. 55–78.

state (acting here not as a neutral mediator but as a party to the state-church/religious society relationship) would be the one appointing representatives for a supposed unorganised majority of Muslims and people the state considered experts.<sup>18</sup> In this way, the state would have been creating “a cooperation partner pleasing to itself.”<sup>19</sup>

The reasons the Government felt the advisory council model was necessary and why the recognition<sup>20</sup> of Islamic societies has been advancing so slowly in Germany are by their nature vague and any proper investigation of them would have to take religious self-definition into account. More importantly, the state is here acting as judge and jury, as it were, which is giving rise to a conflict of interest in the state-church relationship over the advisory councils. If the state finds – with whatever justification – that Islamic umbrella associations do not meet the requirements for recognition as religious communities under art. 140 of the Basic State Law, in conjunction with art. 137, para. 3, of the Weimar Constitution, then under constitutional law it cannot institutionalise Islamic theological studies at public universities. Without a relevant religious partner, the state “cannot itself take responsibility for theological content, because of its obligation of neutrality.”<sup>21</sup> This is precisely what has happened, however. The very concept of advisory councils and how they were constituted express the state’s aspiration of being both a moderating authority and to the side at the same time, which is not logically possible. If it has been politically possible – but no less constitutionally dubious – it is only because of the status of the Islamic umbrella associations has been left unresolved and of the denial that they are the major representatives of German Muslims.

In Austria the legal status and recognition of the Islamic Community remains generally undisputed. The sole Muslim partner of the Austrian state was, at least until 2013, undoubtedly the Islamic Community in Austria, which therefore had the guarantees of art. 15 of the Basic State Law of 1867 on its side. The issue of Islamic theological studies was not taken up again until 2012, however, when it was discussed by the Federal Ministry of the Interior, represented by then

18 Luis Manuel Hernández Aguilar, ‘Welcome to Integrationland. On Racism and the German Islam Conference’ (doctoral dissertation, Goethe University Frankfurt am Main, 2015), p. 23 et seqq.

19 Heinig, ‘Imamausbildung in Deutschland’, p. 57; Schirin Amir-Moazami, ‘Pitfalls of Consensus-Orientated Dialogue: The German Islam Conference (Deutsche Islam Konferenz)’, in *Approaching Religion*, 2011, 1, 2–15; Hafez, ‘Disciplining the “Muslim Subject”: The Role of Security Agencies in Establishing Islamic Theology within the State’s Academia’, p. 45 (fn 5). For a comprehensive analysis, see Luis Manuel Hernández Aguilar, *Governing Muslims and Islam in Contemporary Germany: Race, Time, and the German Islam Conference*, Muslim Minorities, 26 (S.l.: Brill, 2018); Luis Manuel Hernández Aguilar, ‘Suffering Rights and Incorporation. The German Islam Conference and the Integration of Muslims as a Discursive Means of Their Racialization’, *European Societies*, 19.5 (2017), 623–44 <<https://doi.org/10.1080/14616696.2017.1334950>>.

20 The German concept of “recognition” is ambiguous and differs from Austria’s; see Riem Spielhaus and Martin Herzog, ‘Religionspolitische Ansätze und Maßnahmen zur Rechtlichen Anerkennung des Islams’, *Kirche und Recht*, 2016, 14–36 (p. 15 ff.).

21 Heinig, ‘Imamausbildung in Deutschland’, p. 53.

Integration Secretary Kurz, and the Islamic Community within a new framework, the “*Dialogforum Islam / Dialogue Forum on Islam*,”<sup>22</sup> itself modelled on the German Islamic Conference. This move came only after the Austrian Constitutional Court had ruled in 2010 that there could be more than one Islamic religious society,<sup>23</sup> undermining the legal claim of the Islamic Community to represent all the Muslims of Austria.<sup>24</sup> This created the impression that the issue of Islamic theological studies had been postponed only until circumstances of plural representation like those in Germany had been attained.<sup>25</sup>

### III. Prologue at the Dialogue Forum on Islam

Although the Dialogue Forum on Islam was not the formal forum for negotiating the Islam Act of 2015, this perception was nonetheless regularly fostered by politicians involved and in a certain sense it did set the course for establishing Islamic theological studies (and for the Islam Act in general). One work group ad-

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- 22 See *Dialogforum Islam - Bericht*, ed. by Bundesministerium für Inneres (Wien, 2013) <[https://www.bmeia.gv.at/fileadmin/user\\_upload/Zentrale/Integration/Publikationen/DFI\\_Bericht\\_Web.pdf](https://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Publikationen/DFI_Bericht_Web.pdf)> [accessed August 29, 2017].
- 23 Austrian Constitutional Court, December 1, 2010, B 1214/09 (VfSlg 19240/2010) <[https://www.ris.bka.gv.at/Dokument.wxe?ResultFunctionToken=4a12129f-5080-4cd7-a773-1c8feec6527d&Position=1&Abfrage=Vfgh&Entscheidungstyp=Undefined&Sammlungsnummer=&Index=&SucheNachRechtssatz=True&SucheNachText=True&GZ=B1214%2f09&VonDatum=&BisDatum=11.12.2017&Norm=&ImRisSeit=Undefined&ResultPageSize=100&Suchworte=&Dokumentnummer=JFT\\_09898799\\_09B01214\\_00](https://www.ris.bka.gv.at/Dokument.wxe?ResultFunctionToken=4a12129f-5080-4cd7-a773-1c8feec6527d&Position=1&Abfrage=Vfgh&Entscheidungstyp=Undefined&Sammlungsnummer=&Index=&SucheNachRechtssatz=True&SucheNachText=True&GZ=B1214%2f09&VonDatum=&BisDatum=11.12.2017&Norm=&ImRisSeit=Undefined&ResultPageSize=100&Suchworte=&Dokumentnummer=JFT_09898799_09B01214_00)> [accessed December 11, 2017].
- 24 This is related to legal recognition of the “Islamic Alevi Religious Community in Austria” (ALEVI), which took place in 2013. On background, see Richard Potz and Brigitte Schinkele, ‘Eintragung bzw. gesetzliche Anerkennung alevitischer Gruppen in Österreich’, *Österreichisches Archiv für Recht und Religion*, 58 (2011), 137–55; The fact that ALEVI changed its self-definition as “Islamic”, dropping the term from its name and constitution (see the administrative decision BKA-KA9.020/0007-Kultusamt/2015, dated November 5, 2015) a few months after the Islam Act of 2015 came into effect, raises a number of not just legal but also political questions and contributes to the general confusion. See the Administrative Court of Vienna, August 8, 2016, VGW-101/069/4623/2016-11. Cf. the Regional Administrative Court of Lower Austria, December 20, 2016, LVwG-AV-1262/001-2016, and Farid Hafez, ‘Institutionalised Austrian Islam: One institution representing the many’, in *Debating Islam: Negotiating Religion, Europe, and the Self*, ed. by Samuel M. Behloul, Susanne Leuenberger, and Andreas Tunger-Zanetti, Global-Local Islam (Bielefeld: Transcript, 2013), pp. 227–42 (p. 235 ff.).
- 25 Karahan speaks of a roll-back of the relation between the Austrian state and Muslims to times prior to the formation of the Islamic Community in Austria; Karahan, ‘Stellungnahme zum Bericht des Dialogforums Islam in Österreich’, 2013 <[https://www.academia.edu/4861073/Stellungnahme\\_zum\\_Bericht\\_des\\_Dialogforums\\_Islam\\_in\\_%C3%96sterreich](https://www.academia.edu/4861073/Stellungnahme_zum_Bericht_des_Dialogforums_Islam_in_%C3%96sterreich)> [accessed May 21, 2017]. For a more political analysis see Hafez, ‘Disciplining the “Muslim Subject”: The Role of Security Agencies in Establishing Islamic Theology within the State’s Academia’, *Islamophobia Studies Journal*, 2 (2014), pp. 43-57.

dressed itself to the “Education, Training and Postgraduate Training of Imams” at state universities, the topic dealt with under § 24 of the Islam Act. The Forum’s report drew the conclusion that the Islamic Community in Austria’s responsibilities were restricted to providing for the graduates’ professional practice, while their “fundamental academic and theological education” should take place “at university.”<sup>26</sup>

The role of the Islamic Community in Austria in this seems at first glance unclear. The report says that “the framework for the establishment of an academic degree course” shall “be stipulated by the University of Vienna, in cooperation with the Islamic Community in Austria, under contract.” The same paragraph contains provision for this cooperation, referring to “internships during their degree course” and “subsequent practical vocational preparation,”<sup>27</sup> but a note on the previous page states that that this must involve “full retention of academic freedom.” There is no mention of the right of the churches and religious societies to self-determination, even though this is always in play when dealing with theological studies and should always be mentioned in the same breath. The Islamic Community in Austria was thus not allocated a role in Islamic theological studies of the sort given both the Catholic and the Evangelical Church in the relevant courses of theological studies and as provided for by the constitution.

In the report, emphasis is placed on “the diversity of Islam”, which is to “occupy an important place in the curriculum”. Some participants from the Islamic Community in Austria may have understood this cryptic formulation at that time as an abstract recommendation to look to its own internal diversity, given that ALEVI had only just received legal recognition when the report was published.<sup>28</sup> In the event, however, it led to using § 24, para. 2, of the Islam Act of 2015 to provide a legal basis for establishing a distinct branch of theological studies for each Islamic religious society. The upshot was that the reference to Islamic theological studies was relevant not just to the Islamic Community in Austria but to ALEVI as well (even though ALEVI would “de-islamicise” itself in 2015, and the ALEVI branch of the studies still exists only theoretically in the Islam Act).<sup>29</sup>

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26 *Dialogforum Islam - Bericht*, ed. by Bundesministerium für Inneres (Vienna 2013), p. 14 <[https://www.bmeia.gv.at/fileadmin/user\\_upload/Zentrale/Integration/Publikationen/DFI\\_Bericht\\_Web.pdf](https://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Publikationen/DFI_Bericht_Web.pdf)> [accessed August 29, 2017]. Comparison shows that text of this section of the report was directly incorporated into the explanatory notes to the government bill (i.e. the ministerial draft).

27 Bundesministerium für Inneres, *DFI-Bericht*, p. 14 ff.

28 Bundesgesetzblatt II no. 133/2013 <<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20008416>> [accessed December 11, 2017].

29 See also section 31 of the curriculum for the BA course in Islamic theological studies- issued on June 26, 2017 - no. 140-163, <[http://iits.univie.ac.at/fileadmin/user\\_upload/p\\_iits/Dateien/Curriculum/Curriculum\\_Islamische\\_Theologie\\_2017.pdf](http://iits.univie.ac.at/fileadmin/user_upload/p_iits/Dateien/Curriculum/Curriculum_Islamische_Theologie_2017.pdf)> [accessed August 27, 2017].



## IV. § 24 of the Islam Act of 2015 compared to § 15 of the Protestants Act of 1961

The next step set the framework conditions for the state and the university's relations with the Islamic Community over Islamic theological studies. We will elaborate on this in the following section. First, we will confine ourselves to comparing § 24 of the Islam Act of 2015 and § 15 of the Protestants Act of 1961 in terms of equality, since, although the former was based on the latter structurally, they differ substantially at crucial points.

### Islam Act of 2015:

#### Theological Studies

§1) .24) As of January 2016 ,1, the Republic of Austria is to maintain the existence of a theological education at the University of Vienna to the ends of theological research and education and for the scientific formation of clerical young academics of Islamic Religious Societies. For these a total of up to six positions for teaching personnel are to be provided.

(2) According to this federal law, a specific branch of study for each of the Religious Societies is to be provided.

(3) University professors, postdocs as well as associate professors in the sense of the collective bargaining agreement for university employees in accordance with § 108 para. 3 law on universities are to be considered as teaching personnel in accordance with para. 1.

(4) Before positions according to para. 1 are filled, contact on the respective candidate is to be made with the Religious Societies, whereby in the theological core area it is to be considered, that the person be a follower of the doctrinal theology (school of law[, religious orientation]<sup>39)</sup> affiliated to the respective Religious Society recognised by this federal law.

### Protestants Act of 1961:

#### § 15 Evangelical Theological Faculty

(1) The Republic of Austria shall maintain for the Evangelical Church an Evangelical theological faculty at the University of Vienna for the scholarly education of young clerical academics, as well as for the purposes of theological research and teaching, with at least six ordinary chairs, including one each for the systematic theologies of the Augsburg and the Helvetic confessions. The predominantly Lutheran character of the Evangelical Church shall be taken into account.

(2) Members of the teaching staff of the Evangelical Theological Faculty, that is its ordinary and extraordinary university professors, emeritus university professors, university docents and contract lecturers, shall belong to the Evangelical Church.

(3) Guest professors, guest docents, guest lecturers, and other academic and non-academic personnel may belong to other churches or religious societies, especially member churches of the Ecumenical Council of Churches.

(4) When filling a position, the Evangelical Theological Faculty's council of professors shall make contact with the leadership of the Evangelical Church on prospective candidates, before forwarding its recommendations to the Federal Ministry of Education.

While § 15 of the Protestants Act of 1961 governs the legal status of an existing institution within the University of Vienna (since 1821),<sup>30</sup> § 24 of the Islam Act 2015

30 See Karl W. Schwarz, 'Die Inkorporierung der Evangelisch-theologischen Fakultät in die Alma Mater Rudolfina im Jahr 1922', in *Wiener Jahrbuch für Theologie*, ed. by Karl Fröschl, Gerd Müller, and Thomas Olechowski (Wien: Vandenhoeck & Ruprecht, 1998), II, 393–428.

aimed to create and maintain a degree course that did not yet exist (n.b. despite the reference to “As of January 1, 2016”, the degree course did not in fact begin until the 2017/18 winter semester).<sup>31</sup> § 24 is also relevant insofar as it is related to § 11, para. 2, of the Islam Act of 2015. According to the latter, in addition to “authorisation from their religious society”, religious ministers (chaplains) appointed for the spiritual care of the various Islamic religious societies’ members in the “armed forces [...] in judicial or administrative confinement [...] in public medical institutions, patient-centred care, nursing homes or similar institutions” (para. 1) must have “completed academic studies in accordance with § 24 or an equivalent qualification.”<sup>32</sup> The provision does not make clear who will decide whether a qualification is equivalent to that of § 24, but the assumption seems to be that it should be done by competent subject-specific bodies or parts of the University of Vienna (whether by some form of general recognition or nostrification decision). A constitutional interpretation would necessarily reach a different result, based on art. 15 of the Basic State Law.

A further difference between § 24 of the Islam Act of 2015 and § 15 of the Protestants Act of 1961 is that they deploy different designations for the courses of study, i.e. as constituting a faculty or not. The former refers to “theological education,” while the latter refers to an “Evangelical theological faculty” (and para. 1 refers explicitly to the “Evangelical Church”). In the first case, the aim may have been to weaken any denominational relation of theological studies to the Islamic religious societies - the ministerial draft of the bill had in fact included the title “Islamic theological studies.”<sup>33</sup> In our view, this is largely a matter of symbolism.<sup>34</sup> The references to “Islamic religious

31 This already reveals a qualitative difference, as faculties enjoy a different legal status to degree courses. Such unequal treatment may be justified at least for the time being, however, insofar as the institution is under development. This may change; see Stefan Schima, ‘Gutachten zu Entwurf zum “Bundesgesetz, mit dem das Gesetz betreffend die Anerkennung der Anhänger des Islam als Religionsgesellschaft geändert wird”’, 2014, p. 19 <[https://www.parlament.gv.at/PAKT/VHG/XXV/SNME/SNME\\_02194/imfname\\_372317.pdf](https://www.parlament.gv.at/PAKT/VHG/XXV/SNME/SNME_02194/imfname_372317.pdf)> [accessed December 24, 2016]. It is noteworthy that the then-president of the Islamic Community, Fuat Sanac, proceeded on the assumption that there would be a faculty. See ‘Dialogforum Islam - Zwischenbericht’, ed. by Bundesministerium für Inneres, 2012, p. 3. This proved to be an assumption that died hard in the Islamic Community; see the Shura Council, *Minutes of the session on February 15, 2015*, p. 5.

32 This eligibility requirement was added (as were other requirements, e.g. the need for three years of relevant professional experience) shortly before the ministerial draft was released on October 2, 2014. In a draft of July 11, 2014, circulating amongst the media in September, these requirements were missing. See Rijad Dautović and Farid Hafez, ‘Institutionalising Islam in Contemporary Austria: A Comparative Analysis of the Austrian Islam Act of 2015 and Austrian Religion Law with Special Emphasis on the Israelites Act of 2012’, *Oxford Journal of Law and Religion*, forthcoming; cf. Richard Potz, ‘Islamische Theologie an der Universität’, in *In mandatis meditari.: Festschrift für Hans Paarhammer zum 65. Geburtstag*, ed. by Stephan Haering and others (Wien: Duncker & Humblot, 2012), pp. 929–49 (p. 932 f. and fn 17).

33 ‘Entwurf. Bundesgesetz, mit dem das Gesetz betreffend die Anerkennung der Anhänger des Islam als Religionsgesellschaft geändert wird’ (2014), 69/ME XXV. GP, p. 5 § 15 <[https://www.parlament.gv.at/PAKT/VHG/XXV/ME/ME\\_00069/fname\\_367084.pdf](https://www.parlament.gv.at/PAKT/VHG/XXV/ME/ME_00069/fname_367084.pdf)> [accessed December 11, 2017].

34 Both the cover sheet (VbRV 446 BlgNR XXV. GP 3) and the explanatory notes to the bill (ErlRV 446 BlgNR XXV. GP 9 ad § 24 (for the English translation see fn 6)) also still refer to “Islamic theological studies.”

societies” in § 24 (“to the ends of theological research and education and for the scientific formation of clerical young academics of Islamic Religious Societies”)<sup>35</sup> and the connection to § 11, para. 2, demonstrate convincingly that these provisions relate to studies with a clearly denominational purpose and relevance.

Another eye-catching difference relates to the number of professorships and subordinate positions. While § 15 of the Protestants Act of 1961 guarantees “at least six ordinary chairs,” § 24 of the Islam Act of 2015 speaks of “up to six positions for teaching personnel.” Schima sees no grounds for this difference.<sup>36</sup> Given that both courses of study are “to the ends of theological research and education” and for the “formation of clerical young academics,” one can only assume that quantitative aspects matter for the question of substantial parity. Current data suggest that there are at least twice as many Muslims<sup>37</sup> as evangelical Christians in Austria.<sup>38</sup> Twice the number of Muslims should presumably mean twice as many graduates (as Imams), which would require twice as many (and not fewer) instructors (n.b. only two professorial posts have been filled).

A major and, during the legislative procedure, contested aspect related to the denominational affiliation of teaching staff. As the provisions make clear, § 14,

35 The ministerial draft refers to “education” (*Ausbildung*, as also in § 15 of the Protestants Act of 1961). According to then officials of the Islamic Community, this alteration was made on an initiative of the Islamic Community out of concern that the term “education” might imply that imams should be educated entirely and exclusively at the University of Vienna. The terminological change to “formation” (*Heranbildung*; cf. art. V., § 1, para. 1, of the Concordat 1933/34) should make clear, especially against the backdrop of the plans then current for the Imam-Hatip school in Vienna, that reference to a degree course represents only a “basic academic education,” an “academic formation of clerical young academics”, which could either precede or follow additional education (the latter was already assumed by the Dialogue Forum on Islam), while admission exams would be necessary for acceptance into service by the Islamic Community (the idea was clearly to create a relationship comparable to that between the Imam-Hatip schools and university-level theological studies in Turkey or between Madrasas and university-level Islamic theological studies in Bosnia). Cf. Bernhard Ichner, ‘Imam-Hatip: “Die Probleme sind hausgemacht”’, *Kurier*, 2017 <<https://kurier.at/chronik/wien/imam-hatip-die-probleme-sind-hausgemacht/283.096.870>> [accessed August 29, 2017]. For the sake of comparison we would like to point to the development of the Evangelical Church’s role in university exams and its waiver of “internal qualifying tests (Examen pro candidatura)”. See Karl W. Schwarz, ‘Die Evangelisch-Theologische Fakultät der Universität Wien im Spannungsfeld zwischen Brüssel, Bologna und Wittenberg’, *Österreichisches Archiv für Recht und Religion*, 55 (2008), 327–43 (p. 334). Given the terminological difference referred to in § 24, para. 2, of the Islam Act of 2015 and its background, it may be considered an explicit, but nonetheless purely declarative (i.e. legally not necessary) sign of differing from the practice chosen by the Evangelical Church.

36 Stefan Schima, ‘The Austrian Islam Act 2015 against the Background of Austrian Law on Religion’ (presented at the 5<sup>th</sup> Research Conference on ‘Democracy and Islam’ of the Austrian Research Association. Working Group on Democracy, Vienna, 2015, p. 15; Schima, ‘Gutachten zum IslamG-Entwurf’, p. 19.

37 Ca. 700,000 (2016). See Goujon et al., ‘Religious Denominations in Austria - Baseline Study for 2016 - Scenarios until 2046’, <[http://www.integrationsfonds.at/fileadmin/content/AT/Fotos/Publikationen/Forschungsbericht/Forschungsbericht\\_\\_Demographie\\_und\\_Religion.pdf](http://www.integrationsfonds.at/fileadmin/content/AT/Fotos/Publikationen/Forschungsbericht/Forschungsbericht__Demographie_und_Religion.pdf)> [accessed August 29, 2017].

38 302,964 members. See ‘Zahlen und Fakten - Evangelische laut eigener Zählung 2016’ <<https://evang.at/kirche/zahlen-fakten/>> [accessed August 29, 2017].

para. 2, of the Protestants Act of 1961 requires teaching staff be members of the Evangelical Church, whereas § 24, para. 4, of the Islam Act of 2015 only requires that, “whereby in the theological core area it is to be considered, that the person be a follower of the doctrinal theology (school of law, religious orientation) affiliated to the respective Religious Society recognised by this federal law.” Originally not even this was provided for in the ministerial draft or government bill.<sup>39</sup> According to Potz/Schinkele, the ministerial draft should have been clarified to read “that the members of the teaching staff must be members of the Islamic Community in Austria (or some other, yet-to-be recognised Islamic religious society).”<sup>40</sup> The changes made during parliamentary procedure may give the impression that expert demands were met, but a close look at the wording shows that the formulation remains selective and so avoids making membership of an Islamic religious society a requirement.

In agreement with Potz/Schinkele, the Islamic Community in Austria has also demanded, in its official statement in the parliamentary evaluation procedure and in renegotiation attempts in December 2014, that teaching staff be members of Islamic religious societies. This was initially met by an unaccommodating government position.<sup>41</sup> In this context, the changes later made to the relevant passage in § 24, para. 4, should be understood as an accommodation meeting demands halfway, in the absence of readiness to countenance complete (and meaningful) formal parity with the Evangelical Church.

A crucial provision found in both acts raises legal questions. It involves application of the barely translatable term “Fühlungnahme”<sup>42</sup> to either the “candidate” (§ 24, para. 4, Islam Act), or “candidates” (§ 15, para. 4, Protestants Act of 1961) when filling positions. An existing and institutionalised<sup>43</sup> modus was thus

39 See Rijad Dautović and Farid Hafez, ‘MuslimInnen als BürgerInnen zweiter Klasse? - Eine vergleichende Analyse des Entwurfes eines neuen Islamgesetzes 2014 zum restlichen Religionsrecht’, *Jahrbuch für Islamophobieforschung*, 3 (2015), 24–54 (p. 45). This passage was only added under an amendment application (*Wittmann/Gerstl*) at the constitutional affairs committee (of the National Assembly) on February 12, 2015 (see AB 469 BlgNR XXV. GP). After an amendment application from the same representatives (AA 76 BlgNR XXV. GP) on February 25, 2015, the term “religious orientation” was added out of deference to a different use of terminology by ALEVI.

40 Richard Potz and Brigitte Schinkele, ‘Stellungnahme zum Entwurf eines Bundesgesetzes, mit dem das Gesetz betreffend die Anerkennung der Anhänger des Islam als Religionsgesellschaft geändert wird (69/ME XXV. GP)’, 2014, p. 18 <[https://www.parlament.gv.at/PAKT/VHG/XXV/SNME/SNME\\_02154/imfname\\_372284.pdf](https://www.parlament.gv.at/PAKT/VHG/XXV/SNME/SNME_02154/imfname_372284.pdf)> [accessed November 6, 2016].

41 Shura Council, *Minutes of the session on February 15*, 2015, pp. 1 ff. and 3.

42 In the official foreign ministry English translation “in Fühlungnahme treten” is translated as “to contact”. This is neither linguistically accurate (the closest literal translation would be “to get in touch”) nor does it take into account the terms significant legal implications or the context of its legal usage.

43 Wolfgang Wieshaider, ‘Die Fühlungnahme’, *Österreichisches Archiv für Recht und Religion*, 62 (2015), 49–59 (p. 49); see Ehlers in *Allgemeines Verwaltungsrecht*, ed. by Martin Burgi and others, 14<sup>th</sup> ed. (Berlin - New York: De Gruyter, 2010), p. § 5 Rz 62.

adopted. Two aspects require attention, however, namely the use of the singular in the Islam Act, while the Protestants Act uses the plural, and the meaning of “Fühlungnahme”. Wieshaider has gone into both aspects extensively (see previous footnote), so we may limit ourselves to a summary.

On the first aspect, one should bear in mind that § 98 of the Universities Act of 2002<sup>44</sup> sets out the general procedure for appointing university professors. It begins with a public job advertisement (para. 2). Sitting professors in the specialism or, if so decided by the senate, a related field then nominate two reviewers. The rector may appoint an additional reviewer with relevant expertise (para. 3). The senate forms an appointments committee (*Berufungskommission*; para. 4) to review and select applications that meet the advertised criteria (para. 5). The candidates may be presented (para. 5) and the appointments committee then suggests a shortlist of the three most qualified candidates, based on the review and their statements (para. 7). At this point, the rector may choose (para. 8), communicating the choice to the university working group on equal opportunities (*Arbeitskreis für Gleichbehandlung*; para. 9), or may return the shortlist to the appointments committee, if he or she does not believe they are the three best qualified candidates.

According to § 15, para. 4, of the Protestants Act, the responsible organ of the university shall make contact (“in Fühlungnahme treten”) with the Evangelical Church “on prospective candidates”. They can only make contact on candidates before the rector has made his choice, however, as after that point there will be only one candidate left. Moreover, a special provision in § 38, para. 2, of the Universities Act of 2002 (para. 1 contains a special provision on Catholic theological studies) makes it clear that the rector is obliged to make contact in terms of § 15, para. 4, of the Protestants Act “prior to selecting from the shortlist”. Clearly, § 38, para. 2, of the Universities Act of 2002 only serves for clarification (except regarding the rector’s jurisdiction), as the chronological order is already determined by the interplay of § 15, para. 4, of the Protestants Act of 1961 and § 98 of the Universities Act of 2002.

According to Wieshaider, the case is somewhat different for Islamic theological studies, where it is a matter of “making contact on the prospective candidate”, in the singular. Accordingly, the rector is to contact the Islamic religious societies only after selection, when only one candidate remains.<sup>45</sup> One (theoretical and legal) consequence of this is that the rector would already have made his choice and therefore cannot refer the shortlist of three back to the appointments committee, as per § 98, para. 8, of the Universities Act of 2002. After “contact” with the Islamic religious societies, the only thing left is to inform the working group on equal opportunities of his decision. In other words, the Islamic religious soci-

44 Bundesgesetzblatt I no. 120/2002 version of Bundesgesetzblatt I no. 129/2017 <<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20002128>> [accessed December 11, 2017].

45 Wieshaider, p. 52.

eties would be presented with a *fait accompli* and “contact” amounts to little more than announcement, which is contrary to the sense of “Fühlungnahme”. It seems more likely, that the singular should be understood as meaning the three candidates are not to be presented all at once but one at a time. If the “Fühlungnahme” on the first candidate does not lead to consensus, the rector then presents his “no. 2”, etc. Given that the Evangelical Church is presented all three candidates at once, one must still ask whether even this understanding of the Islam Act of 2015 complies with the principle of equality.

A further interpretation seems even more conclusive. Certain teleological reasons suggest defocusing from the literal wording,<sup>46</sup> as do aspects of the wording itself. It seems reasonable that the singular in “prospective candidate” may be due to an editorial mistake rather than a conscious distinction. One should, however, note that § 24, para. 4, of the Islam Act of 2015 talks about a “candidate” (singular), but the next line states “whereby in the theological core area it is to be considered, that the person be followers of the doctrinal theology (school of law, religious orientation) affiliated to the respective Religious Society recognised by this federal law.”<sup>47</sup> The statement and the syntax of the sentence in the original German refer to “followers” (plural) in such a way that they can only refer to the “candidate” (singular). They are not in sync.

This discrepancy can be explained by the genesis of the paragraph. The corresponding passage in the ministerial draft<sup>48</sup> did not originally involve the procedure of “getting in touch” or “Fühlungnahme.” The provision was “to bring the prospective candidate to the religious societies’ attention and give them a deadline of at least four weeks for a response, prior to filling the position.” The rector was thus merely instructed to inform the (Islamic) religious societies of the selection decision and give them the opportunity to respond. If the only purpose of contacting them was to inform (and not coordinate and agree, which are the purposes of the “Fühlungnahme”), then it is perfectly in line with a system whereby the rector only approaches the religious societies after he already made his decision.

The changes made to the government bill were most probably in response to Potz and Schinkele’s call to follow the language of the Protestants Act as closely as possible with respect to the appointment procedure.<sup>49</sup> The Islamic Community in Austria also demanded the same. This resulted in “bring to the attention of” being replaced by “to get in touch with” (“in Fühlungnahme[...]zu treten”), albeit without realising the grammatical implications for “candidate”. To assume an editorial mis-

46 N.b. that, although Article V. § 3 of the 1933/34 Concordat between the Republic of Austria and the Holy See says that in seeking consent from the church authorities “for the appointment or admission of professors or docents” only the final candidate has to be made known to the Church, so that in *Religionsrecht* (2003), p. 481, Kalb/Potz/Schinkele start from the premise that consent is given after the rector has chosen. It is nevertheless common practice to present all three candidates to the diocesan bishop.

47 Here we deviate from the foreign ministry translation, since the mistake present in the authentic German version of the Islam Act of 2015 was corrected in the English translation.

48 ‘Entwurf’, p. 5 § 15.

49 Potz and Schinkele, ‘Stellungnahme zum Entwurf des IslamG’, p. 19.

take is also more consistent with the already established application by analogy of § 15, para. 4, of the Protestants Act to filling the chair in Islamic religious education in 2008 (at the University of Vienna).<sup>50</sup> It also makes more sense in light of any interpretation that assumes compliance with the principle of equality.<sup>51</sup>

Wieshaider has given a comprehensive list of legal examples for the use of the term “Fühlungnahme”, with a view to deducing its semantic and legal contents. Its legal uses range from the context of a “right to be heard”, through mere “contact”, to an “accorded course of conduct”, up to “agreement”. Depending on the subject area, some form of consensus is usually intended. Many of the examples quoted by Wieshaider come from international public law, especially international treaty law (concerning the common use of water, aviation law, borders and customs law). Even those which relate to areas of domestic law (e.g. antitrust law) deal with cases of two or more parties coming to an agreement over a common procedure on subjects of concern to all, mostly as a mechanism for making decisions in individual cases on the basis of a general cooperation agreement.

In these examples the parties tend to be “stakeholders” on a common issue, where each one’s acts will affect the others, so that unilateralism is to be avoided, while at the same time avoiding a formal commitment to each other.<sup>52</sup> The idea of reciprocity is omnipresent. Although the Evangelical Church did not push its claim (comparable to the provisions on *missio canonica* and *nihil obstat* in the case of the Catholic Church) to an “established right” over staffing, because of resistance from the Evangelical theological faculty,<sup>53</sup> Schwarz correctly emphasizes that in cases of heresy the Evangelical Church has the option to suspend a suspect professor, i.e. to withdraw recognition of his or her exams.<sup>54</sup> As would only seem

50 Especially since religious education enjoys *per se* a weaker connection to denomination than theology; see Potz, p. 940.

51 This problem to one side, the fact that no regulation comparable to § 38, para. 2, which refers to § 24 of the Islam Act of 2015, was adopted in § 38 of the University Act of 2002 is of great practical relevance. State-church law is a rarely mastered field in jurisprudence and not every official is familiar with all its provisions (let alone the most current ones), even if they are of concern for their division. § 38, paras. 1 and 2 of the University Act of 2002 have signal effect for the university administration. The lack of such a provision may be the reason why, according to officials of the Islamic Community, no “getting in touch” took place with respect to appointment of the first professor and the administration of the Islamic Community in Austria only found out about it third hand.

52 While neither side is obliged to accept the other’s staffing preferences, the explanatory notes to § 15, para. 4, of the Protestants Act make clear that neither side can decide without the other: “The procedure to be followed regarding the ‘Fühlungnahme’, considered mandatory, is to be determined jointly by the Church and the faculty in agreement”, ‘Erläuternde Bemerkungen’ (1961), ErlRV 448 BlgNR IX. GP, p. 16 <[https://www.parlament.gv.at/PAKT/VHG/IX/I/I\\_00448/imfname\\_330595.pdf](https://www.parlament.gv.at/PAKT/VHG/IX/I/I_00448/imfname_330595.pdf)> [accessed December 11, 2017].

53 Georg Traar, ‘Was erwartet die evangelische Kirche von der Neuordnung des gesetzlichen Verhältnisses zwischen Staat und Kirche?’, *Österreichisches Archiv für Kirchenrecht*, 7 (1956), 54–62 (p. 54 et seqq.).

54 Schwarz, p. 337. Cf. the German Constitutional Court, October 28, 2008, 1 BVR 462/06 (*Lüdemann*) <[http://www.bundesverfassungsgericht.de/SharedDocs/Downloads/DE/2008/10/rs20081028\\_1bvr046206.pdf;jsessionid=348E40C88A2ABE23EA3CBA3427E6503F1\\_cid392?\\_\\_blob=publicationFile&v=1](http://www.bundesverfassungsgericht.de/SharedDocs/Downloads/DE/2008/10/rs20081028_1bvr046206.pdf;jsessionid=348E40C88A2ABE23EA3CBA3427E6503F1_cid392?__blob=publicationFile&v=1)> [accessed December 11, 2017].

natural, the Evangelical Church can also do this *ab initio* in the cases of candidates appointed against its express will. Avoiding conflicts of this type is the function of the “Fühlungnahme”. The best way to understand it is therefore to consider it a “modus procedendi”<sup>55</sup> in matters that can only be dealt with effectively together. The “Fühlungnahme” should be understood as a procedural aspect of the right to self-determination, under art. 15 of the Basic State Law of 1867.

## V. The Right to Self-Determination vs. Academic Freedom

Since the co-determination rights of the Islamic religious societies are being infringed upon on the grounds of academic freedom, it would seem necessary to take a closer look at the relationship between the right of churches and religious societies to self-determination and academic freedom. “Theology”, in the sense of the jurisprudential concept of theology (regardless of the name or self-definition applied), is a “science of religion bound to a religion, confession and denomination”,<sup>56</sup> with an “institutional bonding” to a specific (legally recognised) church or religious society. As an applied form of care for that church or religious society’s teachings, it therefore falls under its internal affairs, which the state, under its obligation of religious and ideological neutrality, can neither teach on its own<sup>57</sup> nor affiliate unilaterally with the denominational educational institutions of other religious societies.<sup>58</sup>

When taught at state universities (given mutual consent), it becomes a shared matter for the state and the church or religious society, as the (autonomous) spheres of action of both the parties overlap. Whether and under what conditions the theology of a church or religious society can be taught at state universities depend on art. 15 of the Basic State Law, which governs mutual agreement. Where such agreement is lacking, the situation constitutes not only interference into the internal affairs of the church or religious society but a violation of the state’s obligation to neutrality as well.

It was on these grounds that the Catholic and the Evangelical churches<sup>59</sup> were granted extensive co-determination rights (exercised in a broad sense), especially over staffing, including the right to withdraw the teaching license. So strong a connection is, however, in conflict with academic freedom, under art. 17 of the Basic State Law, which is, moreover, not restricted by any reservation of statutory powers. While academic freedom is still subject to immanent barriers (in terms of the prohibition of restrictions by intentional laws), the right of the legally recog-

55 Schwarz, p. 332.

56 Hans Michael Heinig, *Die Verfassung der Religion* (Tübingen: Mohr Siebeck, 2014), p. 280 and 291; see also Heinig, ‘Imamausbildung in Deutschland’, p. 51.

57 Heinig, ‘Imamausbildung in Deutschland’, p. 53.

58 Heinig, *Die Verfassung der Religion*, p. 280.

59 The latter to a lower extent; see Schwarz, p. 332 ff.



nised churches and religious societies to self-determination is subject to a *sui generis* reservation (i.e. can only be limited by “general state laws”).<sup>60</sup>

While an historical understanding shows that the limitations to academic freedom imposed by the churches and religious societies’ right to self-determination are in line with the historical legislator’s intention, Hammer rightly points out that the use of petrification theory (so that a provision always retains the meaning it had when it came into effect) is inappropriate, not only because of later developments with respect to basic rights, but also because debates at the time the Basic State Law of 1867 came into effect themselves allowed for the assumption “that, with regard to Catholic theology, academic freedom was... not yet fully realised.”<sup>61</sup> Therefore he sees the justification for limiting academic freedom in favour of the churches and religious societies’ right to self-determination as lying less in the “strength” of the latter than in a “moment of autonomy”.

This does not answer the question of how to measure this “moment of autonomy.” Should it be as understood by theologians at state universities (potentially under state influence, as they are embedded in its organisational and financial structure) or according to the doctrinal authority of the respective church or religious society? Precisely this type of conflict existed between the Evangelical theological faculty and the Evangelical Church during negotiation of the Protestants Act of 1961 over the extent of the latter’s co-determination rights, which shows that such a “moment of autonomy” does not necessarily correspond to the church or religious society’s own self-definition.<sup>62</sup> The differences in view between a church or religious society and any lecturers or studies associated with it may be very great, depending on the extent of alienation existing between them. There must therefore exist a certain minimum of denominational bonding and co-determination (this minimum is a red line that every church and religious society must define for itself) for a legally qualification to teach theology at all.<sup>63</sup>

Given the tense relationship that currently exists between the director of the “Institute for Islamic theological studies” at the University of Vienna, Ednan Aslan, and the Islamic Community in Austria and the recent revelations of possible foreign ministry involvement<sup>64</sup> in his “Kindergarten study,” the distance<sup>65</sup> be-

60 See the Austrian Constitutional Court, December 19, 1955 (VfSlg. 2944/1955) <<http://alex.onb.ac.at/cgi-content/alex?aid=vfb&datum=0020&page=546&size=45>> [accessed December 11, 2017]; and December 16, 1959 (VfSlg. 3657/1959) <<http://alex.onb.ac.at/cgi-content/alex?aid=vfb&datum=0024&page=511&size=45>> [accessed December 11, 2017].

61 Stefan Hammer, ‘Zur konfessionellen Bindung der Theologie aus Sicht der Wissenschaftsfreiheit’, in *Recht - Religion - Kultur. Festschrift für Richard Potz zum 70. Geburtstag*, ed. by Brigitte Schinkele and others (Wien: Universitätsverlag Wien, 2014), pp. 117–32 (p. 118 ff.).

62 Schwarz, pp. 332–37.

63 Heinig, *Die Verfassung der Religion*, p. 295.

64 Florian Klenk, *Frisiersalon Kurz*, *Falter* 27/17, p. 10-13, <<https://cms.falter.at/falter/2017/07/04/frisiersalon-kurz/>> [accessed September 30, 2017].

65 Which is certainly also of a theological nature. Exemplary of various doctrinal deviations, see *Aslan*, ‘Stellungnahme zur Fatwa des IGGiÖ-Mufti über die Verhüllung im Islam’, March 6,

tween Islamic theological studies and its reference religious society seems large, rather than small. Given these circumstances around a possible “moment of autonomy”, the need arises (both generally and specifically regarding Islamic theological studies) to ask whether one is in fact dealing with an expression of a given theology’s self-definition or a result of proximity to the state and political interests. Where the distance between the self-definition of the theological studies and that of the relevant religious society is too great, one would have to assume insufficient denominational bonding. The legal consequence for theological studies would then either be a loss of constitutional backing, as it would constitute not just unconstitutional interference in church or religious society internal affairs but a violation of the principle of religious neutrality of the state, or a loss of its legal qualification as such studies.

In the end, this conflict between academic freedom and the churches and religious societies’ right to self-determination is a dispute over assignment and naming, as Hammer rightly concludes. In other words, even where a religious society’s self-definition gives rise to a restriction that does not match the understanding of the theology in question, the religious society may still claim legal protection against any external encroachment on its teachings, at least in cases of grave deviation.<sup>66</sup>

## VI. Islamic Self-Definition and the Role of the Islamic Community in Austria’s Constitution

On constitutionality and whether the provisions of § 24 of the Islam Act of 2015 conform to the standards of art. 15 of the Basic State Law of 1867 (the right of churches and religious societies to self-determination), the question of Islamic self-definition is crucial, as it provides the primary benchmark for the Austrian Constitutional Court in judging whether there has been interference in internal affairs or not. In this respect, one must distinguish between Islamic self-definition in a substantial sense on the one hand and Islamic self-definition in a formal sense on the other. While the former derives from the Islamic tradition and so the disciplines of Islamic studies, the latter is based on the Constitution of the Islamic Community and the doctrinal statements of its bodies.

Regarding the latter there is already an initial problem with the Islamic Community in Austria’s self-definition. This is because § 6, para. 1, no. 5, of the

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2017 <<http://ceai.univie.ac.at/2017/03/06/ein-fatwa-des-iggiu-mufti-zur-verhullung-im-islam/>> [accessed: September 30, 2017]. Cf. Mustafa Mullaoglu (representing the Advisory Council and Mufti of the Islamic Community), ‘Stellung der Verhüllung im Islam’, February 16, 2017 <<http://www.derislam.at/?c=content&p=beitragdet&v=beitraege&cssid=Stellungnahmen&navid=1180&par=50&bid=53>> [accessed September 30, 2017].

66 Hammer, p. 130.

Islam Act of 2015 requires that a “statement of doctrine” form part of the constitution<sup>67</sup> of any religious society under the act, whereas the doctrinal statement decided on by the Islamic Community (*Lehre der Islamischen Glaubensgemeinschaft in Österreich* of December 20, 2015) does not match the doctrinal statement<sup>68</sup> approved by administrative decision of the Federal Chancellor on February 26, 2016.<sup>69</sup> We have two very different texts and must assume that the approved text never came into effect, because no internal decision was ever made.<sup>70</sup>

As to Islamic self-definition in a substantial sense, it should be clear that in neither Germany nor Austria was Islamic theological studies a denominationally bonded academic discipline being created for the first time, even though some lecturers do seem to be of this opinion. It has existed since the 7<sup>th</sup> century under different collective or particular (for branches) designations. In essence, Islamic

67 Under § 31, para. 1, in conjunction with para. 2 of the Islam Act of 2015, this seems to apply to the Islamic Community as well, which is a novelty, since no (already) legally recognised non-Islamic religious society is required to declare their concept or description of doctrine as a part of their constitution.

68 ‘Lehre der IGGÖ - Genehmigt am 26.02.2016’ <<http://www.derislam.at/deradmin/news/Lehre%20der%20IGG%C3%96%20-%20Genehmigt%20am%2026.6.2016.pdf>> [accessed December 11, 2017].

69 As this was substantially a doctrinal issue but formally a matter integral to the constitution, it constituted a case of overlapping jurisdictions on the part of the Shura Council (art. 36, no. 11) and the Council of Imams (art. 44, para. 1 of the Islamic Community Constitution of 2009. In the Constitution of 2015/16, jurisdiction over doctrinal and religious matters was transferred to the new “Advisory Council”, not to be confused with the above-mentioned “advisory councils” in Germany). According to the minutes of the Shura Council session on December 20, 2015, a document on doctrine, accepted on December 17 by the Council of Imams (i.e. the “Council of Scholars” or “Advisory Council”, as it was already being called, in anticipation of the then still to be passed constitutional decision), was accepted as a part of the constitution. The Religious Affairs (Cultus) Office (of the Federal Chancellery) was notified on December 30, 2015. In a note from the Religious Affairs Office dated January 27, 2016 (BKA-KA9.070/0001-KULTUSAMT/2016), the constitutional document on doctrine and the remainder of the constitutional decision were rejected as flawed. The rejection was communicated and a deadline for response set of February 5, 2016. According to the (positive) administrative decision of the Federal Chancellor (i.e. the Religious Affairs Office) on the Islamic Community’s constitutional decision (including the part on doctrine), dated February 26, 2016 (BKA-KA9.070/0004-Kultusamt/2016), the notification was amended twice, on February 15 and 25, 2016. During the period in question, however, there were no sessions of the Shura Council, as the Religious Affairs Office must have known, since the Shura Council is regularly convoked at intervals of at least 14 days, on analogy with art. 20, para. 9, of the 2009 Constitution (reaffirmed by art. 8, para. 6, of the 2015/6 Constitution). Regular sessions were clearly not possible between February 5 and 15 or February 15 and 25 (and it may consequently be assumed that the supposed amendments lack the seal and signatures of the chair and general secretary of the Shura Council).

70 Note that art. 8, para. 2, no. 16 (on the Shura Council) of the 2015/16 Constitution states that “Decided doctrine of the Islamic Community in Austria is an integral part of this constitution.” A doctrinal document on which the Shura Council has not made a decision cannot be part of the constitution. This problematic is actually quite multi-layered, so that we can only broach the subject here. Comprehensive treatment would require extra discussion.

studies rest on the epistemological concept of an authentic transfer of information in an unbroken chain by competent and trustworthy transmitters. In their foundations, they comply with the authenticity rules of Hadith transmission. What applied originally in the form of *ijaza al-riwaja* (permission of transmission) only to information, in the sense of a traceable and lasting copyright, soon came to be applied to the transmission from teacher to student of skills and abilities in the form of the *ijaza al-diraya/al-tadris* (permission to teach) and *ijaza al-ifta'* (permission to give expert opinions). Nor was this only in the field of religious knowledge.<sup>71</sup>

A core element of the *ijaza* was and is transparency. One must be able not just to provide a description of abilities (or conditions and time limitations, or the necessity of brush-ups in specified time periods, etc.) but also deduce an unbroken chain of teachers from the first teacher (in the field of Islam, the prophet Muhammad) based on a suitable certification. Broadly speaking, Islamic doctrine is not defined by a centralised denominational magisterium (a doctrinal authority; we consider certain exceptions below), but by anyone who can reasonably and intelligibly show knowledge that in the end derives from the prophet Muhammad.

This question leads us to the other side of the issue, the recognition of Islamic knowledge and understanding by the Muslim individual and the Muslim community as a whole. There are established criteria for distinguishing the '*alim* (Islamic Scholar) from a charlatan, including acceptance by the community of believers and its "scientific community", which is to say the network of Islamic scholars.<sup>72</sup> Here, the principle of the infallibility of the community of believers (and their scholars) finds expression. This principle manifests in the literature on *usul al-fiqh* (Islamic legal theory and methodology) over the criteria for accepting scholars' opinions by those without qualifications (*taqlid*) and over the qualification criteria for those claiming to be *mujtahid* (scholars capable of independently applying Islamic legal theory and methodology to new circumstances and questions). Despite some differences between scholars, the following criteria are considered a minimum by most: 1. must be Muslim, 2. must be fully capable of acting, 3. must be righteous,<sup>73</sup> 4. must know Arabic and have mastered all the

71 Garrett Davidson, 'Carrying on the Tradition: An Intellectual and Social History of Post-Canonical Sunni Hadith Transmission' (unpublished doctoral dissertation, University of Chicago, 2014), p. 128 et seqq.; cf. Özcan Hidir, 'Wie könnte eine *iğāza* für Imame aussehen?', in *Imamausbildung in Deutschland. Islamische Theologie im europäischen Kontext*, ed. by Büilent Ucar, trans. by Anja Mehrmann (Göttingen: V&R unipress, 2010), pp. 219–26.

72 Jonathan A.C. Brown, 'Scholars and Charlatans on the Baghdad-Khurasan Circuit from the Ninth to the Eleventh Centuries', in *The Lineaments of Islam, Islamic History and Civilization* (Washington D.C.: Brill, 2012), xcv, 85–95 (p. 85 and 89).

73 These first conditions are actually preconditions. Not all scholars make explicit mention of the need to e.g. be Muslim, taking it for granted, as they generally discuss the *mujtahid* as part of the '*ummah*, the Muslim community, i.e. as its scholarly authority; see Wolfgang Johann Bauer, *Bausteine des Fiqh: Kernbereiche der 'Uṣūl al-Fiqh: Quellen und Methodik der Ergründung islamischer Beurteilungen*, Reihe für Osnabrücker Islamstudien, Band 10 (Frankfurt am Main: Peter Lang, 2013), p. 68 ff.

branch disciplines of Islamic studies (Koran, Hadith, doctrines of faith, legal theory and methodology, and a knowledge of the different opinions of scholars)<sup>74</sup> this last being ascertained by an *ijaza al-ifta'*. These criteria constitute the rough benchmark for ordinary Muslims for recognising a *mujtahid*.

It soon became clear that the uneducated do not find it easy to tell the difference between a scholar and a non-scholar and appearances can hold more sway, as a “scholar in the eyes of the masses is whoever ascends the pulpit”,<sup>75</sup> which is why the criteria for recognising and accepting a *mujtahid* are addressed both to ordinary believers and to (and sometimes against) the state (even the caliph), with a demand the criteria be respected and observed in appointing imams, judges and teachers and that the appointment of unqualified people not be allowed to establish the mere semblance of religious (scholarly) authority.

There is, therefore, a sort of Islamic magisterium or doctrinal authority but it is not necessarily manifest in a body or council. It resides in the consensus of the collective of Muslims who possess the qualification of *mujtahid*.<sup>76</sup> The absence of a consensus on much of the detail of Islamic doctrine is not a contradiction in this respect, as even the diversity of opinion over Islamic doctrine is located within a frame determined by consensus (meaning practically that scholars agree on which opinions are within the frame of Islam, even if they themselves do not happen to share them),<sup>77</sup> if not already by the Koran and the Sunna, the prophetic tradition.<sup>78</sup>

In the realm of *fard al-kifaya*<sup>79</sup> or the community's collective obligations, general Islamic doctrine accords local and global Muslim leaders a certain authority regarding selection, due to the indivisibility of the obligation. This means that

74 Ibrahim Džananović, ‘Idžtihād’, in *Usul-i-Fikh*, ed. by EnesLjevaković, Hrestomatije, 10 (Sarajevo: ŠtamparijaRijaseta IZ u BiH, 2005), pp. 315–38 (p. 333); AbdulkrimZejdan, ‘Taklid: Slijedenje u Vjeri’, in *Usul-i-Fikh*, ed. by EnesLjevaković, trans. by Ahmet Alibašić, Hrestomatije, 10 (Sarajevo: ŠtamparijaRijaseta IZ u BiH, 2005), pp. 347–51 (p. 367); Abdullah ibn Yusuf Al-Juda’i, *Taysir ‘ilm ‘uṣūl al-fiqh*, 4th edn (Leeds: Al Judai Research & Consultations, 2006), p. 346 ff.

75 Ibn al Jawzi, *Kitab al-Qussas* (Book of Storytellers), p. 109 cited in Jonathan A.C. Brown, ‘Scholars and Charlatans on the Baghdad-Khurasan Circuit from the Ninth to the Eleventh Centuries’, in *The Lineaments of Islam, Islamic History and Civilization* (Washington D.C.: Brill, 2012), xcvi, 85–95 (p. 90).

76 Comparable with the magisterium of the episcopal college, but with the difference that the equivalent of the pope, the caliph, is only a member of the college if he himself is a *mujtahid*. A centralized magisterium in one person, as in the case of papal infallibility, is out of question since the death of the prophet Muhammad.

77 Wahbah Al-Zuhayli, *‘Uṣūl al-fiqh al-‘islāmiyy* (Principles of Islamic Jurisprudence), 15<sup>th</sup> ed., 2 vols. (Damascus: Dar al-fikr, 2007), p. 480 et seqq.

78 In the light of these standards, it is evident that the procedure under § 24 of the Islam Act of 2015, in conjunction with § 98 of the Universities Act of 2002, is insufficient from the Islamic point of view. Prospective candidates are neither necessarily reviewed on these criteria by reviewers appointed by the appointments committee, nor do they automatically have the necessary qualifications to pass such a review. The co-determination rights of the Islamic Community (in so far as there are any) do not allow it to review candidates on these criteria with sufficient legal security.

79 Abdulkrim Zejdan, ‘Šeri’atskopravna norma (El-hukmuš-šeri’ju)’, in *Usul-i-Fikh*, ed. & trans. by Enes Ljevaković, Hrestomatije, 10 (Sarajevo: Štamparija Rijaseta IZ u BiH, 2005), pp. 27–49 (p. 38 ff.).

in matters of mandatory interest for a Muslim community, its leader may adopt and apply whichever of a range of different views he considers the most reasonable and acceptable. This is not a magisterium. It is not a question of determining doctrinal truth. It is about making decisions in the interest of the community (which may change with circumstances or a different assessment), which believers are obliged to observe (with some reservations comparable to can. 752 of the *Codex Iuris Canonici* of 1983).

That this self-definition is not fully realised under the current constitution of the Islamic Community in Austria is due to structural shortcomings and historic circumstances.<sup>80</sup> Under art. 2, para. 2, no. 4, of the Constitution of 2015/16,<sup>81</sup> the Islamic Community considers the “education of religion teachers, theologians, chaplains and religious servants” its responsibility. This does not necessarily exclude cooperation with state universities (especially given art. 12, para. 1). The Islamic Community nonetheless sees the education of theologians as an internal matter.

Although art. 12, para. 1, stipulates that the Advisory Council (*Beratungsrat*) is the competent body of the Islamic Community for religious doctrine and religious matters, whose members must have either “a degree from a tertiary institution in Islamic studies or a traditional centre of scholarship”, art. 9, par. 2, no. 17 also determines that the Supreme Council (*Oberster Rat*) has the authority to decide whether “a prospective candidate for a position to be filled at a theological educational establishment at the University of Vienna is a follower of a doctrine represented by the Islamic Community in Austria.” That this strange responsibility regarding a highly religious matter is in the hands of an executive and managerial body of the Islamic Community is in line with art. 3, para. 3, of the Constitution of 2015/16, under which, given the approval of the Shura Council (the *Schurarat* or general assembly of the Islamic Community), the Supreme Council can decide by two-thirds majority to exclude a member of the Islamic Community. In both cases, one must assume an additional cumulative authority of the Advisory Council, under art. 12, para. 1, due to the doctrinal dimension. This is no doubt why a decision of the latter is necessary. Aside from this general competence in religious and doctrinal matters (which may be interpreted extensively because of its generality), the Advisory Council has no special legal status regarding Islamic theological studies.<sup>82</sup>

The lack of specific and practical internal provisions (i.e. on the recognition of theological degree courses, lecturers, and exams or the suspension of recogni-

80 On the relationship of Islamic doctrine (including normative implications) and the Islamic Community in Austria's Constitution, questions arise as to any contradictions that may exist between them and their relevance. Given the scope of the questions, discussion must be put off to another opportunity.

81 ‘Verfassung der IGGiÖ’, <<http://www.derislam.at/deradmin/news/Verfassung%20der%20IGG%C3%96%20-%20Genehmigt%20am%2026.6.2016.pdf>> [accessed September 30, 2017]

82 While it might be possible to apply art. 11, para. 6, no. 2, to teaching staff at Islamic theological studies by analogy, it would have no immediate effect on the teaching staff.

tion) can be traced back to the fact that the Constitution of 2015/16 itself came into being under quite shady circumstances, even if not to quite the same extent as with doctrine. The first drafts, presented to the Supreme Council no earlier than November 2015 (the deadline for notification of the Federal Chancellor was December 31), offered something resembling an understanding centred on governmental supervision, which was obviously not in the interest of the Islamic Community in Austria. Presentation of the history of the development of the Constitution of 2015/16 would require separate discussion. As a representative example of the general tendency in the text, we would like to point to the fact that the draft of November 23, 2015, (in art. 22, para. 2) the term “chaplaincy” (or pastoral care; *Seelsorger*) was massively extended to cover almost all the religious officials of the Islamic Community, from the caller-to-prayer to the religion teacher. The term was also related to the mandatory commitment (under art. 22, para. 5, of the draft) to the qualification requirements set out in § 11, para. 2, of the Islam Act of 2015. It was also envisaged (art. 22, para. 6, of the draft) that the Supreme Council should be responsible for removing them from office for transgression of the principles and guidelines of their chaplaincy training (provided by the University of Vienna, under § 24 of the Islam Act of 2015).

In other words, under this draft, all religious employees of the Islamic Community would have been bound by substantive imperatives set by the professors of Islamic theological studies at the University in Vienna, and, in case of transgressions of these imperatives, the Supreme Council would have an obligation to discipline and ultimately to remove said employees/officials. This would certainly have established a denominational bonding between the Islamic theological studies at the University of Vienna and the Islamic Community in Austria, but in reverse. The University, a state institution, would have been in the position of mandating religious authority or magisterium. The fact that this use of the (constitutional) term “chaplaincy” in relation to Islamic theological studies at the University in Vienna was dropped from the Constitution of 2015/16 indicates clearly that the doctrinal authority of the Islamic theological studies at the University of Vienna was rejected. The scholarly body of the Islamic Community, the Advisory Council, remains the highest religious authority.

## VII. Conclusion

Overall, § 24 of the Islam Act of 2015 does not give the impression of a regulation that satisfies the requirements of denominational bonding, the guarantees of art. 15 of the Basic State Law, or equality considerations vis-à-vis Catholic and Evangelical theological studies. Some of the differences, like falling short organisationally of a faculty, have some justification, given the early phase of development of the new

studies. It is much more difficult to find justifications for the different formulations of the denominational connection to the studies. Here, the question is not just whether there is a lack of the required co-determination, but whether one can talk of a denominational connection at all. To negate such a connection would strip § 11, para. 2, of the Islam Act of 2015 (on pastoral care in the armed forces, prisons, hospitals, etc.) of any legal justification. If the Islamic theological studies at the University of Vienna are not connected to a relevant Islamic religious society, it would be quite difficult to explain why, under § 24 of the Islam Act of 2015, a form of education over which the Islamic Community has no real influence is mandatory for its religious (pastoral) care in state institutions.

From § 24 of the Islam Act of 2015, it is evident that the aim is to transfer doctrinal sovereignty and the power of definition regarding Islam from the (still) sole legally recognised Islamic religious society to the neighbourhood of the state (the University of Vienna). The inevitable impression is created that the state, in the person of the legislator, has left the area of neutrality and is pursuing “state rule over Islam” through the case of Islamic theological studies. This was originally to have been more extensive and pronounced but has failed (for now). This tendency is reflected in the general direction of various parts of the Islam Act of 2015 and seems to be an expression of the current legal policy on Islam in Austria, and other parts of Europe, which Laurence claims “allows European governments to gradually take ‘ownership’ of their Muslim populations because it grants them unique influence over organisations and leadership.”<sup>83</sup>

When it comes to considering the foreign ministry and the associated Austrian Integration Fund’s alleged involvement in the academic research of the director of the Institute for Islamic theological studies, any reference to academic freedom would only seem to cast even more doubt on the validity of the argument.<sup>84</sup> In any legal proceedings, a relevant court would surely have to take the actual relation of interests into consideration, with the consequent trade-off of academic freedom against the right to self-determination. One may therefore ask how free academia really is vis-à-vis the sensitive subject of Islam, which is obviously the focus of strong political interests. This question would have to be taken into account in assessment of any potential “moment of autonomy” for Islamic theological studies.

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83 Jonathan Laurence, *The Emancipation of Europe’s Muslims: The State’s Role in Minority Integration*, Princeton Studies in Muslim Politics (Princeton, N.J.: Princeton University Press, 2012), pp. 12–13; cited by Hafez, ‘Disciplining the “Muslim Subject”: The Role of Security Agencies in Establishing Islamic Theology within the State’s Academia’, p. 45.

84 Especially as the Islam Act of 2015 may be considered a result of a political process related to the government’s legal policy on Islam, as much as of processes within the Islamic Community. One way this was operationalised was through the study on religious education teachers conducted by Mouhanad Khorchide, *Der islamische Religionsunterricht zwischen Integration und Parallelgesellschaft: Einstellungen der islamischen ReligionslehrerInnen an öffentlichen Schulen* (Wiesbaden: Verlag für Sozialwissenschaften, 2009).



# Islamske teološke studije na Univerzitetu u Beču: Između akademske slobode i prava Islamske zajednice na samoodređenje

## Sažetak

Članak tretira pravnu osnovu islamskog teološkog studija na Univerzitetu Beč i s time vezan normativni konflikt između slobode nauke i prava na (vjersko) samoodređenje. Autorova centralna tvrdnja jeste da dotična zakonska odredba nije u skladu s ustavnim principom jednakosti niti sustavnim garancijama o položaju zakonski priznatih crkava i vjerskih zajednica. Analiza počinje poređenjem pravnog stanja između Njemačke i Austrije u odnosu na islamski teološki studij, praćena opširnim razmatranjem paragrafa § 24 Zakona o islamu iz 2015. godine, koji predstavlja zakonsku osnovu za islamske teološke studije, i to upoređenju s pravnim položajem evangeličkog teološkog studija. Konačno, članak ispituje ulogu Islamske zajednice u Austriji u vezi s imenovanjem nastavnog osoblja, te njeno samoodređenje zasnovano na vlastitim učenjima, tradiciji i ustavu.

**Ključne riječi:** islamske studije, Austrija, Njemačka, Islamska zajednica, sloboda nauke, Zakon o islamu, sloboda religije.



## Univerziteti u muslimanskim kontekstima\*

Marodsilton Muborakshoeva

Univerziteti u muslimanskim zemljama bogatog su naslijeđa i konceptualne raznolikosti. Međutim, još od samog početka susretali su se sa mnogim izazovima. Među tim izazovima bili su finansiranje, osiguranje kvaliteta, rukovođenje i upravljanje, organiziranje znanja, položaj žena, spajanje modernosti i tradicije i izučavanje muslimanskih kultura i civilizacije, u čemu religija ima najveći značaj. Međutim, na ove probleme treba da gledamo ne toliko kao na tvrdokorne probleme, koliko kao na mogućnosti za transformaciju.

Da bismo razumjeli izazove s kojima se suočavaju univerziteti u muslimanskim kontekstima, moramo pogledati historiju ovih institucija, zato što kod muslimana visoko obrazovanje, u svojim institucionalnim ili neinstitucionalnim formama, ima dugu tradiciju, a moderni univerziteti čuvaju neke kulturne i civilizacijske veze s ovim naslijeđem, mada to ne znači da većina nužno prihvata i svaki aspekt tog naslijeđa. Borba (*džihad*) da se stekne znanje, iz bilo kakvog izvora, bila je obavezna za sve muslimane, kako za muškarce, tako i za žene, još od vremena poslanika Muhammeda. Već prvi kur'anski ajet, kao i niz drugih, podstiče Poslanika da čita, tumači i promišlja misterije stvaranja, a on, potom, prenosi ovu naredbu vjernicima podstičući ih da se bore za znanje i da ga traže, „makar i u Kini“. Prvi muslimani su, stoga, aktivno nastojali uskladiti poruku islama ne samo sa već postojećim vlastitim kulturama nego i s ranijim civilizacijama. Pošto je traženje znanja i borba za znanje Božanska naredba muslimanima, oni ga nastoje steći i prenositi, na svaki mogući i prihvatljiv način, bilo putem pamćenja, zapisivanja, učenja ili kroz spektar umjetničkih formi, kao što su kaligrafija, arhitektura, poezija, recitiranje i pjevanje. Do sredine 11. stoljeća, muslimani su izgradili karakteristične institucije visokog obrazovanja, s jedinstvenom arhitekturom, strukturom finansiranja i organizacijom znanja, te, također, uveli svjedodžbe (*idžaza*) i akademsko rangiranje. Evropski univerziteti posudili su neka od ovih obilježja, pa se muslimanske ustanove kao što su

\* Marodsilton Muborakshoeva, „Universities in Muslim contexts“, u *Critical Muslim*, „Educational Reform“, issue 15 (London: Hurst, 2015), pp. 37–48. Prijevod: Azra Mulović.

al-Azhar u Kairu, al-Karavijjin u Fesu i az-Zejtuna u Tunisu, opisuju kao prototipi po kojima su kršćani Evrope oblikovali svoje univerzitete. Bez obzira na to, debate o tome da li su univerzitete izumili muslimani ili kršćanijalove su diskusije, jednostavno zato što je u srednjem vijeku postojala ogromna kulturna i intelektualna razmjena. Muslimani su u 8. i 9. stoljeću vodili dijalog sa kršćanskim teozozima i misliocima i dosta naučili od njih, a, zauzvrat, kršćani su se koristili brzim intelektualnim i kulturnim dostignućima koja su muslimani ostvarili između 9. i 11. stoljeća. Od trenutka kada je ova kulturna razmjena počela da slabi, univerziteti koje su osnivali kršćani ili muslimani izgradili su vlastita karakteristična obilježja, na temelju svojih religijskih i kulturnih svjetonazora te odgovarajućih pristupa stjecanju znanja. Kasnije, u kolonijalnom periodu, u 19. i početkom 20. stoljeća, dolazi do oživljavanja kulturne razmjene, iako je ovoga puta to išlo samo u jednom smjeru, gdje su muslimani mnogo, a često i nekritično, usvajali evropske modele za osnivanje svojih modernih institucija visokog obrazovanja.

Univerziteti u kršćanskoj Evropi su se, zatim, razvili u udruženja, gdje se zajednica profesora i studenata okupljala s ciljem traženja znanja i istine i obučavanja za stručna, crkvena i državna zanimanja, i tako odgovarala na društvene potrebe. Muslimani, međutim, svoje medrese ili koledže nisu razvili u univerzitete u evropskom smislu. U kršćanskom svijetu, razvoj univerziteta u korporacije pratile su složene intelektualne promjene. Do 20. stoljeća u Evropi su osnivane posebne škole za klerike i monahe. Ove prve bavile su se obukom klerika u slobodnim vještinama i skolastičkoj teologiji, dok su ove potonje pripremale dječake za manastirski život, koji je bio individualniji i imao jednu kontemplativnu dimenziju koje nije bilo u skolastičkoj teologiji. Međutim, to ne znači da su skolastičke metode bile protivrječne ili nepoznate manastirskom obrazovanju: ono je samo, pored intelektualnih aktivnosti, naglašavalo jednu unutrašnju, iskustvenu i mističku dimenziju. Od 12. stoljeća, javlja se jedan novi pravac filozofskog i teološkog mišljenja koji se odvaja od iskustvenih i mističkih aspekata manastirskog školovanja. Stvara se razlika između znalca, kao subjekta potrage, i znanja, kao objekta traganja. Do doba prosvjetiteljstva, ovo je kulminiralo u sekularizaciji skolasticizma, dok je religijsko rasuđivanje ustupilo mjesto jednom više „naturalističkom“ modusu istraživanja. Osim toga, u Evropi su naučna revolucija, ubrzana industrijalizacija i ekonomski napredak podstakli mnoge debate o karakteru univerziteta, iz kojih je proistekla sveobuhvatna reforma njihovih nastavnih programa. Do početka 20. stoljeća, kao izraz različitih društvenih potreba, pojavilo se nekoliko modela univerziteta. U ove novonastale institucije ugrađeni su različiti koncepti onog što predstavlja visoko obrazovanje, međutim, u njihovom razvoju uočavaju se tri važne zajedničke karakteristike. Prvo, izučavanje teologije marginalizira se ili napušta. Drugo, uvodi se sve veći broj novih disciplina, a profesori i naučnici koji se bave njima traže da njihovi predmeti budu neovisni i da se napusti obaveza povezivanja i osmišljavanja svih predmetnih područja. Treće, filozofija je također postala samo još jedna naučna disciplina, sa svojim predmetom, metodama i ciljevima.

Međutim, ova depersonalizacija i sekularizacija, kroz koje se izgubio sklad između komplementarnih racionalnih i iskustvenih sposobnosti, ne smije se smatrati globalnim trendom. U budizmu, kršćanstvu i određenim školama u islamu, iskustveni aspekt još uvijek igra glavnu ulogu, a pojedinci ne samo da tragaju za znanjem nego, kroz unutrašnju kontemplativnu praksu, streme i ka duhovnom razvoju.

Muslimani su, također, vrlo razno iskazali sklonosti ili preferencije ili za mističke, pravne, humanističke ili čisto intelektualne aktivnosti u traženju znanja. *Ulema* (učenjaci, posebno oni obučeni u islamskoj jurisprudenciji), *udaba* (obrazovani), filozofi i sufije manifestirali bi ove različite sklonosti. Međutim, ovdje nikada nije bilo oštre podjele između ovih intelektualnih tradicija; jedan *edib*, naprimjer, mogao je biti i pravni učenjak i filozof i mistik, istovremeno. Visoko obrazovanje i dalje se izvodilo na raznim mjestima, a metode nastave i učenja ostale su uglavnom fleksibilne i prilagođene potrebama različitih grupa i učenika. Nastava i obrazovanje odvijali su se ne samo u institucionalnim okvirima, poput medresa, nego i na mjestima kao što su džamije, biblioteke, palače, privatne kuće, svetišta i trgovi.

Debate među muslimanima o tome da li prednost dati racionalnim naukama ponekad bi dovele do rigidnog pristupa organizaciji znanja u medresama, gdje se naukama objave davao prioritet nad racionalnim naukama, posebno od 11. stoljeća nadalje. Unatoč tome, nastava racionalnih nauka odvijala se u privatnim krugovima, palačama, svetištima, a od 16. stoljeća čak i u medresama, posebno u Iranu i Indiji. Zato se kod muslimana nije mogla desiti sekularizacija skolastičke tradicije kakva se desila u kršćanskom svijetu, a strogo razgraničenje između iskustvenih i racionalnih pristupa stjecanju znanja muslimanima je bilo nepoznato sve dok se nisu susreli s modernim evropskim obrazovanjem.

Muslimani su najočiglednijom anomalijom u nastavnom programu ovih modernih evropskih univerziteta, osnovanih u muslimanskim kontekstima od sredine 19. stoljeća nadalje, smatrali to što ti programi nisu obavezno sadržavali i izučavanje muslimanske kulture, civilizacije ili religije. Za to vrijeme ogromnog preuzimanja iz evropskih modela, u 19. i početkom 20. stoljeća, tradicionalni univerziteti kao što su al-Karavijjin, al-Azhar, medrese u Srednjoj Aziji, vjerske škole (*hauza*) u Kumu i Nedžefu i mnogi drugi u muslimanskim zemljama, postepeno su marginalizirani i odvajani od glavnih obrazovnih tokova, čime je veliki dio ljudskog iskustva koji se odnosi na religiju, identitet i kulturno i civilizacijsko naslijeđe postepeno prebačen u područje „privatnog“ ili „religijskog“, koje se nalazi nasuprot „sekularnom“. Ova marginalizacija, međutim, nije umanjila utjecaj ovih institucija u društvu ili u političkoj areni. U nekim muslimanskim sredinama, posebno među muslimanima Indije, uz moderne univerzitete, a ponekad suprotstavljajući se njima, osnovani su novi vidovi visokoobrazovnih institucija, s posebnim fokusom na izučavanje religije i kulturnog i civilizacijskog naslijeđa i s ciljem ublažavanja opasnosti marginalizacije i izolacije.

Muslimanski intelektualci i učenjaci u Maroku, Tunisu, Egiptu, Turskoj, Iranu i Indiji, osjetivši nedostatke modernih univerziteta, pravili su originalne poku-

šaje da premoste ovaj jaz i spoje svoje stare tradicije obrazovanja s evropskim modelima. To je bilo u suprotnosti s ciljevima kolonijalista i nekih muslimanskih vladara koji su htjeli brzo „popraviti“ svoja društva osnivanjem univerziteta na kojima su pripremali stručnu i adekvatno obrazovanu radnu snagu za upošljavanje u građanskim službama. U ovim zemljama desile su se zanimljive promjene. Maroko i Iran posebno su razvijali moderne univerzitete, dok su svoje tradicionalne institucije kao što su al-Karavijjin i Kum ostavljali kakvi su i bili, dozvolivši im da nastave sa svojim starim metodama poučavanja i nauke. Tunis i Egipat pokrenuli su reforme svojih tradicionalnih univerziteta: ez-Zejtuna se razvio u moderni univerzitet. Međutim, kad je riječ oal-Azharu, iako je uvedeno nekoliko reformi i otvoreno nekoliko novih modernih odsjeka i fakulteta, kritičari su reforme ocijenili kao potpuno neuspješne, a integraciju modernih i tradicionalnih pristupa kao neučinkovitu. Ove zemlje su, stoga, kao i mnoge druge, odvojeno osnivale moderne univerzitete. Sinteza religijskog i modernog obrazovanja u Turskoj je do 1880-ih bila vrlo uspješna, pa su neke karakteristike preživjele čak i Atatürkovu radikalnu modernizaciju tokom 1920-ih.

Međutim, najkreativnije debate o karakteru modernih univerziteta vodili su muslimanski intelektualci na Indijskom potkontinentu, što je urodilo osnivanjem velikog broja raznih koledža i univerziteta. Muslimani koji su ovdje, u kolonijalnom kontekstu 19. stoljeća, doveli u pitanje vrijednost britanskog obrazovanja za njihove zajednice, nastavili su stvarati vlastite moderne koledže i univerzitete. Iz ove reafirmacije naslijeđa na Potkontinentu, krajem 19. i početkom 20. stoljeća, ponikli su deobandijski i barelvijski koledži, Muslimanski univerzitet u Aligarhu, univerzitet Jamia Millia Islamia u Delhiju i mnogi drugi. Deobandijski i barelvijski koledži iskoristit će moderno strukturiranje škole, međutim, njihov nastavni program uglavnom je bio skrojen po uzoru na one iz srednjovjekovnih institucija, kako bi se sačuvalo islamsko naslijeđe od nestanka. Oni će tek postepeno uvoditi nastavu nekih nereligijskih predmeta. Muslimanski univerzitet Aligarh imao je za cilj izvesti intelektualce, ne samo sposobne da izađu u susret zahtjevima modernog doba nego i s dobrim obrazovanjem iz islamske religije i kulture, što je cilj koji je u velikoj mjeri ostvaren. Međutim, u cjelini, ove institucije postizale su različit stepen uspjeha, a čini se da su posljednjih decenija njihove prvobitne misija i vizija uveliko zaboravljene ili konfuzne. Naprimjer, deobandijske škole u savremenoj Indiji preferiraju apolitičnu ulogu, dok se deobandijske škole u Pakistanu aktivno angažiraju u političkom djelovanju, posebno od 1980-ih. Muslimanski univerzitet Aligarh se, također, često više uplita u polemike o savremenim političkim pitanjima nego što je obrazovao po nastavnom programu u kojem postoji istinski sklad između nauke, kulture i religije.

Do sredine 20. stoljeća usvojeni strani modeli univerzitetaprevladali su širom muslimanskog konteksta. Budući da su bili povezani s idejom nacionalne države, njihova glavna funkcija bila je dati adekvatno osposobljenu i funkcionalno obrazovanu radnu snagu za zaposlenje u građanskim službama, novonastalim indu-

strijama i ekonomskim strukturama. Ove institucije nisu se morale mnogo baviti izučavanjem onoga šta su muslimanski identitet, kultura ili religija značili za pojedince ili zajednice. Posljedica ovog zanemarivanja, pa čak i potiskivanja cijelog područja ljudskog iskustva, bila je što je glavnina obrazovnih institucija uglavnom marginalizirala i nije istraživala problem identiteta, kulturno ukorijenjenog u lokalnom kontekstu, historiji i naslijeđu.

U prošlosti, pristup znanju na tradicionalnim univerzitetima bio je holistički, po tome što je pripremao studente da preuzmu široki spektar zanimanja u društvu, međutim, danas je njihova uloga svedena na proizvodnju vjeroučitelja (ponekad nastavnika jezika) i voditelja obreda i ceremonija. Nauka je postala rutinsko prežvakavanje materijala, prenošenog s generacije na generaciju, bez mnogo kreativnosti i originalnog mišljenja. Moderni univerziteti u muslimanskim kontekstima imaju sličan uski utilitarni cilj – da zadovolje savremene potrebe društva; nemaju kreativnog niti originalnog pristupa stjecanju i proizvodnji znanja. Kao posljedica toga, većina univerziteta iz muslimanskih konteksta nije dala veliki doprinos, niti u području naučnog i tehnološkog napretkaniti u kulturnim i religijskim studijama.

Međutim, na univerzitetima u nekim muslimanskim kontekstima pokušavaju se osnovati odsjeci za studije kulture u širem smislu. U Tunisu, naprimjer, na nekim modernim univerzitetima otvoreni su odsjeci za arapsku kulturu, koji su dali izuzetno stručne naučnike. Američki univerzitet u Bejrutu drugi je primjer institucije koja podstiče otvoreno i kritičko izučavanje kultura i civilizacija.

U cjelini, uspjeh državnih univerziteta u većini muslimanskih zemalja ne smije se potcijeniti. Uprkos njihovim nedostacima, mnogi su dali veliki doprinos uspostavi nacionalnih država, pripremvši ljudske resurse za građanske službe, nove industrije i tehnologije. Univerziteti u Kairu i Kuala Lumpuru, Istanbulu i Teheranu, u Pandžabu i Karačiju, te mnogi drugi, mogu se svrstati među takve univerzitete, bez obzira na to što se njihova misija vrti uglavnom oko nacionalističkih ambicija. U ovom poduhvatu, muslimani možda podsjećaju na katolike 19. stoljeća, koji su prepoznali slabosti modernih univerziteta, ali su, istovremeno, morali uvažiti njihova dostignuća, posebno u širenju znanja iz prirodnih i društvenih nauka.

Od velike važnosti u razmatranju izazova koji stoje pred univerzitetima modernog doba jeste utjecaj neoliberalnog modela ekonomskog razvoja na sve nivoe obrazovanja. Većina univerziteta u svijetu bori se s pritiskom: kako odgovoriti na ekonomske potrebe društava, što je težak zadatak koji su im postavile njihove vlade, korporacije i poslovna preduzeća. Mnoge ugledne univerzitete velikodušno finansiraju velike korporacije za vođenje istraživanja, uglavnom naučnih, zbog čega su druge discipline marginalizirane i zapostavljene. Takvi istraživački univerziteti postali su vrlo skupi i naplaćuju od studenata visoke školarine. Do početka 21. stoljeća, istraživački univerziteti postali su uspješne poslovne korporacije, subvencionirane poreskim olakšicama i ispoljavaju svu sklonost bogaćenju, tipičnu za takve korporacije. To je daleko od onoga kako bi muslimanski ili kršćanski univerziteti u srednjem vijeku definirali svoju filozofiju obrazovanja i svoj pristup stjecanju znanja.

Marketizacija znanja otvorila je nove puteve zapadnim univerzitetima da stječu profit franšiziranjem usluga i otvaranjem ogranaka u zemljama u razvoju. Prednosti takvih institucija jesu što univerzitete rasterećuju državnog pritiska, jer omogućuju pristup univerzitetском obrazovanju na Bliskom Istoku, u zalivskim zemljama i u Pakistanu, naprimjer, i nude diplome koje se ne mogu steći na državnim univerzitetima. Međutim, mana ovih univerziteta, koji djeluju s uvezenim (ali ne i uvijek ažuriranim) nastavnim programom i koristeći se engleskim kao jezikom nastave, jeste u tome što još više otuđuju studente od njihovih kulturnih i civilizacijskih korijena.

Muslimanski intelektualci sve su svjesniji ovih konceptualnih izazova, kao i pritiska na univerzitete da svoje nastavne programe prilagode ekonomskim potrebama društva. Poslije kulturnog i religijskog preporoda koji se vezuje uz pokret „islamizacije znanja“, od 1970-ih niče novi vid univerziteta – islamski univerzitet – u zemljama kao što su Saudijska Arabija, Pakistan, Malezija, Indonezija i druge. Ovi univerziteti teže da premoste jaz između religijskog i sekularnog područja nudeći nastavni program koji obuhvata i religiju i prirodne i društvene nauke. Oni nastoje primijeniti i određene principe za usađivanje moralnih vrijednosti i uspostavljanje humanih odnosa. Međunarodni islamski univerzitet u Maleziji (IIUM), sa sjedištem u Kuala Lumpuru, naprimjer, ima za cilj obuku odgovornih stručnjaka, svjesnih posljedica naučnih istraživanja i tehnoloških inovacija. Od ovih mladih naučnika, naprimjer, traži se da slušaju neke predmete iz nauka Objave, kako bi bili dobro upućeni u islam i njegov etički i moralni pogled na svijet. Neki značajni uspjesi pripisuju se pokretu „islamizacije znanja“, posebno u oblasti konceptualizacije znanja, isticanju važnosti arapskog jezika – kako za srednjoškolsko, tako i za univerzitetско obrazovanje – te uključivanju filozofije i tradicionalnih umjetnosti u nastavni program. Međutim, pokret i neki islamski univerziteti koji ga slijede, kritikovani su zbog toga što imaju političku agendu i što miješaju religijsko i političko znanje: po tome se razlikuju od muslimanskih mislilaca iz 19. stoljeća koji su pravili razliku između ovih dviju vrsta znanja, ali su ih, ipak, smatrali komplementarnim i održavali sklad među njima. Takvi kritičari smatraju da je posljedica ove konfuzije jedno umjetno nametanje takozvanog „islamskog“ svjetonazora prirodnim naukama. Ovo je u oštroj suprotnosti s pristupom srednjovjekovnih muslimanskih mislilaca koji su težili jedinstvu sveg znanja kroz pluralističku epistemologiju, ali unutar sveobuhvatnog okvira Objave. To važi za filozofe kakvi su bili el-Farabi, Ibn Sina, Ibn Rušd, teologe i putopisce kao što su el-Gazali, Mulla Sadra, Ebu Jakub es-Sidžistani, Nasir Husrev, ibn Džubejr, ibn Battuta, naučnike kao što su el-Hejsem, el-Biruni i Nasiruddin Tusi te mistike kao što su Ibn el-Arebi i Dželaluddin Rumi. Za njih, najvažnija svrha stjecanja znanja bila je postati smjeran, častan, uljudan i velikodušan čovjek, koji suzbija svoj ego da bi mogao steći savršenstvo, znanje o Bogu i voditi brigu o svijetu koji je On stvorio.

Sada se, prije osnivanja novih univerziteta, u nekim muslimanskim zemljama poduzimaju ozbiljna istraživanja kako bi se odredio njihov karakter i koncept.



Cilj je osmisliti i kontekstualizirati njihovu misiju i viziju u skladu s potrebama vremena, posebno u pogledu obuke lidera, kvaliteta obrazovanja, zdravstvene zaštite i javnih službi. Neki primjeri takvih kreativnih univerziteta jesu Institut za poslovne studije i Univerzitet al-Akhawain u Maroku, Univerzitet u Tunisu, Američki univerzitet u Kairu, Američki univerzitet u Bejrutu, Univerzitet Ahl al-Bayt u Jordanu, Univerzitet Sebanici u Turskoj, Univerzitet Aga Khan, Univerzitet za nauke o upravljanju Lahore (LUMS) u Pakistanu, Međunarodni islamski univerzitet u Maleziji (IIUM) i Islamski državni univerzitet u Džakarti.

U proteklim decenijama u Pakistanu se pojavilo nekoliko modela univerziteta kojima je cilj temeljitije izučavanje religije i kultura muslimana. Kada je osnovan Univerzitet Aga Khan (AKU) u Karačiju, naprimjer, napravljena su brojna istraživanja potreba pakistanskog društva i razmatrani kulturni i civilizacijski tokovi na regionalnom i globalnom nivou. Ravnopravno se o pitanjima karaktera univerziteta i potreba vremena, među kojima i o pitanjima kulturnog identiteta i kako ga sačuvati i razvijati. U odgovarajućoj arhitekturi, nastavnom programu, organizaciji znanja, naglasku na visokokvalitetnim istraživanjima i osnivanju određenih odsjeka u okviru Univerziteta Aga Khan – u svemu tome ogleđa se ambicija stvaranja identiteta ukorijenjenog u lokalnoj kulturi, a opet i ona o globalnim kulturama i dopire do njih. Druge takve institucije – Univerzitet Hamdard, koji ima kampuse u Karačiju i Islamabadu, Univerzitet za menadžment i prirodne nauke Lahore i Univerzitet za menadžment i tehnologiju u Lahoreu – slijede ovaj obrazac i proizvode kompetentne diplomce, svjesne važnih pitanja u svojim društvima. Međutim, svi ovi univerziteti privatni su, s uobičajeno visokim školarinama i ograničenim brojem studenata. Iako neki osiguravaju stipendije za studente slabijeg imovnog stanja, primaju samo ograničen broj takvih stipendista i, općenito, nedostupni su sposobnim kandidatima – uključujući darovite i talentirane kandidate – koji nemaju finansijskih sredstava za studij.

Iz ovog vrlo kratkog pregleda, jasno je da su institucije visokog obrazovanja u muslimanskim društvima raznolike, u rasponu od tradicionalnih preko modernih državnih univerziteta, franšiza, inovativnih islamskih univerziteta do kreativnih, progresivnih univerziteta, kakvi su AKU i LUMS. S obzirom na sličnosti, ali i na razlike između globalnih i lokalnih institucija visokog obrazovanja koje se odnose na koncept obrazovanja, organizaciju znanja, metode nastave i učenja, šta bi trebalo da bude sljedeći potez za univerzitete u muslimanskim zemljama? Kako se univerziteti mogu graditi na snazi prethodnih i postojećih institucija i izbjeći zamke? Kako se može stvoriti jedna struktura visokog obrazovanja, s objedinjenom filozofijom znanja i obrazovanja?

Iako su za pohvalu ozbiljna razmišljanja, s kojima se započelo u muslimanskim kontekstima, i posljedični razvoj u visokom obrazovanju, posmatrani na širem planu – ovi su pokušaji marginalni. Debate o tome šta univerzitet treba biti u idealnom slučaju stišane su i u njih se generalno ni univerzitetski profesori, ni intelektualci, ni vlasti, ni muslimani općenito ne uključuju, niti hitro, niti svesrdno. Muslimanski akademici i intelektualci moraju raditi zajedno s vlastima i društvom, kako bi se refor-

mirala i rekonceptualizirala ideja univerziteta u muslimanskom kontekstu. Polazna tačka trebalo bi da bude organizacija radionica, seminara i konferencija na kojima bi se diskutiralo o vladajućim konceptualnim temama i problemima i odlučilo gdje je napravljen valjan napredak, a gdje je bilo odstupanja od holističkog pristupa znanju kakav su imali naši preci. Moramo predložiti koji će vid univerziteta najbolje obučiti odgovorne stručnjake, s adekvatnim vještinama da kritički ispituju politička, ekonomska, društvena, kulturna i religijska pitanja u svojim društvima te da nađu rješenja za njih. Duboko poznavanje historije različitih srednjovjekovnih i modernih institucija visokog obrazovanja i nauke, uključujući i znanja o njihovim uspjesima i nedostacima, bit će od velike vrijednosti u ovom hitnom procesu revitalizacije i reforme visokog obrazovanja u muslimanskim društvima.

Važan korak ka oživljavanju holističkog pristupa, koji univerzitetski profesori moraju poduzeti, jeste preispitivanje podjele i raskidanja veza univerzitetskih disciplina, zbog čega je vrlo malo filozofskog uvida – ili ga uopće i nema – u to kako obogatiti nastavu, proširiti um svojih studenata ili istražiti dublja značenja naučnih otkrića. Ova podjela i nedostatak skladne integracije duhovnih i materijalnih aspekata ljudskog iskustva mogu imati teške posljedice po muslimanski identitet, kulturu i civilizaciju. Moglo bi biti i da su velike napetosti, koje u muslimanskim društvima postoje između sekularnih i religijskih institucija i između različitih islamskih sekti, kao i ekstremistička tumačenja religije koja zagovaraju terorizam – direktne posljedice toga što se najbolje islamsko obrazovanje isključivalo iz glavnih struja srednjoškolskog i visokoškolskog obrazovanja, iako je bila očigledna opasnost da će zbog toga doći do konceptualnog nazadovanja.

Na univerzitetskim je profesorima, naučnicima i intelektualcima da iznesu i povežu različita stajališta koja zastupa niz različitih univerziteta u muslimanskim kontekstima te da odbace nepovjerenje i međusobno se upoznaju. Mora biti jasno da čovječanstvo ne može napredovati ako se ijedan aspekt ljudskog života odgurne iz glavnih društvenih institucija. Islamske studije na savremenim univerzitetima nemaju dobro razvijene metodologije, pa učenjaci katkad naizmjenično, ičesto nesvjesno, koriste metode egzegeze svetih tekstova i metode primjerene društvenim naukama. Tradicionalne institucije, s druge strane, slijede prastare metode čitanja i pisanja komentara svetih tekstova, metode koje općenito ne daju prednost kreativnom razmišljanju i originalnosti u istraživanju. Tradicionalni religijski univerziteti ne treba da se plaše kritičkog istraživanja religije, baš kao što ni naučnog napretka nema bez kritičkog ispitivanja. Dobro znamo da neka naučna i tehnološka otkrića, od kojih su na kraju korist imala samo nekolicina dioničara i korporacija, imaju vrlo destruktivan, pa čak i katastrofičan potencijal za ljude i širi prirodni svijet, a opet se, u ime progresa, takvo zlo rijetko propituje. I u prirodnim i u religijskim naukama postoji dužnost naučne zajednice da gradi nove paradigme i metodologije koje nisu okovane nikakvim dogmatizmom.

Važno je priznati da univerziteti nisu direktno odgovorni za slaba postignuća u društvu, bila ona ekonomska ili neka druga, međutim, odgovorni su za izvođenje vi-

sokokvalitetnih istraživanja, kao i za to da stručnjaci koje proizvedu budu sposobni za kritičko ispitivanje principa i vrijednosti koje leže u temeljima ekonomskog blagostanja. Oni moraju pripremiti obrazovane stručnjake čije kompetencije obuhvataju i razumijevanje ljudskog stanja u cjelini i shvatanje onog što čini jednu civilizaciju.

Tvrđi se i da na savremenim univerzitetima treba obnoviti skolasticizam i intelektualnu tradiciju, zbog njenih dragocjenih pedagoških alata i epistemologije. Ovdje treba naglasiti da u islamu krajnji cilj ove tradicije usredotočene na obrazovanje svim raspoloživim sredstvima, nije vlastita korist ili puko argumentiranje, nego postizanje savršenstva u vrlinama i u razumijevanju jedinstva znanja.

Muslimani imaju izuzetnu priliku da iznova osmisle karakter i funkciju univerziteta, zato što su u muslimanskim kontekstima još uvijek očuvani mnogi institucionalizirani i neinstitutionalizirani načini tradicionalnog učenja i saznavanja, a oni se mogu dalje graditi i poboljšavati. Iako su moderni univerziteti gurnuli ustranu ili izbrisali duhovna i religijska obilježja muslimanskih kultura, medrese, džamije, sufijske tekije, privatni kružoci za učenje, svetišta i ceremonijalni obredi prenijeli su znanje prošlosti budućim naraštajima i sačuvali ga od nestanka. Vrijeme je da se pokrene autentični polilog između različitih modela univerziteta u muslimanskim kontekstima, kako bi se nadišle uske definicije i ponovo osmislilo šta jedan univerzitet treba biti i kako da služi pojedincima, zajednicama i širem društvu.



## O prirodi selefijskog mišljenja i djelovanja\*

Bernard Haykel\*\*

### Uvod: O pojmu

Termin selefijsko, i sve ono što on označava, loše se definira i često pogrešno shvata, i u literaturi o ovom pokretu i u studijama islamizma općenito.<sup>3</sup> Ipak, općepoznato je da selefije tvrde kako su oni angažirani u procesu pročišćenja muslimanskog društva u skladu sa svojim učenjima i da je naziv selefija prestižan među muslimanima, zato što označava *najraniju*, pa stoga i najvjerodostojniju verziju islama – islam „pravovjernih predaka“, pod kojima se obično podrazumijevaju prve tri generacije muslimana. Među selefijama postoji jedan vrlo čvrst stav da je ono što je vremenski blisko poslaniku Muhammedu povezano s izvornim oblikom islama, a to je i sadržaj često citiranog *hadisa*, iz Buharijevog *Sahiha*, da su najbolje tri generacije muslimana prve tri generacije: „Najbolja od zajednica [muslimana] je moja generacija, a zatim ona koja slijedi nakon njih, a zatim ona nakon njih.“ Poznato je da selefije tvrde da pripadaju pobjednicima koji će biti spašeni na onome svijetu (*et-tā'ifa el-mensura* i *el-firka el-nadžija*), što, opet, temelje na drugom poznatom *hadisu*. Međutim, osim ovih činjenica, trebalo bi znati zašto se termin selefije, koji je krajem 19. stoljeća označavao moderne i racionalne muslimanske reformističke učenjake, počeo identificirati s vehabijama, za koje racionalni (*'akli*) argumenti znače izlazak iz vjere. Kakva je razlika, ako je ima, između selefija i vehabija? Koliko je star termin selefija kao oznaka određene grupe ili pokreta među muslimanima?

Veći dio pomoćne literature o selefizmu u cijelosti se fokusira na politički aspekt različitih – i razlikujućih – grupa ovog pokreta, a kada se tako radi, ne uočava-

\* Bernard Haykel, „On the Nature of Salafi Thought and Action“ u *Global Salafism: Islam's New Religious Movement*, ur. Roel Meijer (London: Hurst, 2009), str. 33-51. Prijevod: Azra Mulović.

\*\* Želio bih zahvaliti Aronu Zysowu, Saudu al-Sarhanu i Engu Sengu Hou za pomoć u izradi ovog članka. Sve greške su, naravno, samo moje (autor).

3 Naprimjer, Olivier Roy, *Globalised Islam: The Search for a New Ummah*, London: Hurst & Co., 2002, čak i ne daje definiciju ovog termina.

ju se, pa čak i odbacuju njegove idejne, teološke i pravne osnove.<sup>4</sup> Neki nas autori uvjeravaju da se selefije ne razlikuju mnogo od fašista i da je selefizam totalitarna ideologija.<sup>5</sup> A zato što su savremene selefije međusobno podijeljene oko političkih pitanja, pri čemu su selefijske džihadije na jednom kraju kontinuuma, a politički submisivne selefije (npr. džamije i medhelije) na drugom kraju – često se smatra da termin selefije ima malu analitičku vrijednost ili je uopće nema. Takva tvrdnja, međutim, pogrešna je, zato što je nedopustivo restriktivna po shvatanju politike, i zato što selefije predstavljaju društveni i religijski pokret čije djelovanje ima dugoročnije političke posljedice od onih koje se mogu uočiti na prvi pogled.

Većina selefija nisu politički akteri u strogom ili formalnom značenju politike, pod čim podrazumijevam da im nije isključivi cilj osvajanje državne vlasti i njenih političkih nivoa, bilo putem nenasilnih sredstava ili putem direktne akcije. Oni, također, izbjegavaju formalne političke i većinu građanskih formi organiziranja (npr. političke stranke, klubove, udruženja). Selefije su, prije svega, religijski i društveni reformatori koji djeluju na stvaranju i reprodukciji određenih oblika autoriteta i identiteta, kako ličnog, tako i zajednice. Zapravo, selefije su odlučne stvoriti zasebni muslimanski subjektivitet, s dubokim društvenim i političkim značenjima.

Važno je shvatiti da selefije čine grupu koja svoj reformistički projekt definira, prije svega, kroz načela vjerovanja (tj. teologiju). Iako sekundarno, za njihovo samoodređenje su, također, važna određena pravna učenja, kao i forme društvenosti i politike. Nadam se da ću u ovoj studiji pokazati da je selefizam termin koji je heuristički koristan, zato što je marker jednog karakterističnog oblika angažovanja u svijetu i da je, kao takav, prepoznatljiv mnogim muslimanima. Jednog selefiju drugi muslimani odmah prepoznaju po karakterističnom odijevanju, društvenim i religijskim navikama, držanju tijela u namazu, te sadržaju i formi njegovog govora. Prapidnicima ovog pokreta značaj arapskog jezika nikada nije preuveličan, zato što uvijek naglašavaju koliko je važno izučavati i stalno se oslanjati na objavljene tekstove, Kur'an i *hadise*. A zbog ovoga, Arapi – i oni koji tečno govore klasični arapski – dominiraju i dominirat će u ovom pokretu, a nearapi će i dalje ulagati golemi napor i snagu da nauče ovaj teški jezik i ponose se kada njime vladaju.<sup>6</sup>

Selefijska učenja i ideje toliko su se raširile posljednjih decenija da i mnoge moderne muslimane – čak i one koji se ne identificiraju formalno kao selefije –

4 Christopher M. Blanchard, „The Islamic Traditions of Wahhabism and Salafiyya“, *Congressional Research Service*, RS21695 (25. januar 2006); Quinran Wiktorowicz, „Anatomy of the Salafi Movement“, *Studies in Conflict & Terrorism*, 29:3 (april – maj 2006), str. 207-239.

5 Vidjeti Paul Berman, *Terror and Liberalism* (New York: W. W. Norton, 2003).

6 To koliko je arapski jezik važan selefijskima ne može se dovoljno naglasiti. Susreo sam selefije u Indiji, i drugdje izvan arapskog svijeta, kojima je umijeće da tečno govore klasični arapski glavno obilježje pravog selefije. Ići stopama „pravovjernih predaka“, dakle, ne znači samo slijediti njihova religijska i pravna učenja, nego znači i biti kao oni u svakidašnjem životu i izgledu. Selefije u svojoj imaginaciji rekonstruiraju odjevne, jezičke, kulturne i etičke navike prvih muslimana i ustrajavaju na tome da budu upravo kao oni. Neki čak tvrde da bi, u idealnom slučaju, svi muslimani trebalo da govore arapski jezik kao svoj maternji. Ovo nije zadatak koji je lahko izvršiti, pa su među članovima ovog pokreta oni koji ga ostvareo dličnici i visokog statusa.

privlače određeni aspekti selefizma, recimo to što on naglašava tekstualnu formu autoriteta, što napada ašarijski voluntarizam, što potkresuje pravna tumačenja i što poziva na reformu muslimanskih vjerovanja i prakse, između ostalog, i putem povratka uzoru poslanika Muhammeda i njegovih ashaba.<sup>7</sup> I zbog toga što se pridržavaju određene forme tumačenja teksta – u kojoj se naglašava direktna veza s tekstom objave – selefije imaju relativno plitku i ograničenu hijerarhiju učenjačkih autoriteta. Većina selefija – mada ne svi – razlikuju se od prijemodernih, tradicionalnih muslimana po tome što ne pristaju na razrađenu i slojevitu skolastičku tradiciju religijske interpretacije, koja i inače strogo i kruto ograničava i regulira rezultate mišljenja. Pošto je to tako, upečatljivo je kako je relativno lahko postati ličnost od autoriteta među selefijama. Zapravo, kao interpretativna zajednica, selefije su, za razliku od drugih muslimanskih tradicija ili učenja, relativno otvorene, čak demokratične.

U ovom članku nastojimo pojasniti šta je selefizam i ko su selefije. Pokušat ćemo objasniti i zašto neki muslimani smatraju ideje ovog pokreta privlačnim. U tom pogledu iznijet ću argumente da privlačnost selefizma leži u formi autoriteta koji promovira i umnožava, kao i u određenoj hermeneutici koju zagovara. Nisu takozvane „deteritorijalne“ i „fundamentalističke“ osobine, niti „globalizirani“ uvjeti modernog života to što selefizam čini posebno privlačnim, nego se ta privlačnost velikim dijelom objašnjava selefijskim tvrdnjama o pozdanosti religije i njihovom, naizgled beskrajnom, sposobnošću da ove tvrdnje podupru citiranjem svetog teksta. Jedan tipični selefijski argument je što se selefije, za razliku od drugih muslimana, oslanjaju isključivo na pouzdano dokazane tekstove objave kao osnove za svoje stavove, te što se pozivaju na relevantne ajete ili *hadise* svaki put kada iznesu sud ili mišljenje. Kad je riječ o razradi učenja i mišljenja, da podupru citirano, oni tvrde da su ovi tekstovi, posebno *hadisi*, bezuvjetno autoritativni, što je tvrdnja o kojoj druge škole islamske teologije i prava vode žučne debate, pa je čak i osporavaju. Ove tvrdnje o većoj sigurnosti Božijeg zakona, putem hipertekstualne metodologije, zaštitni su znak selefija. Pod ovom tvrdnjom oni podrazumijevaju da poricati selefijske stavove znači poricati dokaznu vrijednost teksta objave, posebno kanonskih *hadisa*, a to je stajališteopasno, i otvara mogućnost isključenja iz zajednice vjernika i prokletstvo.

Neki učenjaci, kao što je Olivier Roy, tvrde da popularnost selefizma nalazi u deteritorijaliziranom i globaliziranom stanju savremenih muslimana. Međutim, ostaje pitanje zašto se selefizam tako dobro ukorijenio u zemljama kao što su Saudijska Arabija, Jemen, čak i u dijelovima Indije i Nepala, između ostalog, gdje autohtone selefije ne pate od osjećaja deteritorijaliziranosti. Drugo pitanje, s tim u vezi, jeste: Čime objasniti aktivno postojanje selefija stoljećima prije našeg glo-

7 Kad je riječ o voluntarizmu, ašarije tvrde da nema pravde ili mudrosti, osim onog šta je Bog odlučio da bude – za njih ne postoji neka druga etička mjera osim objave. Selefije, za razliku od njih, tvrde da je kriterij šta je dobro, a šta loše, neovisan o objavi, i da svako Božije djelo manifestira savršenu pravdu, čak i ako mi možda nismo svjesni da su ona pravedna. U mjeri u kojoj selefije zauzimaju ovo stajalište, sličniji su mutazilijama, grupi koju inače ocrnjuju, nego ašarijama.

baliziranog doba? U mnogim studijama o ovom pokretu autori prenose shvatanje da je selefizam jedna čisto moderna pojava – da se javlja krajem 19. stoljeća – i, kada tako čine, autori iznevjere islamsku religijsku historiju i pokazuju kako je malo poznaju. Nadam se da ću ovdje dati određeni uvid u prijemodernu historiju ovog pokreta i argument da su njegovi izvori u teološkim i pravnim debatama koje prethode našem modernom dobu. Nadalje, selefizam nije samo forma „fundamentalizma“ koja danas prevladava, a kao takav, samo je jedan od brojnih alternativnih islamskih religijskih pokreta koje muslimani mogu odabrati da slijede. Drugi, doktrinarno jaki pokreti i tendencije su: Hizb al-Tahrir [Hizb et-Tahrir], Muslimanska braća, Jama'at al-Tabligh [Džemat et-teblig], određeni sufijski tarikati, strogi hanefizam, deobandije, barelvije itd. Šta nekog muslimana podstakne da izabere selefizam između ovih alternativa? Odgovor, osim spomenutog religijskog pouzdanja, može se naći u tome što selefizam propagira poseban muslimanski identitet, obogaćen tvrdnjama o autentičnosti. Ovo uključuje snažni diskurs usmjeren na reformiranje drugih, neselefijskih muslimana, što je isto što i aktivistički svjetonazor u kojem neko smatra da je sam čist, a da je drugima potrebno pročišćenje, kako vjerovanja, tako i prakse. U ovom pokretu postoji nešto što neki, s obzirom na druge kontekste, nazivaju „neprijateljskim konstruiranjem Drugog“,<sup>8</sup> što selefije čine neselefijskim muslimanima. Napokon, često se tvrdi da to što Saudijska Arabija finansira i promovira ovaj pokret objašnjava širenje i popularnost ovog pokreta.<sup>9</sup> Ova tvrdnja previše je pojednostavljena, budući da su selefije postojale i prije stvaranja Saudijske Arabije, a mnogi od njih ne primaju novac darežljivih Saudijaca. Osim toga, ovu vrstu finansijske podrške primale su i neselefije, poput univerzitetskog učilišta Nadwat al-Ulama [Nadvetul Ulema] u Laknauu, u Indiji ili one grupacije koje ne prihvataju učenja ovog pokreta, kao što su deobandije u Pakistanu i Afganistanu. Zapravo, jedan povelik broj selefija neprijateljski je nastrojen prema vlasti i politici ove kraljevine, do te mjere da joj osporavaju svu legitimnost, a neki osuđuju čak i postojanje takozvanih plemenskih vrijednosti u saudijskom društvu i politici. U ovom pogledu, najviše što se može tvrditi jeste da je pokroviteljstvo Saudijske Arabije pomoglo širenju ideja pokreta, dobrim dijelom kroz selefijsku štamparsku djelatnost, ali ova pomoć niti je nužno niti je dovoljno objašnjenje selefijskog prisustva i ukorijenjenosti u životu muslimana širom svijeta.<sup>10</sup>

8 Autor je upotrijebio sada čest termin „othering“, koji još uvijek nema šire prihvaćen prijevod. „Konstruiranje Drugog“, „kreiranje drugog“, „podrugovljenje“, „odrugotvorenje“, „drugogačenje“, pa i „drugost“ (što je posuđeno od prijevoda za „otherness“), samo su neki mogući prijevodi. Odabrani prijevod, „konstruiranje Drugog“ čini se najadekvatnijim. (prim. prev.)

9 Klasično djelo ovog žanra je Dore Gold, *Hatred's Kingdom: How Saudi Arabia supports the new global terrorism* (Washington: Regnery Publishing, 2003).

10 Moglo bi se reći, naprimjer, da to što je Ibn Kesirov komentar Kur'ana, *Tefsir el-Kur'an el-'azim*, općeprihvaćen, ima veze s time što je Saudijska Arabija pomagala štampanje ovog teksta. To, zasigurno, važi i za djela Ibn Tejmije, Ibn el-Kajjima i, u novije vrijeme, Muhammeda eš-Ševkanija.



## Značaj teologije: *tevhid*, *tevhid* i još *tevhida*

Riječ selefija / selefijski, kao imenica i pridjev, prijemoderna je – nije neologizam s kraja 19. stoljeća – i označava zasebnu teološku grupu koja se identificirala sa sljedbenicima hadisa (*ehl el-hadis*).<sup>11</sup> Termin nalazimo, naprimjer, u brojnim Ibn Tejmijjinim (u. 1328) djelima, kao i u djelima drugih prijemodernih autora (npr. es-Sem'ani, Ibn el-Kajjim, ez-Zehebi).<sup>12</sup> U djelu *el-Fatava el-kubra*, Ibn Tejmija piše sljedeće:

Što se tiče *selefije*, važi ono što su [Hamid ibn Muhammed] el-Hatabi i Ebu Bekr el-Hatib [el-Bagdadi] i drugi rekli: Put Selefa je da doslovno tumače ku'anske ajete i *hadise* koji se odnose na Božije attribute (*idžra' ajet es-sifat ve ahadis es-sifat 'ala zahiriha*), ne navodeći modalitete i ne pripisujući Mu antropomorfne osobine (*ma' nefi el-kefijja ve et-tešbih*). Dakle, ne smije se reći da je značenje riječi „ruka“ – moć, a riječi „sluh“ – znanje.<sup>13</sup>

U ovoj definiciji nije riječ samo o fizičkim aspektima Boga: važnije je kako pristupiti tekstovima objave i ko se može smatrati pravim vjernikom u islamu.<sup>14</sup> Stoga, poricanje nekog Božijeg atributa, ili njegovo metaforičko tumačenje, može dovesti do nevjerovanja. Slično, kada čovjek pripisuje nekome – svecu ili Poslaniku – osobine ili moć koje posjeduje samo Bog, to ga može obilježiti kao nevjernika.

Ovu selefijsku teologiju podupiru određene tvrdnje koje podrazumijevaju, između ostalog: (1) povratak vjerodostojnim vjerovanjima i praksi prvih triju „generacija“ muslimana – „pravovjernih predaka“ (*selef es-salih*) – perioda koji, smatra se, počinje prvom objavom poslaniku Muhammedu (oko 610) i završava oko godine smrti Ahmeda ibn Hanbela (855);<sup>15</sup> (2) naglasak na jednom određenom razumijevanju *tevhida* (Božije jednoće), koji selefije dijele na barem tri kategorije vjerovanja i djelovanja: Jednoća Gospodara (*tevhid er-rububijja*), Jednoća Boga (*tevhid*

11 Ahmed ibn Hanbel (u. 855), eponim hanbelijske škole prava, čije se ime vezuje i uz posebnu teološku školu, navodno je rekao: „Prenosi se preko više od jednog pretka (*selefina*) da su govorili: ‚Kur'an je riječ Božija i nije stvoren, i to je ono čega se ja držim. Ne upuštam se u spekulativnu teologiju i smatram da se nema ništa više reći od onog što je rečeno u Božijoj Knjizi (Kur'anu), hadisima Njegovog Vjerovjesnika ili njegovih ashaba i njihovih sljedbenika – neka je Božija milost na njih. Ne valja se upuštati u rasprave o pitanjima koja oni ne sadrže.“ *Za ehl el-hadis*, vidjeti *The Encyclopaedia of Islam*, 2. izd., s. v. „ahl al-hadith“ (J. Schacht).

12 Abd el-Karim es-Sem'ani (u. 1166) u svom djelu *Kitab el-ensab* piše: „...*es-selefi* je ono što se odnosi na pretke (*es-selef*) i prihvatnje njihovog vjerovanja...“ (vol. 4, str. 104).

13 Tekijuddin ibn Tejmija, *el-Fetava el-kubra* (Kairo: Dar el-kutub el-hadisa, 1966), vol. 5, str. 152.

14 Termini koje selefije koriste za tumačenje takvih problematičnih tekstova jesu *imrar* i *temvir*, doslovno dopustiti im da prođu bez bilo kakvog tumačenja, kao što je metaforičko ili alegorijsko, naprimjer.

15 Termin 'generacija' (*džil*) može se razumjeti i kao period duži od 20 godina, ali, ponekad se to približava i periodu od 80 godina. U trogeneracijskom modelu, barem za hanbelije, period je od oko 250 godina, i tu preklapanja generacija nisu od značaja.

*el-uluhijja*) i Jednoća Imena i Atributa (*tevhid el-esma' ve es-sifat*);<sup>16</sup> (3) postizanje pobjede nad nevjerovanjem, posebno nad svim oblicima *širka* (pridruživanje drugih bića ili stvari Bogu); (4) tvrdnje da su jedini valjani izvori autoriteta Kur'an, Poslanikov sunnet (koji se poistovjećuje s kanonskim zbirka *hadisa*) i konsenzus Poslanikovih ashaba; (5) oslobođenje muslimana od pokuđenih novotarija (*bida'*, sing. *bid'a*) u vjerovanju i praksi koje su oni, svjesno ili nesvjesno, usvojili; (6) uvjeravanja da su stroga konstrukcionistička tumačenja Kur'ana i Sunneta dovoljna da vode muslimane za sva vremena i kroz sve situacije, te da su ovi izvori jasni.<sup>17</sup>

Ibn Tejmijina djela temeljito se i opsežno bave teološkim pitanjima, a njegov opus treba shvatiti kao jedno monumentalno poduzeće čišćenja islamskog vjerovanja od onog što je smatrao nagomilanom herezom i poduhvat sistematskog pobijanja te hereze. Bio je učitelj teolog koji je podsticao druge grupe na rasprave i debate u nastojanju da odbrani svoju verziju pravovjerja, drugim riječima – selefizam. Ibn Tejmijini sljedbenici, sve do danas, smatraju njegova djela završnom riječi teoloških polemika koje su plamtjele u klasičnom islamu, te da je on zapečatio sudbinu protivnika selefija, grupa kao što su ašarije, džehmije, murdžije, šiije i filozofi, između ostalih. Zbog ovoga, mnoge moderne selefije smatraju da s drugim muslimanima ne treba više voditi nikakve temeljite teološke debate, jer je u njima već pobijedio Ibn Tejmijja.<sup>18</sup> Umjesto toga, selefije danas i dalje nastoje pročistiti sunijsku tradiciju od neselefijskih nanosa i utjecaja, kao i ponoviti, u skraćenom obliku, argumente koje je iznio Ibn Tejmijja.<sup>19</sup> I stalno su na oprezu zbog vraćanja ovih napasnih hereza u modernom obliku.

Selefije vjeruju da pravo islamsko vjerovanje čini kako unutrašnja vjera, tako i vanjsko djelo, te da se to vjerovanje može uvećati i umanjiti, ovisno o ovim dvjema

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- 16 Pod Jednoćom Gospodara selefije podrazumijevaju da Bog ima moći kao Gospodar stvorenog svijeta, pa pripisati ijedno od ovoga bilo kome osim Njemu čini nevjerovanje. Jednoća Boga podrazumijeva da se sve forme bogoštovlja upućuju samo Bogu i da klanjati se ikom drugom, osim Bogu, jeste nevjerovanje. Napokon, Jednoća Imena i Atributa podrazumijeva vjerovanje u opis Boga kako je dat u tekstovima objave, bez ispitivanja o modalitetima ili metaforičkih tumačenja. Termini *tevhid er-rububijja* i *tevhid el-uluhijja* su, izgleda, nastali u Ibn Tejmijino vrijeme. *Tevhid el-uluhijja* je posebno koristan pojam za primjenu selefijskih gledišta, zato što je on najčvršće povezan sa činom bogoštovlja, pa se, tako, odnosi i na važeću praksu.
- 17 Selefijsko uvjerenje da je dokaze iz tekstova objave lahko naći i razumjeti njihovi protivnici uveliko ismijavaju. Jedan od tih protivnika, saudijski učenjak Hasan al-Maliki, ispričao mi je priču o jednom selefiji koji je bio fasciniran kompjuterskom tehnologijom i njenim mogućnostima za istraživanje tekstualnih izvora, pa je stalno tražio od svog devetogodišnjeg sina da istražuje baze podataka i traži „dokaze“ (*delil*) za određeni problem. Iako je ova priča vrlo vjerovatno pretjerana, ipak ističe činjenicu da su kompjuter i islamski softverski programi napravljeni za njega pogodni za selefijski metod tekstualnog tumačenja i citiranja. Kanon je doslovce nadohvat ruke, pa, čemu onda, zarad teškog i dugotrajnog zadatka učenja, ići kod raznih učitelja, često vrlo daleko?
- 18 Vidjeti, naprimjer, Mufarrih ibn Sulayman al-Qawsi, *el-Mevkif el-mu'asir min el-menbedž es-selefi fi el-bilad el-'arabijja* (Rijad: Dar el-fadila, 2002); i Salih ibn Fawzan al-Fawzan, *el-İrsad ila sahib el-i'tikad ve er-radd 'ala ehl eš-širk ve el-ilhad* (Kairo: Mektebat Ibn Tejmijja, 1990).
- 19 Selefije pomno pregledaju čak i kanonske sunijske zbirke *hadisa* i tvrde da i njih treba očistiti od slabih i nepouzdanih predaja. Vidjeti Kamaruddin Amin, „Nasiruddin al-Albani on Muslim's Sahih: a Critical Study of his Method“, u *Islamic Law and Society*, 11:2 (2004), str. 149-176.

varijablama. Selefije optužuju murdžije da ograničavaju vjerovanje samo na unutrašnju vjeru i da, zbog toga, toleriraju besramna bezbožna djela, kao što je izbjegavanje da se obavlja pet obaveznih dnevnih namaza. Na ovoj osnovi vjerovanja, selefije su spremne ekskomunicirati (*tekfir*) muslimane koji ne obavljaju obavezna djela, djela koja vjera nalaže.<sup>20</sup> Ovo više aktivističko shvatanje vjere podstaklo je neke selefije da se bave političkom kritikom, pa i anatemizacijom svakog samoproklamovanog muslimanskog režima koji ne vlada po islamskom zakonu i gdje se ne provodi islamski zakon. Oni koji legitimiraju ili toleriraju takve režime etiketirani su kao murdžije.<sup>21</sup>

Savremene ašarije i maturidije žale se da ih selefije napadaju što koriste alegorijska ili metaforička tumačenja tekstova o Božijim atributima.<sup>22</sup> Oni optužuju selefije da su novovremene haridžije, netolerantni i ekstremistički heretici koji siju razdor i smutnju (*fitna*) među muslimanima, tako što koriste prijekornu praksu anatemiziranja ili ekskomuniciranja braće muslimana. Neki među ovim antagonistima i sami su osudili selefije što zagovaraju antropomorfizam, pa su za njih rezervirali pogrdne nazive kao što je *hašvija*.<sup>23</sup>

Selefije stalno napadaju i šiije, koje smatraju nevjernicima. One napadaju i sufizam i sufije, i sve one koji posjećuju mezarja i turbeta i učestvuju u običajima koje oni smatraju protivnim islamskoj vjeri, kao što su slavljenje rođendana poslanika Muhammeda (*mevlud*) i nastojanje da se Bogu približi pozivanjem na poslanike, svece i učenjake (*tevessul*), traženje pomoći od posrednika (*istigasa*) ili zauzimanja kod Boga (*tešaffu*).<sup>24</sup> Selefije takve ljude zovu *kaburijjun* (štovatelji grobova), dok šiije nazivaju *rafidijama* („oni koji odbacuju“ prvu četvericu halifa u islamu). Šiije, s druge strane, selefije zovu *nesibijama*, „omraženim dušmanima“ Alija ibn Ebi Taliba i Poslanikove porodice (*ehl el-bejt*). Na sve strane padaju uvrede, a korijen toga jeste u teološkim vjerovanjima, oko kojih nisu dopuštene nikakve razlike u mišljenju. Angažman selefija može se zamisliti kao neumorna odbrana granica: razgraničenje zajednice čistih vjernika od onih nasuprot, koji su, na ovaj ili onaj način, teološki iskvareni ili u zabludi.

20 Za razliku od selefijskog stajališta, dominantni stav među sunijama je da ekskomunicirani mogu biti samo oni koji svjesno i otvoreno odbacuju obavezni karakter ovih religijskih dužnosti (npr. namaza). To što ih oni ne obavljaju, samo po sebi ne čini osnovu za *tekfir*.

21 Djela saudijskog učenjaka Safara al-Hawalija klasični su primjer za ovo moderno selefijsko stajalište.

22 Vidjeti, naprimjer, Gibril Fouad Haddad, *Albani & his Friends: a Concise Guide to the Salafi Movement*, n. l. (Aqsa Publications, 2004). Neki istaknutni antiselefijski autori koje treba spomenuti su: Muhammad Zahid al-Kawthari, Muhammad Sa'id Ramadan al-Buti, Hasan 'Ali al-Saqqaf. Al-Butijevo najpoznatije djelo protiv selefija jeste *es-Selefija marhala zamanijja mubareka la mezheb islami* (Damask: Dar el-fikr, 1988).

23 *Hašvije* su doslovce oni koji pune ili popunjavaju stvari (npr. jastuke ili margine tekstova), i to je pejorativni termin koji su protiv *ehl el-hadisa* i selefija koristili njihovi neprijatelji da pokažu kako su oni antropomorfisti i uglavnom glupi i zalutali. Sayyid Majd al-Din al-Mu'ayyidi, jedan od najistaknutijih zejdijskih učenjaka svoje generacije, tako je nazvao selefije u jednom intervjuu koji sam s njim vodio 1994.

24 O temi borbe protiv mevluda, vidjeti Marion Holmes Katz, *The Birth of the Prophet Muhammed: Devotional Piety in Sunni Islam* (New York: Routledge, 2007).

Fokus na teološke razlike, za razliku od pravnih, veoma je važan, zato što u teologiji u islamu nema tolerancije prema mnoštvu jednako valjanih, ali očigledno različitih vjerovanja: samo je jedno vjerovanje ispravno i na toj osnovi moguće je isključiti i ekskomunicirati sljedbenike drugih mišljenja. Pravno područje sasvim drugačije funkcionira, jer tu se većina razlika u mišljenju tolerira, zato što dokazi teksta o njima imaju osobinu vjerovatnosti (*zanni*), pa, stoga, nije sigurno da li je dato mišljenje podudarno s Božijom voljom. Zato teološke tvrdnje nadilaze svaki drugi argument – one efikasno zaustavljaju raspravu. A zbog toga drugi muslimani selefije smatraju netolerantnima. Ovo često poprima formu selefijskog odvajanja i definiranja nasuprot nevjerovanju drugih, neku formu njihovog negativnog samoodređenja: „Mi smo pravi muslimani, a ne kao oni zalutali i kao ljudi novotarija, kao što su ašarije, sufije i haridžije, koji vjeruju u ovu i onu herezu.“ Ovakvo samodefiniranje predstavlja dugoročnu tradiciju u islamu, što lijepo ilustrira Ridwan al-Sayyid u svojoj studiji o pojmu „grupe“ (*džema‘a*) i njenim političkim značenjima.<sup>25</sup>

## Značaj prava: biti ili ne biti *mudžtehid*

Drugi važan aspekt selefijskog samoodređenja jeste u pristupu ovog pokreta pravu, a posebno gledištu koje selefije zauzimaju u odnosu na četiri uspostavljene sunijske škole (*mezheb*, plur. *mezahib*). Za razliku od njihovog jedinstva u vezi s tim šta čini pravovjernu teologiju, ovdje su selefije međusobno podijeljene. Glavna je razlika u stepenu u kojem oni slijede, ili odbacuju, učenja jedne od dogmatskih pravnih škola (*mezheba*), ili drugim riječima, šta oni misle – koliko je važan *idžtihad* (neovisno rasuđivanje) u pravnim pitanjima. Vehabije, naprimjer, uglavnom slijede hanbelijsku školu, dok druge selefije u potpunosti odbacuju *taklid* (oponašanje) bilo kojeg *mezheba*, i, umjesto toga, preferiraju direktno obraćanje izvorima objave (*el-‘amal bi ed-delil*) svaki put kad žele dobiti neko islamsko mišljenje ili sud. A glavna razlika između tradicionalnih vehabija i *idžtihadu* sklonih selefija jeste što ovi prvi pristaju uz gledišta hanbelijske škole prava i što, u formuliranju pravnih mišljenja, ne pridaju važnost *idžtihadu*. Muhammad Nasir al-Din al-Albani (u. 1999), glavni autoritet u modernom selefijском pokretu, kritikuje Muhammeda Ibn Abdul Vehaba (u. 1792), osnivača vehabijskog pokreta, upravo u vezi sa ovom tačkom, iako ga hvali što je širio pravu verziju *tevhida* i što je narod Nedžda i Hidžaza oslobodio pokuđenih novotarija (*bid‘a*) koje su bili usvojili. Al-Albani je u pravu, zato što u svojim glavnim djelima, *Kitab et-tevhid* i *Kešf eš-šubuhah*, Muhammed ibn Abdul Vehab ne spominje značaj *idžtihadu*. Sadržaj ovih djela teološki je i stroga je kritika onih koji odstupaju od

25 Ridwan al-Sayyid, *el-Džema‘a ve el-mudžtema‘ ve ed-devla* (Bejrut: Dar el-kitab el-‘arabi), str. 231-268.

selefijskog shvatanja *tevhida*, te postavlja temelje na osnovu kojih se ti ljudi mogu ekskomunicirati. Nadalje, u poznatoj raspravi *Fasl el-bitab*, brat i protivnik Muhammeda ibn Abdul Vehaba, Sulejman ibn Abdul Vehab, daje detaljnu kritiku vehabijskih teoloških učenja i kritikuje Muhammeda upravo zbog toga što ne razumije principe *idžtihada*.<sup>26</sup>

Pometnja oko značaja neovisnog rasuđivanja u pravu izvan *mezhebā* traje još od Ibn Tejmijjinog vremena. Iako je Ibn Tejmija bio *mudžtehid*, njegovo glavno interesovanje bila je teologija. U Ibn Tejmijjinoj biografiji, ez-Zehabi piše sljedeće:

On je bio dobro obaviješten o pravnim gledištima [Poslanikovih] ashaba i njihovih sljedbenika, i rijetko se bavio nekim problemom, a da nije spominjao četiri škole. Međutim, u dobro poznatim pitanjima jeste se protivio četirima školama, o kojima je pisao i raspravljao sa stajališta Kur'ana i Sunneta... Ima već nekoliko godina kako ne izdaje *fetve* u skladu s mišljenjem neke konkretne škole, nego ih radije temelji na dokazima koje je [sam] ustanovio. Učinio je da čisti Sunnet i selefijski put pobijede.<sup>27</sup>

Nigdje u Ibn Tejmijjinim djelima nisam mogao naći tvrdnju da obični musliman ne smije oponašati neku od četiriju ustanovljenih škola (*taklid*) ili da *taklid* nije valjan ili prihvatljiv običnom čovjeku. Slučaj je sasvim drugačiji kada je riječ o pravom *mudžtehidu* kakav je sam bio; od takvog čovjeka očekuje se da slijedi svoj vlastiti, neovisni sud, a ne da „imitira“ – zapravo, u ovom slučaju *idžtihad* se smatra obavezom. Za razliku od Ibn Tejmije, njegov učenik i odani sljedbenik Ibn el-Kajjim el-Dževzija (u. 1350) ne samo što je naglašavao koliko je za kvalifikovanog učenjaka važan *idžtihad* nego je tvrdio i da obične muslimane treba osloboditi *taklida* četiriju škola prava.<sup>28</sup> Iz Ibn el-Kajjimovih učenja čini se da su selefije bile protiv škola, što se na arapskom jeziku naziva *la-mezhebijja*. Ovog stajališta najčvršće se držao i najrječitije ga branio jedan pripadnik selefijskog pokreta iz 18. stoljeća, jemenski učenjak Muhammed eš-Ševkani (u. 1834).<sup>29</sup> Ševkanijev glavni stav jeste da svaki musliman već ima otvoren pristup učenjacima islamskog prava, i, pošto je tako, treba tražiti dokaze (*delil*) za mišljenje koje

26 Kasniji vehabijski učenjaci navode važnost *idžtihada* i tvrde da je Muhammed ibn Abdul Vehab bio *mudžtehid*, ali to nije tačan opis učenja osnivača, već prije neka retrojckcija kasnijih interesa na period prve saudijske države. Vidjeti Michael Crawford, „Wahhabi ‘Ulama’ and the Law 1745-1932 AD“, magistarska teza (University of Oxford, 1980); Guido Steinberg, *Religion und Staat in Saudi-Arabien: Die wahhabitischen Gelehrten 1902-1953* (Würzburg: Ergon Verlag, 2002), str. 301-41.

27 Ibn Nasiruddin ed-Dimaški, *er-Radd el-vefir*, Zuhayr al-Shawish (ur.) (Bejrut, 1993), str. 34. Vidjeti također Caterina Bori, „A New Source for the Biography of Ibn Taymiyya“, *Bulletin of the School of Oriental and African Studies*, 67:3 (2004), str. 333.

28 Vidjeti Ibn el-Kajjim, *I‘lam el-muvekki‘in ‘en rabb el-‘alemin*, 7 vol. (Dammam: Dar Ibn el-Dževzi, 1423/2002), vol. 2, str. 470-474 i vol. 3, str. 5-36.

29 Detaljniji prikaz Ševkanijevih stavova pogledati u Bernard Haykel, *Revival and Reform in Islam: the Legacy of Muhammad al-Shawkani* (Cambridge, 2003). Treba napomenuti da Ševkani ima i preteče u ovom stavu, a među njima su najpoznatiji bili Jemenci Muhammed ibn Ibrahim el-Vezir (u. 1436) i Muhammed ibn Ismail el-Amir (u. 1769).

je dobio od učenjaka, prije nego što to mišljenje i prihvati. Kada ima dokaz za neku presudu, propis, musliman laik onda ne prakticira *taklid*, nego nešto što selefije nazivaju *ittiba'* („slijedenje“). Svako takav oslobođen je jarma *taklida* i vjeran je istinitim učenjima prvih generacija islama.<sup>30</sup> Protivnici selefija ismijavaju ovaj argument tvrđnjom da jedan neobrazovani musliman, zbog svog neznanja, nije u stanju razumjeti dokaz, pa postavljaju retoričko pitanje: Kakva je, onda, korist kada dokaz dobije od učenjaka? Oni također dodaju da je sistem koji selefije predlažu zapravo jedan idealni slučaj, po tome što pretpostavlja da *mudžtebida* ima na svakom ćošku, a to je nemogući scenario, s obzirom na to koliko je teško steći taj visoki naučni rang. Po tom njihovom sistemu, koji se zasniva na bezbrojnim živim *mudžtehidima*, pretpostavlja se, dakle, da je sve ono ogromno znanje koje je ugrađeno u pravne škole, a koje je, na kraju, naslijede slavni osnivači tih škola – bezvrijedno, čak i gore – da je izvor zablude.<sup>31</sup>

Selefije, međutim, odrješito tvrde da proizvesti dovoljan broj *mudžtebida*, koji bi zadovoljili potrebe svih muslimana, nije tako nepremostiv problem. I, ova se tvrđnja opet poklapa s njihovim hipertekstualnim pristupom, u kojem citiranje relevantnih tekstova dokaza predstavlja dovoljan argument za potvrdu valjanosti nekog mišljenja. Što se tiče vrijednosti škola prava, selefije kažu da se mišljenja *mezheba* štiju kao sveta zato što se prihvataju nekritički i bez oslonca na tekstualni dokaz iz objave. Zbog ovoga su *mezhebi*, zapravo, postali barijera između vjernika i Božije objave, i kao takvi, predstavljaju novotariju za osudu. Muhammad Nasir al-Din al-Albani, vjerni sljedbenik Ševkanijevog mišljenja u ovoj stvari zapaža nešto zanimljivo: prije nego što kupi neku robu na tržnici, svaki će se potrošač informirati o proizvodu, postavljati pitanja o kvalitetu robe, pa kupovati po najboljoj cijeni. Onda se retorički pita, da li su religijski interesi manje važni od potrošačkih, pa se ljudi ne opterećuju ispitivanjem o najpouzdanijem mišljenju koje se može dobiti. U al-Albanijevom odgovoru nalazi se nekoliko tačaka objašnjenja zašto je selefizam tako privlačan savremenom vjerniku: religijsko znanje lahko se može steći; postati učenjak nije nemoguća misija; i, muslimanima je data snaga i, zapravo, obaveza da stječu ovo znanje sami, ličnim nastojanjem.<sup>32</sup> Stjecanje vjerskog znanja proces je ličnog jačanja i spasenja za svakog pravno sposobnog muslimana.

30 Treba napomenuti da u ovom selefijskom argumentu za *idžtihad* ovaj pojam nigdje, ni na koji način nije povezan s idejama racionalnosti, progresa ili adaptacije islama na nove okolnosti, na nov i kreativan način. Te ideje će s *idžtihadom* početi povezivati modernistički i modernizirajući muslimanski intelektualci i zapadni učenjaci, od kojih mnogi nemaju obrazovanje iz islamskog prava, pa su nova značenja utisnuli u ovaj pravni princip, a to je nešto što selefije ne prihvataju.

31 Neke najžučnije debate o ovom pitanju vodile su se između hanefija i selefija. Najbolji primjer može se naći u djelima Muhammeda Zahida el-Kevserija, hanefije koji je žestoko kritikovao selefije zbog njihovog neznanja o mnogim pitanjima islama.

32 Muhammad Nasir al-Din al-Albani, *Hakikat ed-da'va es-selefija*, <http://salafway.maktoob-blog.com>, pristupljeno 9. maja 2008.

## Prosvijećeni selefizam: Gdje su mnogi pogrešno razumjeli?

Ovo Ibn Tejmijjino naslijeđe i njegova upotreba termina *selefija* ne smiju se miješati sa selefijskim idejama s kraja 19. stoljeća koje se vezuju uz reformističke učenjake Jamal al-Dina al-Afghanija (u. 1897) i Muhammada 'Abduhua (u. 1905), te s ranim stavovima 'Abduhuovog učenika Muhammada Rashida Ridaa (u. 1935). Selefizam ove grupe, koji u nekim djelima nazivaju *es-selefija et-tenvirija* (prosvijećeni selefizam) nema obilježja antiracionalističkih i literalističkih teoloških učenja Ibn Tejmije o prirodi Boga ili Njegove jednoće (*tevhid*).<sup>33</sup> Naprotiv, Afghanijeva i 'Abduhuova škola je, u pitanjima pravnog tumačenja, sličnija Ibn el-Kajjimovim stavovima o važnosti neovisnog izvođenja pravnih propisa (*idžtihad*) i vraćanja tekstualnim izvorima objave. Međutim, prosvijećene selefije nisu literalisti i ne tvrde da su *hadisi* bespogovorno autoritativni. Dakle, u ovom pogledu, kad je riječ o pravnoj teoriji i interpretativnoj metodologiji, oni se razlikuju od tradicionalnih selefija. Njihov projekt više je usmjeren na traženje resursa – u smislu filozofskih vrijednosti – za pokretanje preporoda muslimanskog društva koji bi ga izdigao iz učmalosti u koju je zapalo. Interes prosvijećenih selefija jeste da se suprotstave Zapadu, ali i da uče od njega, te da usvoje neke njegove osobine i umijeća, posebno u nauci. Reformu muslimanskog društva ne treba provoditi osuđivanjem drugih muslimana za teološku herezu, iako su i ovi reformatori posebno brinuli zbog pojave pokuđenih novotarija, posebno sujevrja, i nastojali je osuditi. Drugim riječima, prosvijećene selefije nisu opsjednute crtanjem granica koje razdvajaju prave muslimane od lažnih; njihova je vizija obuhvatnija, čak ekumenska, i okrenuta uzdizdanju islamske civilizacije i njenih pripadnika.

Poslije smrti Muhammada 'Abduha, njegov učenik Rashid Rida približio se tradicionalnim selefijskim učenjima, opisanim u prva dva odjeljka. Ozbiljno se angažirao na uređivanju i objavljivanju djela Ibn Tejmije i istomišljenika. U svojim djelima, bilo da ih je objavio u svom čuvenom časopisu *al-Manar* ili drugdje, također je iskazivao tradicionalna selefijska teološka i pravna stajališta, ali ih nije uvijek bezuvjetno prihvatao. Čini se da se Rida kolebao ili izbjegavao da se sasvim prikloni selefizmu Ibn Tejmijjine škole, iako je zasigurno išao u tom pravcu posljednjih desetak i više godina svog života. Neke savremene selefije tvrde da je ovaj pomak ka tradicionalnijem selefizmu načinio pod utjecajem ljudi poput šejha Muhammada Hamida al-Fiqqija, osnivača grupe *Jama'at Ansar al-Sunna al-Muhammadiyah* [Džema'at ensar es-sunna el-muhammedijja] u Egiptu, koji je Ridaa približio učenjacima iz Saudijske Arabije i odvuкао ga od 'Abduhuovog racionalizma.<sup>34</sup> U razgovoru, neki su mi saudi-

33 Prosvijećeni selefizam je termin koji koristi Muhammad al-Kathiri u svojoj knjizi *es-Selefija bejna ehl es-sunna ve el-imamija* (Bejrut: al-Ghadir, 1997). Autor je marokanski naučnik, prošijske orijentacije, i odlučni protivnik selefizma motiviranog Ibn Tejmijjinim djelom.

34 Ahmad Muhammad Tahir 'Umar, *Džema'at ensar es-sunna el-muhammedijja: neš'atuba, eh-dafuħa, menhedžuħa, džubuduħa* (Rijad: Dar el-fadila, 2004), str. 145. Zahvaljujem Noahi Salomonu što me uputio na ovaj tekst.

jski učenjaci tvrdili da na pogleda Rashida Ridaa nije utjecao al-Fiqqi, nego Muhammad Husayn Nasif (u. 1971), čuveni selefija, trgovac iz Hidžaza i saveznik kralja Abdulaziza ibn Sa'uda.<sup>35</sup> Iznenađuje što se etiologija Ridaovog selefizma tek treba otkriti i što će, vjerovatno, ostati sporna još neko vrijeme. Međutim, zapaža se da se savremene selefije bave ovim pitanjem, s različitim uspjehom, i pokušavaju rehabilitovati Ridaa tvrdnjama da je on istinski selefija u tejmijevskoj i vehabijskoj tradiciji.<sup>36</sup>

## Pitanje *menhedža*, ili puta selefije u današnjem svijetu

Posljednji element koji igra važnu ulogu u razumijevanju selefizma jeste pojam *menhedža*, pod kojim selefije podrazumijevaju put ili metodu po kojoj žive i prakticiraju svoja uvjerenja i „poziv“ (*da'va*). Pitanja o selefijama i politici postavljaju se uglavnom u vezi s ovim pojmom. Ovakva upotreba termina *menhedž* moderni je izum i vrlo vjerovatno povezana s učenjima Nasira al-Dina al-Albanija, koji ga je razradio na osnovu kur'anskog stiha u suri *el-Ma'ida*, 5:48: *Svima smo vam zakon i put propisali*. Al-Albani smatra da je ispravni *menhedž* koji muslimani treba da usvoje: izbjegavati svako priključivanje i učešće u nekoj formalnoj grupi, bila ona politička stranka (*hizb*) ili građansko udruženje (*džem'ija*), dakle, kloniti se, u principu, svih organiziranih oblika političkog života. Glavni razlog za ovo, prema al-Albaniju, jeste što takvo grupiranje dovodi do razdvajanja muslimana (*furka*), a ono je osuđeno zato što razbija jedinstvo zajednice (*šekk saff el-umma*), da ne spominjemo da su takve forme političkog i građanskog angažmana same po sebi pokuđene novotarije (*bida'*). Međutim, ovakav stav među selefijama nije općeprihvaćen. Neki tvrde da al-Albanijeva učenja o ovom pitanju nisu u skladu s vrijednostima i normama selefijskog puta, koji obavezuje muslimane da se odupru svakoj formi asocijacionizma koji prevladava u datom vremenu. U posljednje vrijeme, najvažniji oblik asocijacionizma jeste u činjenici da vlast i vladavina nisu zasnovani na Božijim zakonima (*širk el-hakimija*).<sup>37</sup> Pošto je tako, suštinska je potreba angažirati se u političkim reformama, kako bi se omogućilo da Božiji propisi prevladaju. Nedvojbeno, među selefijama postoje duboke razlike u shvatanju šta *menhedž* podrazumijeva.

U smislu političkog angažmana, selefijske grupe široko se mogu podijeliti u tri kategorije. Prva, najozloglašenija, jesu selefijske džihadije, koji pozivaju na nasilno djelovanje protiv postojećeg političkog poretka i na uspostavu unitarnog

35 Pogledati knjigu, koja je panegirik Muhammadu Nasifu: Muhammad Sayyid Ahmad i Ahmad al-'Alawi, *Muhammed Nesif hajatuhu ve esaruhu* (Bejrut: el-Mekteb el-islami, 1415/1994).

36 Vidjeti Muhammad al-Salman, *Rašid Rida ve da'vat eš-šejh Muhammed ibn Abdul Vehab* (Kuvajt: Mektebat el-Mu'alla, 1988) i Tamir Mutawalli, *Menhedž eš-šejh Muhammed Rašid Rida vi el-'akida* (Džedda: Dar Medžid 'Asiri, 2004). Mutawallijeva studija je ozbiljnija i on priznaje da Rida, u mnogim pogledima, nije bio pravi selefija.

37 O napadima na al-Albanijeve stavove, vidjeti Ibrahim al-'As'as, *es-Selef ve es-selefijun: r'uja min ed-dehil* (Amman, n. p., 1994).



sistema u formi hilafeta. Al-Kaida je tipični primjer takve grupe, a u dodatku ovog rada možete naći prijevod „vjerovanja i puta“ al-Kaide, nacрта njihovog teološkog i političkog opredjeljenja. Iz ovoga ćete vidjeti da *tekfir* igra važnu ulogu u al-Kaidinoj ideologiji, te da se mnoge teološke teze ovdje skicirane nalaze u središtu njihovog samoodređenja. Al-Kaida, kao i drugi islamistički pokreti u svijetu, pod snažnim je utjecajem Sayyida Qutba (u. 1966), jednog od glavnih ideologa Muslimanske braće, koji je razradio dva pojma: *hakimijja* (Božija vlast) i *džabilijja* (stanje idolopoklonika), kako bi osudio postojeće režime u arapskom svijetu i naredio nasilnu pobunu protiv njih. Tačka pet (i 19) ovog njihovog vjerovanja prilično dobro ilustrira ovaj utjecaj:

Mi vjerujemo da sva vlast i svi zakoni pripadaju samo Bogu i da je Njegova vlast apsolutno pravedna, te da se sve što joj se suprotstavlja predstavlja ugnjetavanje koje se mora ukinuti. Također vjerujemo da je jedan od temelja vjere i uvjet za njenu valjanost obraćati se Božijim normama i zakonima, a da oni koji se obraćaju normama i zakonima nekog drugog i oni koji ne presuđuju na osnovu Božije objave, da svi oni pristaju na proizvoljne zakone, što Bog ne dozvoljava. A zbog toga, takav čovjek je nevjernik, napustio je muslimansku zajednicu i slijedi norme iz vremena prijeislamskog neznanja (*džabilijja*).

Za razliku od džihadija, druga grupa selefija zagovara nenasilni politički aktivizam u muslimanskim i nemuslimanskim zemljama. Njih često nazivaju aktivistima (*harekije*), a oni su, u težnjama ka političkim reformama i uzimanju vlasti, usvojili neka učenja, kao i političku svijest Muslimanske braće. Njihovo se prisustvo osjeti u Saudijskoj Arabiji, gdje ih nazivaju *sehviye* („probuđeni“) i *sururije*, ali i u Jemenu i u Kuvajtu, između ostalog. U Kuvajtu im je vodeći ideolog Abd al-Rahman Abd al-Khaliq, Egipćanin koji je diplomirao na Islamskom univerzitetu u Medini i kojeg povezuju s djelovanjem Saveza za obnovu islamskog naslijeđa (Jam'iyat Ihya' al-Turath al-Islami [Džemijat ihja' et-turas el-islami]). Abd al-Khaliqova verzija *menhedža* često se naziva „organiziranim selefizmom“ (*es-selefijja et-tanzimijja*), zato što zagovara selefijsko organiziranje u cilju stjecanja političke moći i utjecaja.

Treća grupa selefija identificira se s učenjima Nasir al-Dina al-Albanija, sa državnim vjerskim učenjacima u Saudijskoj Arabiji i s grupama kao što su *džamije* i *medhelije*, koje povezuju s učenjacima Muhammadom Amanom al-Jamijem i Rabiem al-Madkhalijem. Ove selefije imaju kvijetističko držanje i zauzimaju tradicionalnija gledišta, te tvrde da su svi oblici političkog organiziranja i djelovanja, da ne spominjemo nasilje, zabranjeni, zato što dovode do građanskog sukoba (*fitna*) između muslimana, a, osim toga, poslušnost muslimanskim vladarima – čak i onim nepravednim – vjerska je obaveza. Ova grupa ili pravac ponekad se naziva „skolastičkim selefizmom“ (*es-selefijja el-'ilmijja*): njihovi kritičari i protivnici ismijavaju ih zbog toga što su zaokupljeni pitanjima obredne čistoće, kao što je mjesečnica, a zapostavljaju mnogo važnije probleme koji muče muslimane

i islam i zbog kojih ih njihovi vjerski neprijatelji uspijevaju oslabiti.<sup>38</sup> Pripadnici ove kvijetističke grupe fokusiraju se na obrazovanje pojedinaca o učenjima selefizma i ispravljanje onih koji skrenu s tog pravca. Vrlo malo pažnje posvećuju direktnim pitanjima od političkog interesa, posebno onim međunarodnim. Ovi kvijetisti često iskazuju stav da se islam može vratiti na svjetsku scenu kao dominantna snaga tek nakon što se poduzme mukotrpan i dugotrajan zadatak „pročišćenja i obrazovanja“ (*tesfija ve et-terbija*), čime bi se muslimani vratili pravim učenjima islama kakva su utjelovljena u selefizmu. Literatura o kvijetistima često ih netačno opisuje kao pacifiste, zato što općenito zauzimaju apolitično stajalište, poput potpune poslušnosti režimima na vlasti, kakvi su oni u Rijadu, Sani ili Ammanu. Međutim, oni nisu pacifisti, nego poslušnici koji ne oklijevaju poći u oružanu borbu ako bi takvo naređenje izdao vladar (*vali el-amr*). Zapravo su tako nešto i uradili u više prilika, od kojih je, možda, najpoznatija njihova borba protiv Sovjeta u Afganistanu 1980-ih i protiv socijalista na jugu Jemena tokom građanskog rata 1994, a sada su uključeni i u ratovanje protiv zejdiya u regiji Sa'da, na sjeveru Jemena.

Selefije su oštro podijeljene oko pitanja političkog angažmana, čak i kada se slažu oko načela vjerovanja, pa često i oko pitanja pravnog tumačenja. Svi oni vjeruju da se u Božije ime mora pokazati lojalnost i pružiti pomoć braći muslimanima, i svi iskazuju mržnju i neprijateljstvo prema nemuslimanima – ova doktrina naziva se *el-vala' ve el-bara'*. Međutim, podijeljeni su u tome da li ova doktrina čini osnovu za nasilno sučeljavanje s nemuslimanima, što ideolozi al-Kaide tvrde. Nadalje, ovisno o kontekstu i okolnostima, selefije su spremne praktimirati *tekfir* prema braći muslimanima, međutim, da li ga koristiti prema muslimanskim vladarima ili ne – izvor je velikog raskola među pripadnicima ovog pokreta. U vezi s *tekfirom* ističe se da on legitimira upotrebu nasilja protiv ljudi ili subjekta koji se označe kao nemuslimanski, a jedna od posljedica je da se oružana pobuna – često nazivana *džihadom* – protiv zemlje s nominalno muslimanskom vlašću (npr. Saudijske Arabije, Egipta), smatra ne samo legitimnom nego i vjerskom dužnošću pojedinih vjernika.

Neke aktivističke selefije, kako i neke džihadističke selefijske grupe – spomenute *sehvije* i *sururije*, kao i al-Kaida – pod utjecajem su organizacijskih učenja i političkih shvatanja Muslimanske braće, posebno onih Sayyida Qutba. Ovdje su najvažnije dvije ideje: Qutbova ideja *hakimije* (Božija vlast, koju je usvojio iz djela indo-pakistanskog intelektualca Abu al-A'la Mawdudija [u. 1979]) i *džahilije* (stanje idolopoklonstva). Ove selefije su, naprimjer, dodale novo načelo vjere svojoj teologiji, a to je *tevhid el-hakimijja* (jednoća Božije vlasti, često obuhvaćena pod terminom *tevhid el-uluhijja*). Ove aktivističke selefije koriste ove principe da osude moderne vlade i postojeći društveno-politički poredak, bilo na lokalnom, regionalnom ili međunarodnom planu. Svaka vlada kojoj Božiji propisi

38 Protivnici ovog pravca podrugljivo nazivaju njegove učenjake „učenjacima mjesečnice i babinja“ (*ulema el-hajz ve en-nifās*).

nisu vrhovni zakon i koja zasniva svoju vladavinu na idolopokloničkim temeljima (npr. nacionalizam) smatra se neislamskom i legitimnom metom napada. Pojmovni okvir, vokabular i politička svijest takvih grupa potječu od Muslimanske braće i to im omogućava da analiziraju stanje muslimanskog svijeta i nude rješenja. Pod utjecajem Muslimanske braće, ovaj put sada obuhvata i forme organiziranih aktivnosti, kao što su vannastavne aktivnosti za škole i studente, kao i uspostavljanje formalnih rangova i hijerarhije autoriteta unutar grupe, što ponekad uključuje i stvaranje jedne avangarde (*tali'á*) da predvodi ovaj poduhvat. Zbog ovoga, ove selefijske grupe prihvataju jednu hibridnu ideologiju – gdje različite grupe naglašavaju različite stvari – koja spaja elemente tradicionalnog selefizma Ibn Tejmije s elementima iz učenjā Muslimanske braće.

## Zaključak

Smatram da se selefizam može razumjeti posmatranjem triju sastavnih elemenata ovog pokreta: teologije, koja je sadržana u pojmu *tevhida*; prava, koje se koncentriše oko pitanja *idžtihada* i priklanjanja učenjima određene škole prava; i politike, koju određuje konkretni *menbedž* ili put koji selefije biraju za djelovanje u ovom svijetu. U pitanjima teologije čini se da su pripadnici ovog pokreta saglasni oko načela vjerovanja koja definiraju selefizam. U pitanjima pravne teorije i prakse konsenzus se donekle raspada, mada su mnoge selefije gledišta da *taklid* treba izbjegavati, a da je *idžtihad* zahtjev, čak i neobrazovanom muslimanu. Najveće podjele unutar pokreta su, kao što se i može očekivati, oko pitanja kako se selefijska učenja odnose prema pitanjima političkog života i vlasti. Ovaj potonji problem je, bez sumnje, važan, ali se on ne nalazi u središtu onog što selefiju čini selefijom, pa neopravdano usmjeravanje na to pitanje – što mnogi čine – zaklanja mnogo toga zbog čega je mnogim vjernicima selefizam privlačan, čak i neodoljiv.



# CONTEXT

Stručni članci/Professional Articles

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## Organizacija i upravljanje đačkim domovima medresa u Bosni i Hercegovini

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*Amela Numanagić*

### Sažetak

Ovaj rad predstavlja prikaz organizacije, upravljanja i funkcioniranja đačkih domova pri medresama Islamske zajednice u Bosni i Hercegovini. U uvodnom dijelu rada objašnjena je uloga i značaj đačkog doma te utjecaj boravka u đačkom domu na izgradnju mlade ličnosti. Kroz ostala poglavlja objašnjen je model rada đačkih domova medresa Islamske zajednice kao tradicionalnog baštinika organiziranja škole s đačkim domom. Posebno je prezentirano upravljanje đačkim domom, zakonski okviri na kojima domovi funkcioniraju, organizacija odgojno-obrazovnog rada te modeli finansiranja đačkih domova medresa. Na kraju smo se osvrnuli i na brigu o sigurnosti đaka u domu.

**Ključne riječi:** đački domovi medresa, upravljanje, funkcioniranje, odgojno-obrazovni rad, izgradnja mladih ličnosti, finansiranje

### Uvod

Đački domovi su odgojno-obrazovne ustanove u kojima đaci žive za vrijeme svoga školovanja, a uređene su da bi im olakšavale učenje i uspješan završetak školovanja u novim sredinama, izvan porodičnog okruženja. U đačkim domovima nastavlja se proces oblikovanja i svrsishodnog razvijanja i izgrađivanja čovjeka od individue do ličnosti. Domovi imaju značajnu i odgovornu društvenu i pedagošku ulogu u odgoju i obrazovanju mladih.

Osnovni pojmovi koji se postavljaju kao cilj i svrha đačkih domova jesu: odgoj kao jedna od osnovnih i trajnih društvenih pojava i djelatnosti koja se sastoji u svjesnom i namjernom prenošenju društveno-historijskih iskustava starijih generacija na mlađe sa svrhom da se svaka generacija osposobi za svoju društvenu ulogu u sadašnjosti i budućnosti i tako osigura kontinuitet društvenog života;<sup>1</sup> obrazovanje koje podrazumijeva proces usvajanja znanja, izgrađivanja vještina i navika, razvoja sposobnosti usvajanja sistema vrijednosti i pravila ponašanja;<sup>2</sup> te socijalizaciju kao složen proces osposobljavanja mladih ličnosti za život u socijalnoj zajednici putem učenja i u interakciji s drugima uz široku mogućnost adaptacije na nove životne uvjete.

Uloga domova i domskog života posebno je značajna u ovom modernom dobu internet-generacija, koje postaju individualci bez pretjerane potrebe za druženjem, zanimanjem za stanje drugih, u dobu odsustva empatije, altruizma i sl. Domovi potpomažu i podstiču socijalizaciju, druženje, zanimanje za druge i rad u timu, solidarnost kao dominantnu odgojno-obrazovnu vrijednost koja pretpostavlja sistemsko osposobljavanje djece i mladih da budu osjetljivi za druge, za porodicu, za slabe, siromašne i obespravljene, za svoju okolinu i za životno okruženje koje obilježava različitost kultura, rasa, nacija, religija, svjetonazora, jezika itd. Kroz odgojno-obrazovni rad u domu odgajatelji utječu na izgradnju mlade ličnosti u osjetljivoj životnoj dobi pružajući im pomoć i podršku. Odgajatelji pomažu i roditeljima da se nose s adolescentskim problemima svoje djece.

Zbog sve veće važnosti domova u novije vrijeme u okviru pedagogije razvila se i posebna disciplina *domska pedagogija* – naučna disciplina opće pedagogije koja istražuje, proučava, unapređuje i anticipira odgoj u domovima, uvjete i mogućnosti, organizaciju života i rada, načela, metode i sredstva odgojnog rada te međusobne interakcije unutar odgojno-obrazovne djelatnosti između društva i svijeta rada.<sup>3</sup>

## Osnivanje đačkog doma od strane vjerske zajednice

Đački domovi postoje u cijelom svijetu. Mogu biti državni, privatni ili u vlasništvu vjerskih zajednica. Imaju različite nazive: konvikt, đački dom, internat, koledž i sl.

Postojanje domova omogućava đacima veći izbor prilikom upisa u srednju školu i dostupnost škola i onim đacima koji žive u manjim mjestima i čija je mogućnost izbora sužena. Bez đačkih domova školski sistem i njegov kvalitetni razvoj bio bi nepotpun i teško dostupan mladima. Postojanje domova pruža mogućnost da upis u srednju školu bude zasnovan na kriteriju znanja i sposobnosti, a ne na kriteriju da li porodica živi u tom gradu ili ne. Đački domovi, posebno domovi pri medresama u Bosni i Hercegovini još uvijek su prilika da ženska djeca

1 *Enciklopedijski rječnik pedagogije*, 1963, dostupno na: [www.scribid.com](http://www.scribid.com).

2 S. Gvozdrenović, *Obrazovanje i drugi srodni pojmovi*, dostupno na: [www.socioloskaluca.ac.me](http://www.socioloskaluca.ac.me).

3 Vladimir Rosić, *Domski odgoj* (Rijeka: Grafrade, 2001), str.6



iz udaljenijih ruralnih sredina nastave svoje srednjoškolsko obrazovanje. Đački domovi daju priliku mladim ljudima da u sebi otkriju i prepoznaju mogućnosti te da te mogućnosti uz pomoć stručnih osoba njeguju, nadograđuju i usmjeravaju. Danas su elitne škole u svijetu, u pravilu, škole s internatom.

Vjerska zajednica može biti osnivač studentskog i đačkog doma koji egzistira u okviru škole ili samostalno. U susjednoj Hrvatskoj ima šest domova kojima je osnivač vjerska zajednica, među kojima je i dom Islamske gimnazije "Dr. Ahmed Smajlović" u Zagrebu.

Islamska zajednica u Bosni i Hercegovini ima dugu tradiciju organiziranja domskog života đaka. Još u Kuršumliji, kasnije u Gazi Husrev-begovoj medresi, po želji njenog vakifa đaci su stanovali i živjeli prema jasno i detaljno propisanim pravilima i kućnom redu. To pokazuje da je život i rad izvan dersova bio integralni dio odgojno-obrazovnog procesa u medresi. Gazi Husrev-beg je bio svjestan uloge i značaja doma kao mjesta koje omogućava dostupnost đaka i integralni cjelodnevni odgojni-obrazovni rad. Organizacija koja podrazumijeva nastavu i stanovanje omogućava kontinuirano, neposredno i efikasnije odgojno djelovanje.

Danas u okviru Rijaseta Islamske zajednice u Bosni i Hercegovini ima šest medresa. Sve medrese su, po uzoru na Gazi Husrev-begovu, prije rata jedinu medresu u Bosni i Hercegovini, organizirane kao škole internatskog tipa, kako stoji i u Pravilima medresa Islamske zajednice u BiH, Član 4, Stav 4: „Medresa se u pravilu organizira kao škola sa domom za učenike“. Prepoznatljive su po dobrim rezultatima rada koje donosi jedinstven i integriran odgojno-obrazovni pristup kroz nastavu i odgojno-obrazovni rad u đačkom domu. Medrese su prepoznate kao škole od javnog interesa i značaja i kantoni na kojima egzistiraju priznaju ih kao javne ustanove. Rad u školi i đačkom domu odvija se po Pravilima medresa Rijaseta Islamske zajednice u Bosni i Hercegovini i Zakonu o srednjem obrazovanju kantona na kojem medresa egzistira.

Važnost đačkih domova u ranijem odgojno-obrazovnom sistemu u Bosni i Hercegovini, pa i u regionu, često je bila neodređena, zakoni o školstvu nisu obuhvatali đačke domove, đački domovi doživljavali su se kao socijalne ustanove za zbrinjavanje mladih, o domovima se govorilo samo kao o dijelu đačkog standarda, đački domovi bili su „dodatak“ sistemu obrazovanja i bez sadržajno-programске povezanosti u školovanju učenika. Zbog toga, ali i zbog malog broja đačkih domova u Bosni i Hercegovini<sup>4</sup> danas se đački dom malo tretira i kroz zakon i kroz druga pravila.<sup>5</sup> Zakon o đačkom i studentskom standardu trebalo bi detaljnije da uređuje ovu oblast.

Svjesni činjenice da je domski život često bio zapostavljan, u medresama se dosta radilo na unapređenju uvjeta života i kvaliteta rada u đačkom domu. Danas

4 U Federaciji Bosne i Hercegovine postoje dva samostalna đačka doma: Đački dom u Zenici i Učenički dom – Željeznički školski centar u Sarajevu

5 Zakon o srednjoj školi Zeničko-dobojskog kantona, Član 74 odnosi se na srednju vjersku školu s domom za učenike, a članovi 153. do 163. površno govore o organizaciji doma za učenike. Isto se spominje i u Zakonu o srednjoj školi Kantona Sarajevo u članovima od 161. do 166, te u Zakonu o srednjoj školi Tuzlanskog kantona, članovi od 148. do 156.

đački domovi medresa ispunjavaju sve formalne, tehničke i pedagoške standarde za odvijanje kvalitetnog odgojno-obrazovnog rada.

## Upravljanje domom i organizacija odgojno-obrazovnog rada

Medrese su po definiciji škole s domom za đake, tako da se dom ne posmatra odvojeno od škole; škola i dom čine jednu cjelinu. U skladu s tom definicijom organiziran je rad i funkcionisanje medresa. Jedinствeno djelovanje omogućava i jedna uprava. Medrese imaju jednog direktora i dva pomoćnika, od kojih je jedan zadužen za funkcionisanje nastave, a drugi za funkcionisanje života i rada u đачkom domu. Jedna administrativna služba opslužuje potrebe u domu i školi.

U školi se odvija nastava, dok u đачkom domu đaci stanuju, hrane se i učestvuju u programu odgojno-obrazovnog rada u poslijepodnevnim satima. Prema Pravilima medresa, „u domovima učenika se osigurava odgoj i obrazovanje, smještaj i ishrana, kulturna djelatnost, fizička rekreacija i zadovoljavanje drugih potreba učenika medresa“.

Sve medrese su škole s muškim i ženskim odjeljenjima. U većini medresa svi đaci stanuju u domu.<sup>6</sup> U nekim medresa škola i dom smješteni su u istoj zgradi. Neke od medresa imaju odvojene zgrade, ali to bitno ne utječe na unutarnju organizaciju života i rada.<sup>7</sup> Muškarci i djevojke stanuju odvojeno u jednoj zgradi s dvama krilima ili u odvojenim zgradama, ali se dom vodi kao jedna organizaciona jedinica.

Medrese imaju dobre uvjete za život, stanovanje i odgojno-obrazovni rast i razvoj učenika u domu. Infrastruktura zadovoljava propisane standarde<sup>8</sup> (20 m<sup>2</sup> prostora po učeniku ako je u sastavu škole ili 30 m<sup>2</sup> samostalni dom).<sup>9</sup> Đački domovi obično su koncipirani tako da imaju dovoljan broj, najčešće četverokrevetnih ili šesterokrevetnih, soba<sup>10</sup> s pratećim mobilijarom, mokra čvorišta prema propisanom standardu, abdesthane i kupatila, dnevni boravak sa TV-prijemnikom, kuhinju i restoran, čitaonicu i prostorije za vannastavne aktivnosti. Posljednjih godina medrese proširuju svoje smještajne kapacitete jer interes za upis u medrese raste.

Pravilnikom o kućnom redu u domu reguliraju se organizacija života i rada u domu, pravila ponašanja đaka tokom pripreme za namaz i za vrijeme namaza, obaveze đaka u vezi s održavanjem higijene, ličnim izgledom i odijevanjem, pravila ponašanja đaka za vrijeme korepticije, pravila ponašanja u domu i u

6 U Gazi Husrev-begovoj i Karadžev-begovoj medresi većina đaka stanuje u medresi.

7 Medresa u Visokom ima odvojenu zgradu doma, Medresa u Mostaru odvojen dom za djevojke, dok su u Sarajevu, Cazinu i Travniku i dom i škola u istoj ili više zgrada.

8 Državni pedagoški standardi Republike Hrvatske, Član 57 Stav 3.

9 Npr. Medresa u Tuzli ima oko 20 m<sup>2</sup> zatvorenog prostora po učeniku i oko 30 m<sup>2</sup> otvorenog prostora, Medresa u Visokom 44 m<sup>2</sup> zatvorenog prostora i 180 m<sup>2</sup> otvorenog prostora.

10 U nekim medresama su višekrevetne, kao u Travniku i Sarajevu.

slobodno vrijeme, obaveze đaka u odnosu prema drugim osobama, nastavnicima, odgajateljima, radnom osoblju i drugim đacima.

Odgojno-obrazovni rad u đачkim domovima medresa odvija se po jedinstvenom planu odgojnog rada za sve medrese. Plan i program odgojnog rada sastavni je dio Nastavnog plana i programa koji je donio Rijaset Islamske zajednice u Bosni i Hercegovini zaključkom broj: 02-08-2-3005-2/14 od 5. decembra 2014. godine. Nastavni plan i program i plan i program odgojnog rada u domu odobravaju nadležna ministarstva kantona.

Cjelodnevni boravak đaka u medresi zahtijeva i cjelodnevni program rada. Pored nastavnih aktivnosti, neophodno je planirati i sadržaje u poslijepodnevni satima te odgojno djelovati kroz redovne aktivnosti. Prema rasporedu dnevnih aktivnosti, dan đaka medrese počinje zajedničkim obavljanjem sabah-namaza, u nekim medresama i učenjem mukabele. Doručak, pospremanje soba i zajedničkih prostorija odvija se u ranim jutarnjim satima. Nastava u svim medresama odvija se u jutarnjoj smjeni i traje do podne-namaza. Nakon podne-namaza slijedi ručak, a onda vrijeme predviđeno za odmor, slobodne aktivnosti, vannastavne aktivnosti i druge segmente odgojno-obrazovnog djelovanja. Po obavljenom ikindija-namazu svi đaci provode zajedničko vrijeme na korepeticiji, gdje se, učeći u svojim učionicama, pripremaju za nastavu. Slijedi akšam-namaz, večera, odmor i druga korepeticija, koja traje do jacie. Vrijeme predviđeno za slobodne aktivnosti, odmor i pripremu za večerje nastupa poslije obavljenog jacia-namaza.<sup>11</sup>

Program odgojno-obrazovnog rada u domu realiziraju odgajatelji. Svi propisi koji se odnose na nastavnike u nastavi odnose se i na odgajatelje u đачkom domu.<sup>12</sup> Poslove odgajatelja može obavljati osoba sa završenim VII stepenom stručne sprema studija visokog obrazovanja u trajanju od četiri studijske godine, odnosno sa završenim prvim ciklusom odgovarajućeg studija u trajanju od četiri godine, sa najmanje 240 ECTS bodova, s akademskom titulom i stručnim zvanjem profesor ili *bachelor* za određenu oblast: profesor / *bachelor* islamskih nauka; profesor / *bachelor* islamskih teoloških studija; profesor / *bachelor* islamske teologije; profesor / *bachelor* teologije; diplomirani teolog; srodno zvanje stečeno na fakultetu islamskih nauka, s rješenjem o nostrifikaciji; profesor / *bachelor* islamske vjeronauke i religijskog odgoja s prethodno završenom medresom; profesor religijske pedagogije s prethodno završenom medresom; profesor / *bachelor* socijalne pedagogije i duhovne skrbi s prethodno završenom medresom; diplomirani socijalni pedagog s prethodno završenom medresom; profesor / *bachelor* pedagogije i/ili psihologije s prethodno završenom medresom; profesor / *bachelor* drugih predmeta zastupljenih u Nastavnom planu i programu medresa s prethodno završenom medresom (iznimno).<sup>13</sup>

11 S obzirom na to da se raspored izrađuje prema namaskim vremenima, redosljed aktivnosti nije u potpunosti isti ljeti i zimi. U redosljedu može biti manjih razlika i po medresama.

12 Pravila medresa IZ u BiH, Član 3 Stav 4; Član 59, Član 60, Član 62, Član 63 i dr.

13 Nastavni plan i program medresa, Sarajevo, 1436/2014, str. 325.

Danas, u šest bosanskohercegovačkih medresa radi 51 odgajatelj, što je 21,70% od ukupnog akademskog kadra medresa (235 akademskih radnika, 184+51). Svi odgajatelji stručni su i osposobljeni za posao koji rade. Od 26 hafiza, koliko ih ukupno radi u medresama, 9 njih je među odgajateljima ili 34,61%. Od ukupno 40 magistara među zaposlenicima medresa, 8 je odgajatelja ili 20%. Otprilike, svaki je šesti odgajatelj hafiz, dok je svaki 11 profesor hafiz. Svaki šesti odgajatelj je magistar, dok je svaki peti profesor magistar.<sup>14</sup> Medrese na čelu s Upravom za obrazovanje i nauku Rijaseta Islamske zajednice ulažu trud u kontinuiranu edukaciju i stručno usavršavanje odgojnog i nastavnog kadra, svjesni da je to način da se ukupni odgojno-obrazovni rad podigne na još viši nivo.

## Odgojne grupe učenika

Prema standardima i normativima za đачki dom jedan odgajatelj može biti zadužen za jednu odgojnu grupu. Broj đaka u jednoj odgojnoj grupi varira od kantona do kantona, a uglavnom se kreće od minimalno 16–18, optimalno 23–25, maksimalno 31–32 učenika. Iako medrese uglavnom imaju dobre uvjete za rad, broj odgajatelja u medresama još uvijek ne zadovoljava standarde. Odgajatelji su opterećeni prekobrojnim odgojnim grupama. U nekim medresama jedan odgajatelj vodi po dvije odgojne grupe. Sa oko 2 170 učenika, koliko ih ima, u medresama radi 51 odgajatelj, što je u prosjeku oko 42,50 učenika po jednom odgajatelju. U nekim medresama profesionalni odgajatelji rade noćnu smjenu, što je također prepreka za kvalitetniji rad i postizanje boljih rezultata. Nadamo se da će u budućnosti i ovaj problem biti riješen kako bi medrese u potpunosti mogle ponuditi model organizacije domskog života koji bi se primjenjivao u domovima širom regiona.

Odgajatelji o svom radu s odgojnom grupom, sekcijom ili đacima pojedinačno vode pedagošku dokumentaciju, koja ima za cilj prenošenje potrebnih informacija i kontinuirano praćenje odgojno-obrazovnih rezultata kod đaka. U osnovnu pedagošku dokumentaciju ubraja se Knjiga dežurstva ili Dnevnik rada, Odgojna knjiga i Knjiga za korepeticiju. Pomoćnu dokumentaciju čini Knjiga aktiva, Knjiga sekcije te razne evidencije koje se vode u domu. Odgajatelji vode i elektronski dnevnik. Osnovna pedagoška dokumentacija ujednačena je u svim medresama od školske 2017/2018. godine.

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14 Iz istraživanja koje je rađeno za potrebe izrade magistarskog rada 2016. godine. Podaci su i dalje aktuelni.

## Tehničko osoblje u đačkom domu

U đačkim domovima, s obzirom na to da đaci u njima stanuju i hrane se 24 sata, sedam dana u sedmici, potreban je veći broj ostalih uposlenika. Pomoćno-tehnički radnici angažovani su prema specifičnostima i standardima koji se odnose na ostalo osoblje i prema sistematizaciji radnih mjesta potrebnih za određenu ustanovu. Broj spremačica utvrđuje se na osnovu ukupnog otvorenog i zatvorenog prostora, primjenom normativa do 500 m<sup>2</sup> u svakoj smjeni ili 0,50 radnika po odgojnoj grupi. S obzirom na to da đaci medrese, u okviru radnog i estetskog odgoja samostalno čiste prostorije u kojima borave, potreba za spremačicama manja je u odnosu na broj predviđen normativima. Svaki dom zapošljava jednog radnika na poslovima domara, koji uglavnom obavlja i poslove kotlovnika. Broj kuhara/ica utvrđuje se na osnovu broja obroka koje pripremaju za učenike (70 obroka dnevno po jednom radniku). Za izradu jelovnika po utvrđenim normativima, brigu o pripremanju hrane i raspored smjena u kuhinji zadužen je glavni kuhar. Đački dom zapošljava radnicu u vešeraju, koja pere i pegla odjeću, mijenja, pere i pegla posteljinu svakih petnaest dana. Ekonom nabavlja namirnice za pripremanje hrane, sredstva za higijenu, kancelarijski materijal i ostalo što je potrebno u radu đačkog doma, dok skladištar preuzima, brine o propisnom skladištenju i izdavanju robe na upotrebu te vodi evidenciju. Ekonom je obično zadužen i za vođenje robnog knjigovodstva u domu putem kojeg se evidentiraju ulazi i izlazi roba, kretanje roba i potrebe za istim. Standardi predviđaju i upošljavanje jednog zdravstvenog radnika. Za upošljavanje zdravstvenog radnika nisu se stekli uvjeti, a s obzirom na to da je većina medresa smještena u gradskim sredinama, nema ni velike potrebe za tim.

## Finansiranje đačkog doma

Iako su medrese, kao škole s domom za đake priznate kao ustanove od javnog značaja, zbog ranijeg zapostavljanja važnosti i značaja đačkih domova u Bosni i Hercegovini, i domovi pri medresama nisu naišli na odgovarajuće vrednovanje i pažnju. Škole s domom, kakve su medrese, uglavnom su bile novina na kantonu. To se odrazilo i na finansiranje domova pri medresama. Rad većine medresa finansira se iz javnih budžetskih sredstava kantona na kojem gravitiraju. Rad doma u većini medresa finansira se iz vlastitih sredstava, a koja se odnose na participaciju đaka, usluge i sl. Neke od medresa imaju nešto bolje riješeno finansiranje. Đački dom Medrese u Visokom dijelom se, također, finansira iz vlastitih prihoda, dok se jedan dio finansira iz budžeta Zeničko-dobojskog kantona. Po modelu koji se primjenjuje u toj medresi sredstva od participacije đaka uplaćuju se na račun Kantona. Ta sredstva vode se kao vlastiti prihodi. Na

početku budžetske godine pravi se jasna projekcija i plan utroška tih sredstava, kao i za odobrena budžetska sredstva. Sredstva budžeta i vlastiti prihodi vode se odvojeno. Sredstvima budžeta finansira se rad škole i plaće svih uposlenika u đaćkom domu. Iz vlastitih prihoda finansira se hrana, troškovi stanovanja kao što je energija, voda, sredstva za higijenu i sl. Sredstva se planiraju, uplaćuju i troše u skladu s Pravilnikom o vlastitim приходима. Na mjesečnom nivou troši se jedna dvanaestina sredstava. Na kraju budžetske godine neutrošena budžetska sredstva vraćaju se u javni budžet na ponovnu raspodjelu, dok se vlastita sredstva prenose u narednu godinu. Kvalitetnim planiranjem i svrsishodnim trošenjem moguće je ispoštovati budžet i imati širinu u trošenju sredstava koja stoje na raspolaganju. Ovakav model finansiranja medresi olakšava rad i utječe na kvalitet odgojno-obrazovnog djelovanja. I neke druge medrese na tragu su ovog rješenja.

## Sigurnost u đaćkim domovima

U đaćkim domovima i medresama provode se i poštuju ostala pravila koja zakoni nalažu. Posebna pažnja poklanja se sigurnosti đaka. Sa đacima su stalno odgovorne osobe, tokom nastave nastavnici, a tokom boravka u domu odgajatelji koji rade u dvije smjene, poslijepodnevnoj i noćnoj smjeni. Zgrade su napravljene u skladu sa standardima koji se odnose na sigurnost đaka. Redovno se vrši kontrola protivpožarne zaštite. Jednom u dvije godine, prema Zakonu o protivpožarnoj zaštiti svi uposlenici polažu ispit iz protivpožarne zaštite. Domovi su uglavnom pokriveni sigurnosnim kamerama i sistemom vatrodajave. Kontrolu zdravstvene i higijenske ispravnosti hrane i vode, higijene prostora u kojem se priprema hrana, kao i higijene osoblja vrši Zavod za javno zdravstvo. Uposlenici koji dolaze u dodir s hranom svakih šest mjeseci vrše sanitarni pregled, a jednom u dvije godine polažu ispите iz sanitarnog minimuma. Redovno se vrše i ostale propisane kontrole. O funkcionisanju i radu đaćkog doma vodi se propisana dokumentacija i evidencija.

## Zaključak

Medrese s đaćkim domovima potvrđuju da Islamska zajednica u Bosni i Hercegovini ima pravne pretpostavke i organizacijske sposobnosti za rad i dalje otvaranje novih studentskih i đaćkih domova. Sve medrese u Bosni i Hercegovini ispunjavaju uvjete za odvijanje kvalitetnog odgojno-obrazovnog rada i djelovanja u domu, od standardizirane infrastrukture, opremljenosti doma, programa odgojno-obrazovnog rada u domu, pravilnika koji se odnose na organizaciju života u domu, dokumentacije, priručnika za odgojno-obrazovni rad u domu i sl.

Medrese imaju stručne, educirane i sposobne odgajatelje. Potrebno je raditi na povećanju broja odgajatelja kako bi se kvalitet rada podigao na još veći nivo. Đački domovi medresa imaju dobru organizaciju, nude kvalitetan odgojno-obrazovni rad s đacima, zbog čega interes za upis u medrese raste.<sup>15</sup> Sve je veća potreba za ovakvim ustanovama, koje će obrazovati i odgajati mlade ljude – buduće nosioce društvenih promjena. Đački domovi pružaju mogućnost i priliku za pokretanje pozitivnih promjena u društvu.

Roditelji domove Islamske zajednice vide kao sigurno utočište za svoju djecu. Maturanti medresa dobri su studenti, s istaknutim radnim navikama, koje im omogućavaju da eventualne nedostatke u znanju brzo prevaziđu. Upisuju i završavaju različite fakultete u Bosni i Hercegovini i inozemstvu. Mnogi izrastaju u dobre stručnjake u svome poslu.

U budućnosti, neophodno je da medrese prate napredak sličnih institucija u svijetu, potrebe vremena, promjene koje se neminovno događaju i svoj rad organiziraju u skladu s potrebama generacija koje dolaze.

Način razmišljanja mladih ljudi, pristup životu, pa i školi, bitno je različit u odnosu na vrijeme kada smo se mi školovali. Promijenjene okolnosti zahtijevaju novi pristup i prilagođene metode, jer samo na takav način možemo postići naš zajednički cilj: odgoj i obrazovanje zdravih i cjelovitih islamskih ličnosti, spremnih na cjeloživotno obrazovanje kako bi bili korisni članovi islamske i šire društvene zajednice.

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15 Broj prijavljenih kandidata za upis najbolji je pokazatelj, o čemu postoji evidencija.





## The Role and Status of Women in the Islamic Community in Bosnia and Herzegovina\*

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### Summary of Research

*Đermana Šeta and Amela Melkić*

*“The women’s question is a real thing.  
It was not created by men, as some feminists think,  
or women, as anti-feminists claim.  
It was circumstances that created the women’s question.”<sup>1</sup>*

### Introduction

Under its constitution, the official Islamic Community in Bosnia and Herzegovina (henceforth the ICBiH) is autonomous in determining its activities and managing its property. It is guaranteed this right, as are the other religious communities and churches in Bosnia and Herzegovina, under the 2004 *Law on Freedom of Religion and the Legal Status of the Churches and Religious Communities in Bosnia*

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\* This study was conducted by the Nahla Training and Research Centre, with support from the Centre for Advanced Studies and the Islamic Community in Bosnia and Herzegovina. Nahla TRC would like to thank everyone who has recognised the importance of their work and provided support: The Rijaset of the Islamic Community in Bosnia and Herzegovina, headed by the Reisul-ulema or Grand Mufti, the various majlis or regional councils of the Islamic Community, the chief imams and imams, and all the women who have had an impact on or been involved in drafting this paper. The study was conducted by the Nahla Training and Research Centre between 1.6.2012 and 23.11.2013.

1 *Dulistan* – časopis za kulturno i socijalno podizanje muslimanske žene, 2 (1926), 28.

and Herzegovina.<sup>2</sup> Under its constitution the ICBiH's goal is to encourage all its members to live in accordance with Islamic norms, which it pursues by promoting good and discouraging evil. It is concerned with the Islamic upbringing and education of its members and committed to preserving Islamic marital, familial, and social values through an equal commitment by men and women.<sup>3</sup> Under Article 1 of the current *Constitution of the Islamic Community in Bosnia and Herzegovina* (henceforth the constitution), the ICBiH is the sole and unique community of Muslims in Bosnia and Herzegovina and the Sanjak, Croatia, Slovenia, and Serbia, and of Muslim Bosniaks outside their respective homelands and other Muslims who accept it as their own.<sup>4</sup> The constitution cites four basic principles for the organisation of the Muslim community, its institutions, organs, and activities, namely: the Qur'an, practice/the sunnah of Muhammed, a.s., Bosniak Islamic tradition,<sup>5</sup> and the requirements of the time.

Bosnian Muslim women are present in mosques and receive schooling in educational institutions, both those of the ICBiH and of others. Women are also hired as teaching staff in the ICBiH's educational institutions, albeit mostly for non-theological subjects.<sup>6</sup> Women have the rights to vote and be elected in IC-BiH elections<sup>7</sup> and there are no formal obstacles to their employment and activity within the ICBiH. "According to the official documentation of the Islamic Community, women can carry out any and all roles within its organs, so long as there are no sharia restrictions, so that they can fill even the most senior positions as heads of all services, including those of General Secretary, chairs of the Assembly and of the Constitutional Court, or the Reisul-ulema's chef-de-cabinet. Restrictions under the constitutional provisions relate to the positions of imam, head imam, mufti, and Reisul-ulema."<sup>8</sup>

Women only rarely serve on *džemat* or local Muslim community committees, even if there are no obstacles to them doing so. Article 36 of the constitution states "the *džemat* assembly is made up of all Muslim males and females from the

2 *The law on freedom of religion and the legal standing of churches and religious communities in Bosnia and Herzegovina*, [http://www.mrv.ba/upload/attachments/pravna\\_regulativa\\_sloboda\\_vjere\\_ljO.pdf](http://www.mrv.ba/upload/attachments/pravna_regulativa_sloboda_vjere_ljO.pdf), accessed 10.3.2016.

3 *The Constitution of the Islamic Community in Bosnia and Herzegovina*, [http://www.islamskazajednica.ba/images/stories/Ustavi/Ustav\\_IZ-e\\_precisceni\\_tekst\\_2014.pdf](http://www.islamskazajednica.ba/images/stories/Ustavi/Ustav_IZ-e_precisceni_tekst_2014.pdf), accessed 10.3.2016.

4 Ibid.

5 For more, see Fikret Karčić, "Šta je to islamska tradicija Bošnjaka," *Rezolucija Islamske zajednice u Bosni i Hercegovini o tumačenju islama*, <https://cdv.ba/wp-content/uploads/2015/03/Fikret-Karcic-Sta-je-to-islamska-tradicija-Bosnjaka.pdf> accessed 15.07.2018.

6 Behija Mulaosmanović-Durmišević, "Odnos islamske zajednice u Bosnia and Herzegovina prema svršenicama njenih obrazovnih institucija," *Novi Muallim*, XII:48 (Winter 2011), 28-29.

7 Every *džemat* member older than 18 has the right to vote in the Islamic Community, while those who also meet their *džemat* obligations have the right to be elected in the Islamic Community (article 79 of the Constitution of the Islamic Community in Bosnia and Herzegovina).

8 Senada Tahirović, "Muslimanska teologinja u bh. društvu – pozicija i uloga," *Novi Muallim*, X:40 (Winter 2009), 30.

*džemat* who are 18 years of age and members of the Islamic Community.” The *Fetva-i-emin* of the ICBiH, Prof. Enes Ljevaković, provided additional confirmation that women can be members and chairs of *džemat* committees in his responses.<sup>9</sup> Women in Bosnia and Herzegovina do not go to the interment at funerals or take part in graveside prayers (even though Muslim women do participate in the interment in some countries). Women in Bosnia and Herzegovina do not traditionally even go to the weekly Friday noon-time prayers<sup>10</sup> or to either of the annual Eid ceremonies (again, despite participating in such prayers in some countries). It is important to stress that the situation regarding the number and presence of women has slowly begun to change in recent years. Evidence for this is the increasing number of women involved with and employed by the ICBiH, which will be discussed further below. There have been gradual changes in the areas of hiring female assistants, professors and teaching staff in the educational institutions and other bodies, agencies and services of the ICBiH. Women are also employed at Islamic Community media like Radio Bir or Preporod, the Novi Muallim magazine, the Institute for the Bosniak Islamic Tradition, etc.

Academic work to review the position and contributions of women within the Muslim religious communities has been being undertaken for some time already.<sup>11</sup> Such research is still in its infancy here, however.<sup>12</sup> According to Professor Samir Beglerović, two basic questions should be posed at the beginning of any analysis of the situation of women in the ICBiH: “...whether the number of female employees in the Community is proportional to their expertise in the given areas, or whether how they are treated and the strength of their influence on the work of the Islamic Community is (the issue is the general approach to them, understanding their importance, and the peculiar specifics of our time, etc.).”<sup>13</sup> This entails addressing the following two aspects: the activities of Muslim women in the ICBiH and the presence of women engaged in its work (whether as graduates of Islamic or other educational institutions).

9 [http://www.islamskazajednica.ba/index.php?option=com\\_content&view=article&id=7946:ena-kaopredsjednikdematskogodbora&catid=159&Itemid=514](http://www.islamskazajednica.ba/index.php?option=com_content&view=article&id=7946:ena-kaopredsjednikdematskogodbora&catid=159&Itemid=514), accessed 10.3.2016.

10 Very few mosques in Bosnia and Herzegovina allocate space for women during noon-time prayers on Friday.

11 Detailed analysis of Muslim communities' position on this question has been conducted in the UK and the USA: *Meeting the Needs of Muslim Women: A Directory of Mosques in England*, (London: Faith Matters, 2010) ([http://faith-matters.org/images/stories/publications/Developing\\_Diversity.pdf](http://faith-matters.org/images/stories/publications/Developing_Diversity.pdf), accessed 13.2.2016.); *Women Friendly Mosques and Community Centers* ([www.islamawareness.net/Mosque/WomenAndMosquesBooklet.pdf](http://www.islamawareness.net/Mosque/WomenAndMosquesBooklet.pdf), accessed 25.3.2016.). See also Masooda Bano and Hilary Kalmbach, (eds) *Women, Leadership, and Mosques. Changes in Contemporary Islamic Authority*, Leiden, Boston, 2012.

12 There is an empirical study by Zilka Spahić-Šiljak dealing comparatively with all three major religious communities in Bosnia and Herzegovina, albeit with a somewhat different focus (women, religion, and politics). See: Spahic-Šiljak, Zilka. *Žene, religija i politika*, Sarajevo: Internacionalni multireligijski i interkulturalni centar; Centar za interdisciplinarnu postdiplomske studije; Transkulturalna psihosocijalna obrazovna fondacija, 2007.

13 Samir Beglerović, “Islamska zajednica pred izazovom nužnosti transformacije institucija: Potreba za sržnim izmjenama Ustava,” *Glasnik Rijaseta IZ 3-4* (2012).

The Nahla Training and Research Centre implemented a comparative pilot research project in 2012 and 2013 on the status and role of women, with a sample of five focus groups from the three major traditional churches or religious communities in Bosnia and Herzegovina: the Catholic Church, the Orthodox Church, and the Islamic Community.<sup>14</sup> The part of the study relating to the ICBiH was expanded, covering a total of 212 individuals (184 respondents, 21 religious officials, e.g. imams, muallims and muallimas or male and female teachers, etc., and seven senior ICBiH officials), during the period from June 2013 to February 2014. The study was supported by the Rijaset of the ICBiH and the Centre for Advanced Studies in Sarajevo.

## Research Aim and Tasks

The aim of the study was to collect data on the role and position of women in the ICBiH in order to gain insight into their current status and roles. Ultimately, the intention has been to suggest ways to the ICBiH of establishing a systematic approach to these issues based on concrete research results. The research was conducted as a *policy study* for the Islamic Community and does not rely on any specific theoretical framework (e.g., feminist theory, critical analysis, sociological theories of religious institutions, etc.).

This general goal was approached through a number of concrete and specific tasks:

1. Investigate the reasons female respondents go to the mosque,
2. Investigate how often they go to the mosque,
3. Investigate how they act and organise at mosque,
4. Investigate which physical areas are accessible to women at mosque,
5. Investigate the presence of women at (local) ICBiH bodies,
6. Investigate opinions inside the ICBiH on the presence and participation of women in its bodies and organs.

## Research Techniques

The study was conducted between 1.6.2012 and 23.11.2013. The data were gathered through a review of the available literature and documents, conducting focus groups (a total of 15 groups with altogether 184 respondents present), conduct-

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14 Šeta, Đermana et al., *Istraživanje o poziciji i ulozi žena u tradicionalnim crkvama i vjerskim zajednicama u Bosnia and Herzegovina*, Sarajevo: CEI Nahla, 2013, [http://www.nahla.ba/cms/tekstovi10/tekstovi\\_datoteke/141113090824\\_ISTRAZIVANJE\\_O\\_POZICIJI\\_ZENA.pdf](http://www.nahla.ba/cms/tekstovi10/tekstovi_datoteke/141113090824_ISTRAZIVANJE_O_POZICIJI_ZENA.pdf), accessed 14.3.2016.

ing questionnaires with female respondents (a total of 140) and with religious officials (a total of 21 of both sexes) and holding semi-structured interviews with senior individuals within the ICBiH (a total of 7). Conversations in focus groups and interviews were recorded, transcribed, and subjected to techniques of quantitative analysis. The questionnaire data were processed using the SPSS statistics package.

The study was conducted in 15 *džemats* or local Islamic community groups. There were female focus groups at all 15 locations and questionnaires were conducted with women and religious officials at each *džemat*. Locations were chosen with certain characteristics and conditions in mind. The research team's visits to a given *džemat*/group location were generally agreed in advance with religious officials who had shown an openness for cooperation, allowing serious problems to be avoided in organising and holding discussions and meetings.<sup>15</sup>

## Study Results

### The Profile of the Study Respondents

The general data for the participants responding to the questionnaire are: questionnaire respondents were most likely to belong to the 30-49 age bracket, at 39.3%, with a further 34.3% aged above 50, 20.7% aged between 20 and 29, and 5.7% younger than 19.

As to education, 50.7% of the respondents said they had finished high school, 24.4% had finished primary school, 20% were third-level graduates, while 3.5% had a higher degree, and 1.4% had never been to school. Some 26.4% said they were in employment, while 70% were unemployed, and 3.6% did not answer this question. On life circumstances, 47.1% said they lived in independent households, 47.9% were in joint households, and 5% gave no response.

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15 The field part of the study entailed certain limitations, insofar as either not all the announced respondents attended discussions (whether because of business or private obligations) or too many respondents attended ("it got around that there would be a lecture"), making it hard sometimes to follow the study protocol set. In some cases, the presence of the imams' spouses represented an additional research challenge, as it could undermine the women's willingness to discuss openly the questions posed. That the researchers were themselves members of the ICBiH was a final research challenge, as it could lead to responses being adapted to make them more socially desirable or express bias. We think that community activism could be an advantage in the field dealing with the women, as it lent the researchers legitimacy when looking into sensitive themes, while offering respondents an added element of ease and trust.

## Women's Reasons for Attending Mosque

The reasons respondents gave for going to the mosque included: carrying out ritual activities like *namaz/salat* (daily prayers), attending maktab lectures for adults (learning to read the Qur'anic script and to recite the Qur'an...), *mevlud/mawlid* prayers for the Prophet's birth traditionally carried out for the dead at various intervals, *tevhid/tawhid* prayers traditionally carried out for the dead by the women at home or in the mosque at the time of a funeral, female socialising, etc. There are also rituals which take place less frequently and are organised as required, like activities for the month of Ramadan (*mukabela* or collective Qur'anic recitation, *teraviih-namaz/tarawiih* or night prayers, and *iftar* or the breaking of the fast in the evening), as well as a number of solemn (*mubarek*) nights marking special days in the Islamic calendar (the birth of the Messenger, a.s., the Night of Destiny, the Night of Desire, etc.). There are also lectures, courses, promotions, weddings, *aqiqah* sacrifices to mark the birth of a child, etc.

We all enjoy the English course. We are learning and socialising at the same time, which is great. We also enjoy the course on learning to read the Quran in Arabic, there are plenty of us on it... (female respondent, Gornji Vakuf)

Since I started praying, over the last 6-7 years, the mosque I come to most often is the Fahd mosque. I have studied for exams there and just hung out. I go there regularly whenever I need a break, when I want to think and meditate. I have also spent a few days in *itikaf* retreat there, when I could manage between exams. (female respondent, Sarajevo 1)

Generally speaking, the activities they attend depend on what a given *džemat* offers them. In some of the *džemats* visited there was a range of activities, while in others it was more modest. Activities for women normally include socialising, lectures, (youth) parties, *iftar*, *tevhid*, marking Yom Ashura, preparing programmes, handicrafts, reciting the Qur'an, *tedžvid*, *mukabele*, *teraviih-namaz*, Arabic and English classes, humanitarian activities, socialising, marking ceremonial days, *aqiqah* sacrifices, weddings. There were also respondents who were not able to participate as often as they would have liked. Some of the reasons they gave were:

... I work a lot, I have a lot of cows, four children; obligations with my children and the house; work obligations; there are no activities; the women are disorganised; their inferiority and a lack of interest on the part of the men in including women in any form of activity; out of fear, I guess, no one calls us, we are not informed, we have no support from the head imam; the *džemat* doesn't organise anything, if it did, I would come; aside from lectures, there are no other activities at the *džemat*, or if there are, they are only for the men...

During the study, female respondents were found to show a marked desire for socialising with other women. For some of them, going to the mosque was their

only or at any rate a rare opportunity for socialising. Because of their different family circumstances, some of the women stated that it was easier for them to leave their obligations at home and gain the approval of their housemates, particularly their husbands, for a trip to the mosque. Moreover, many of the women expressed a desire because of this for a greater wealth of content at the mosque and within the *džemat*: lectures, creative workshops, excursions, visits to other towns, connections with other *džemats*, a pool and sporting activities for women, etc.

We would have liked for someone to come once a month and give a lecture or interpret the Qur'an. That would have been interesting. (female respondent, Dobrinja)

They should organise travel for women around Bosnia and Herzegovina, to get to know, say, other mosques, buildings of cultural and historical interest, to learn about history... (female respondent, Kiseljak)

Some of the women emphasised they would have liked the opportunity to attend Friday prayers and Eid festivities.

I guess I miss the collective joy involved in Eid, joy that is shared with others. I would happily go to Eid festivities, but I don't have anywhere to go. (female respondent, Sarajevo 2)

The female respondents stressed this, particularly in the light of the fact that most *džemats* had no regular lectures or activities for women. They were of the view that it would be relatively simple for them to have some form of weekly lecture, especially through the Friday sermon (*hutba*).<sup>16</sup> It is not uncommon in some *džemats* for the only lectures for women over the year to be given by a female pupil from the madrasah as part of her Ramadan practice. The main problem female respondents have with this, aside from the lectures being too infrequent, is that they are normally given by young female students who are not in a position to provide answers to many of their dilemmas. This is particularly relevant to women's issues and how they relate to Islamic regulations, e.g. pregnancy, marriage, divorce, *hajz/ḥaiḍ* (menstruation)...

16 A comparative study conducted for the Islamic Community, the Serbian Orthodox Church, and the Catholic Church indicated that women in the Islamic Community were in the least good position in this regard. For example, the regular weekly prayers in both the Serbian Orthodox Church and the Catholic Church are commended equally to men and women and are conducted on a non-working day, viz. Sunday. This is consequently an opportunity for everyone to attend a common weekly service and to socialise with their families and other members of the faithful. There is no such equivalent in the Islamic Community. The working week in Bosnia and Herzegovina is not well adjusted to the needs of muslims, whether male or female. In addition, while there is no sharia obstacle, women in Bosnia and Herzegovina traditionally do not go to Friday prayers. (See Đermana Šeta et al. *I moje mjesto je tu!: Istraživanje o poziciji i ulozi žena u tradicionalnim crkvama i vjerskim zajednicama u Bosnia and Herzegovina*, Sarajevo: CEI Nahla, 2013).

The men get good lecturers from Sarajevo, we get girls from the madrasah. (female respondent, Kiseljak)

Men have it much easier than women when it comes to the rules for *namaz*, but also certain other regulations. Menstruation, menopause, and birth are taboo themes which people are not comfortable talking openly about. These are important topics I want to discuss. I have been known to go to the hafiz, knock on the door, and ask how to deal with a given situation. We can't find all the answers in books. That's why we need to meet up regularly, which could include lectures. By female lecturers who could answer our questions. (female respondent, Krojčica)

## The Rate of Female Attendance at the Mosque

When asked how often they attend mosque, the largest group among the women, some 30%, said it was several times a week. The next group, at 28.6%, said "just a few times a month" and "only on special occasions," while just 9.3% go to mosque every day. Fewer than 4% of the women said they go just once a week. A cross-comparison of age and frequency of attendance at the mosque shows that the over-fifties were most likely to respond "several times a week" (52.3% of the total for this response), while younger women were more likely to answer "several times a month" (77.5% of the total for this response), followed by "only on special occasions" (70% of the total for this response).

This indicates that older women are the segment of the female population most likely to be present at the mosque, while younger women come to the mosque less frequently. The survey showed that female respondents don't go to regular services and when they do it is mostly to the morning, evening and night-time ones, i.e. the *sabah-namaz/fajr salat*, *akšam namaz/maghrib salat* and *jaciya namaz/isha salat*. Most respondents said they go only from time to time and many of them that they are not in a position to attend regularly because of work or family duties. A certain number only attend on special occasions, when there are events at the mosque, to mark important dates in the history of Islam, or for *tevhid*.

Because of work duties and my fairly specific work hours, I rarely manage to attend *namaz*, even if I would really like to, but I just can't fit in everything and get to these meetings... (female respondent, Kiseljak)

Men have prayers every Friday and get to hear useful things there. While my late dad was still alive, he would always retell the sermon to my mother. Women don't have that. Women get just one lecture from Ramadan to Ramadan, given by a muallima or some female madrasah teacher as part of their Ramadan training practice. (female respondent, Veliki Lug)



From these and similar answers, one may see that one reason women do not attend mosque regularly is that there is nothing organised for them at their *džemat* or what is organised is not adjusted to their needs (obligations) and/or they are not informed. It is noticeable that there tend to be more older women at the mosque than younger ones. The younger respondents state that they have many obligations, but also that they don't have a clear idea of what to go to the mosque for. This is particularly the case for respondents who said they expect some form of more clearly organised and more transparently advertised activities for them to attend. Even when there are activities, there is no a regular schedule, or the schedule gets changed a lot. Such information is generally passed on by word of mouth, without official notices on notice boards, the mosque doors or perimeter gates, or the *džemat* Facebook page, making it less than straightforward to get information on when (women's) activities are being held if one is not actually present in the *džemat*. It is also possible that this way of transferring information fails to inspire confidence precisely in those women who are not in the habit of attending mosque regularly and only hear by chance about the things occasionally organised for women at the mosque.

## Women's Activities and Organisation at the Mosque

Female respondents were also asked about their activities and how organised they are within the *džemat*, as well as the roles they carry out. Women are generally not in management or decision-making positions in the *džemats*. Based on the data collected, one could conclude that their role is often passive; they come to *namaz*, lectures, courses, or other content, if and when organised. Some women are a bit more active; they organise *ifitar*, teach/learn *mukabele*, initiate women's activities, and help with cleaning the mosque and the ancillary religious buildings (even if most *džemats* generally pay someone for maintaining the mosque). Women are sometimes also engaged to help other *džemat* members, give lessons, etc.

One finds a somewhat greater degree of organisation amongst female respondents in places where the female section of the *džemat* receives more attention. This sometimes happens where there is an active imam or a woman with a special interest in the female *džemat*. A muallima or the imam's wife may sometimes take this role, or it might be one of the female member of the *džemat*...

It's great here. We socialise, we organise get-togethers and celebrate Yom Ashura. We have Qur'anic *halke* or readings, public meetings and various lectures. We study and recite the Qur'an with the muallimas and then they explain the various regulations to us. I only joined here recently, but I'm really happy. It's particularly nice at the Qur'anic *halke*. Even when people have other obligations, they always make time for the *halke*. (female respondent, Kakanj)

When we started up, there were about ten of us. Then, it began to blossom. Not just with the Qur'an classes, but also organising humanitarian activities, travelling, public meetings, get-togethers, and *mevlud*. They totally lead the town when it comes to female activism. There are around 100 Qur'an students here. We have cases where a grandmother, daughter, and two granddaughters are studying the Qur'an together. Or a mother and daughter-in-law, or two sisters, two sisters-in-law, friends... A lot of friendships have been born here. We follow events in the town. They call us as guests, and we invite them. This is a place for women. (a muallima)

In places where the women have organised, they have succeeded in doing good and successful things, some of which last years.

We have organised a number of *iftars*. The mosque organises an *iftar* for children. And the women prepare one, so that each woman brings a dish from home and we all meet up at the mosque. Then there are *iftars* organised together with neighbouring *džemats*. For example, The Youth Division from Srednje come to us, and we go to them. We have a lot of activities. (female respondent, Nišići)

I promote the major *iftar* for women every year. The Effendi turns on the outside speakers in the *masala* or courtyard. He called M. this year to hold a lecture. There were 50 women and 80 children. With the *džemat iftars* and *iftar* for the youth section, there's always something social going on. (female respondent Sarajevo 1)

The results of the study show that the *džemat* women's section organises more and better activities when there is a designated individual with responsibility for them.

During Ramadan, we have a women's *mukabela*, when we women organise *iftars*. When we need something, we have our boss. We work together, when someone has to be visited or we need to collect voluntary contributions. (female respondent, Tuzla)

We have a lot of activities during Ramadan. The kids have their own *mukabela*, the women have two, and we have a hafiz *mukabela* at noon. Once the hafiz had confirmed that we had mastered the Qur'an, one year our respected head imam authorised us to recite the full Qur'an or *hatma*. There are around 40-50 of us reciting the *hatma*. On average, around 30 normally turn up. (female respondent, Tuzla)

All the female respondents pay their regular dues to the Islamic Community. At three of the locations visited, the respondents had set up their own internal membership dues (2-5 KM a month) which they use to cover the costs of assistance, snacks, and other things they need for work, even if they are already paying their regular membership dues and as members of the Islamic Community should have access to a certain allocation from those dues.

Asked whether they have anyone to turn to if they have doubts regarding their faith, 64.3% of them said they do, 19.3% said they do not, and as many as 16.4% gave no answer. They said they usually talk to the imam, muallima, or the

imam's wife. The respondents stated that they ask their (female) coordinators or representatives first, where such exist, e.g., representatives from the Women's Association, committee members, the muallima, or the imam's wife, etc.

Only at one of the groups visited was there a female hafiz paid to work with the women in the *džemat* (she was in fact hired by the *Foundation for Studying the Qur'an* which had offices in the mosque premises), while at four there was an active *Majlis Women's Association*, which covered all the *džemats* of the majlis, to the degree they could (of the four female coordinators, two received remuneration, two did not). At the remaining ten locations, any coordination of the female section of the *džemat* that does take place is exclusively on a volunteer basis (the imam's wife, female *džemat* members or the muallima). These women are normally acting on their own initiative and without compensation, which results in problems ensuring the continuity of work and the lack of a systematically organised approach to work with the women (depending on time, accessibility, readiness, competence, personal living circumstances, etc.). This often causes work with the women to be little more than sporadic volunteer activities for which no one is obliged to take responsibility, with regard to either organisation or content. These women very often carry out activities for the (women's) section of the *džemat* without pay for which the imam is actually paid.

The imam's wife can act as liaison between the women at the *džemat* and the imam, but she can also be a bone of contention. She has no responsibilities in any case. (female respondent, Kakanj)

I think that for me as muallima and for my female colleagues, I can speak in their name, that it meant we could get out, grow, and prove ourselves. I have developed myself so much through all of this. I don't get anything for all this work but working on myself has meant a lot to me. Our husbands and our families get nothing from all this, and if my husband hadn't seen the value in it, he probably wouldn't have supported me. We have so much support, and I think that very few husbands from the Islamic Community would support this level of volunteer work. If I haven't been for a while, my husband will say to me, "It's a long time since you've been, I see that you're missing something. Go down for a bit." (muallima)

## The Male Part of the Džemat and Institutional Support for Women's Activities

For the female section at the *džemat* to be active, a single individual has to take responsibility for the work. On the other hand, women often don't feel called upon to take leadership of the group. They also often have doubts about the level of support they will get from the male section of the *džemat*, as they may not be entirely sure about how this activity will be received.

In my *džemat*, the imam didn't accept us at first. Once he realised that we had no intention of detracting from him in any way and that we were actually bringing something to the table, he let us get on with our work. He didn't get in our way. (muallima)

We always need some type of initiator, somebody to lead, how should I put it, to get things going. Then the women are up for anything and get very involved. They want it, but they lack support from anywhere. As our sister here says, women aren't included in organising religious events, and they don't sit on Islamic Community committees, they are just not there. (female respondent, Lukavac)

In places where self-organised women's (volunteer) initiatives within the *džemat* have managed to survive for a longer period of years, there tends to be a desire for respect from the male officials of the Islamic Community, which the women feel to be generally lacking. The female respondents are aware that religious life depends largely on the imam and his degree of engagement, ideas, openness, and interaction with his *džemat* members. In their view, some imams pay insufficient attention to the female section of the *džemat*, in particular, and are closed to ideas coming from the women. Some of the women even claim that they have addressed their imam and/or chief imam with a proposal to organise something for women and get involved in the religious life of the community but have been met with rejection or unwillingness to cooperate.

I saw that it was in his (the imam's) interest to build up a *džemat* organisation of sorts there now. I contacted him two or three times, I don't remember now whether it was by email or through Facebook, about me organising something for the women. But the man never replied to me, neither of those two times, so I don't really know what the problem is. I suppose, maybe he prefers to be addressed personally, would prefer me to call him or actually call in on him. I don't know what he wants. (female respondent, Sarajevo 1)

We prepared a presentation and we went to the chief imam. I did the presentation of our project, as we envisaged it and saw it developing in the future. He thought it was a good project and said he would support us in any way we needed. He asked why we'd come to him. I told him that we wanted to have a women's action group within the framework of the Islamic Community, like the women in Tuzla do. He said, "But we already have a women's action group, with between 130 and 150 muallimas." I asked him what they do, what their activities are. Can you imagine, 130 people? Just think of the human potential. He said, "well, you know, they organise the *tevhide* and *mevlude*." (female respondent, Sarajevo 2)

Insight from the field makes clear that what bothers the women most is passivity and indifference towards their activities and lack of recognition for their work, while the fact that it is unpaid and voluntary is not something they emphasise at all. Given the lack of support and recognition, they lose their enthusiasm and desire for work entirely.

The middle-aged generation, slightly older women like us, have been rather neglected, both in religious and cultural terms. We do get cultural and religious education, of various sorts, from the muallima, during which the muallima will first tell us a nice story and then read us something nice. They should show these activities on the TV. They have religious programming, and it's always a hafiz or an effendi or someone else of that sort talking, but there's never a muallima, never a woman. Why are there no women talking? Why aren't they being put forward? There are always going on about mother this, mother that. We've been active for 10 years now, and we've never had a single official visit from the Islamic Community. Why does nobody ever visit us officially to see what we are doing? Or make a public statement congratulating a muallima. (female respondent, Lukavac)

The female respondents state that nobody is actually preventing them from carrying out activities, but that there is rarely any form of support or respect for them.

I think the problem is at the top. Those in charge should tell their subordinates what to do, like, the Rijaset should tell all of the majlis councils of the Islamic Community what they should be doing in practical terms with women. I mean, for heaven's sake, we are human beings too. We should be equal. If we have equal rights before God, then we should be equal in society. Particularly when it comes to Muslims who have had a formal religious education. (female respondent, Mostar)

There should be a system, so that every majlis gets a letter from above, from the Rijaset. There isn't a chief imam amongst them who would answer, what do I need women for? I've witnessed it with my own eyes, when they ask what you want, and the imam says "Here, they take the roosters to slaughter as soon as they start to sing." I mean, what's up with you, what do you want? It's not like we're competition, we're partners. Go to any *džemat*, and you will find two lines or a long line of women for every half a line of men. (female respondent, Kakanj)

One of the female respondents also thought that the men sometimes abuse the privileged position they enjoy and indulge in selective interpretation of religion.

The hadiths and the ayets that are generally quoted and used serve male interests. I'm paraphrasing: "had Allah ordered anyone to prostrate themselves, he would have told women to do it to their husbands" or "Gehenna will be full of women because of their dissatisfaction with their husbands"... Something I have heard a lot recently, and struggle with, is wrong-headed opinions on the position of female believers in society, based upon statements that Allah gave it to men alone to lead the *džemat*, that a man is always a step ahead, and so on. On one occasion I heard a mufti boasting about how active the women in his mosque were, but those activities were still just baking cakes to raise money for the mosque. Their role as cooks within the mosque is what the men find praiseworthy. Is that the best we can do? (female respondent, Tuzla)

Views such as these are found even in locations where the imam does show confidence in the women, providing support to their initiatives and engagement.

We were in the area where the kitchen is now. It was a storage room and we asked the imam what we should do. He said to go down to the market to get a jug for a couple of KM, some cups, a pair of small coffee cups and a pair of mugs for guests, some glasses, so that we could invite people to sit down. So practically it all started with that idea of our revered hafiz, from that jug. That's how we started, and I really do think that today we have literally everything (...) Then we wrote a letter to *Preporod* for the imams, that the imams should look to their own *džemats* to ensure that the women got more organised and more responsible, that all the *džemats* can do something. Our mosque is really busy, day and night. The doors to the mosque are open, with everything properly written up, the hafizs have a timetable for Qur'anic recitation, and you always know who's going to be in the mosque when, so it's not just let's go to the mosque on the off-chance. (female respondent, Tuzla)

## The Role of the Muallima

The role of the muallima is very important in work with the women. At present, the nature of the role can vary considerably from location to location and depends on many factors (the needs of the *džemat*, the sensitivity of Islamic Community structures, how organised the *džemat* is...). We encountered active muallimas in a number of places. Most of them work for free, though some do receive a minor occasional stipend.

The Muallima can recite the *tevhid* and *mevlud*; tend to the dead; teach at the maktab; be a female leader or guide on the hajj; assist the imam in work with the female section of the *džemat*; give courses in Qur'anic Arabic, lead Qur'an recitation, organise women's *mukabele* during Ramadan, give lectures, hold educational meetings, and various courses; carry out humanitarian and charitable work, organise fundraising drives, visit single mothers; organise personal training and spiritual upbuilding; look after *vakuf* (an Islamic endowed trust) property and encourage charitable giving; organise social events and excursions; promote events to keep traditions alive, networking, building bridges and friendships... (a muallima)

We have female personnel who have been going to school since the GHB madrasah was started, but a proper solution has never been found. At least, if we look back in history at what women have been entrusted with as tasks. (...) In the end, why would an imam teach the women to read the Qur'an, if he has five unemployed muallims in his *džemat*. (a muallima)

## Muslim Women's Organisations

A phenomenon that does appear in the light of this situation is the existence of a range of Muslim women's organisations<sup>17</sup> which deal with problems and challenges facing women in Bosnia and Herzegovina in different ways. It would appear that because of the lack of understanding or space created for them in the existing structures of the Islamic Community, women have gradually begun to organise in different ways, with a view to deepening their own Islamic knowledge and participation in activities they consider socially useful and valuable. One also gets the impression that these organisations are far better at adapting their programmes and activities to the needs of different profiles of women and so can attract a larger number of women of different ages, educational levels, and family/marital status. Muslim women's organisations offer women time and space, "what has long been needed, but equally what the management of the Islamic Community has had no sense for."<sup>18</sup> In this way, women are bound together into organisations and groups, where they can talk openly about their problems and concerns, "and in this way they create an ideal justification for the Islamic Community, which can answer criticism about the lack of women in its activities by pointing the finger at these organisations."<sup>19</sup> Even some of the imams who participated in this survey suggested that there was no need for us to come to the *džemat*, when we could visit specific female organisations.

I don't want the leading institution for Muslim women to be a non-governmental organisation. It should be the Rijaset. My eyes are really glued to the new management team, as I'm aware that they had a good approach to women in their mufti-ships. Those women didn't get paid either, and that will come, but they did have the resources to do their work. I'm now trying to organise a public meeting and have no budget for fuel, I have to make do, and it's all pretty silly. You can put up with it for a year or two, but it is exhausting me. It's not the solution. (a muallima)

We put forward a proposal to have the muallimas organise a public meeting on behalf of the Islamic Community, with the seal of the majlis. We didn't want to organise ourselves as a non-governmental organisation, though that is what we were advised to do. It would be easier, but it's not what we wanted. We just wanted the seal and to go forward under the logo of the majlis of the Islamic Community and we were insistent about that. In this way, the concept of the muallima is clarified, what she's there for and how she can contribute, because practice up until now has been, and still is in most majlises, for the muallima to be the bula who sets things up in the mortuary. (a muallima)

17 CEI Nahla, Iskre, Sumejja, Tesnim, ŽEO Kewser, etc.

18 Senada Tahirović, "Muslimanska teologinja u bh. društvu – pozicija i uloga," *Novi Muallim*, X:40 (Winter 2009), 32.

19 Đermana Šeta, "Muslimanski ženski identitet u Bosnia and Herzegovina," in *Prevazilaženje tradicionalne uloge žene u crkvama i verskim zajednicama Zapadnog Balkana*, Ivana Bartulović (ed.), (Belgrade: Centar za teološka istraživanja, 2013), 120.

## Female Accessible Mosque-Space

Regarding mosque spaces that are accessible to women, it was our intention to gather data on the prayer spaces available to women within the mosque, the *abdesthanas* or facilities for ritual ablutions, their degree of accessibility and appropriateness, and ancillary premises associated with the mosque. As to prayer space, most women agree that appropriate space for prayers is allocated to them in all mosques. Sometimes these are women's balconies (*mahfili*), and sometimes they simply worship in the main body of the mosque behind the men. We received a variety of answers regarding the appropriateness of the prayer space allocated. Some women were unsatisfied at having to worship in separate areas (for example on balconies or in physically separated space), as it makes them feel uncomfortable. In their view, they have a right to be in a common prayer space and to experience a sense of the oneness of the *džemat* during prayers, which segregation and partitions make impossible. Women sometimes come to pray behind the men, as a result, in the central prayer area (this is sometimes also for technical reasons, like better heating, a lack of windows and/or of air conditioning in the female section, or for health reasons).

I'm quite ready to start using certain mosques based on what type of space they offer women, in comparison to the space for men. Ever since they closed off the space for women with a wooden barrier in the Bey's mosque, after Ramadan, so that the women now make their prayers in front of a wall, I stopped going to the Bey's mosque (...), since I have no desire to be staring at a wall while they get the whole mosque as their central space. (...) I like it a lot better when I'm not looking at a wall in front of me but get to have the whole area of the mosque and to see the imam, so one single space and people praying together in that space. That is what matters to me. (female respondent, Sarajevo 1)

Some of the female respondents, on the other hand, state that it suits them for there to be special separate spaces for them, as it allows them to feel at peace and to concentrate and dedicate themselves to prayer. It is clear that this issue can cause tensions in some *džemats*, but that at the same time the faithful in some of the *džemats* visited do manage successfully to meet everybody's needs.

I am in favour of women being separate while praying, because it's not really very nice when the men have to pass in front of the female rows. It's uncomfortable for them and for us. I would prefer for women to listen when they are told to go upstairs to pray. (female respondent, Kiseljak)

This is what I think about the attitude of our *džemat* members towards women. I haven't visited many mosques, but ours is the only one where the prayers are conducted according to the hadith, the women leave first, while the men stand and wait. There is no everybody pushing their way through a single door, as does tend to happen in other mosques. Here the men all stand and wait for us to leave, and then they go out. It's surprisingly rare to see that. (female respondent, Krojčica)



There are examples of a negative attitude towards women even in those facilities where they pray together in a single mosque space, behind the men.

Our mosques are architecturally designed so that there is always a section for the women, whether it's a terrace or a separate balcony, and I'm fine with that. But it does bother me if there is physical space, if, you know, the male rows have filled up and there is empty space behind them and they still say "Women, upstairs!" That isn't encroaching on the male space, let's be clear about that, as it space that remains empty during prayers, is that space isn't filled up by men. I don't know who the smarty-pants architect of our mosque was who decided not to put any windows in up there. Just imagine what it's like up there in the summer, when you're on that terrace and the smells are all suffocating you and you can't open a window to let in the air. (female respondent, Sarajevo 1)

Turning to the question of a place for ritual ablutions (the *abdesthana*), the female respondents generally said that there was a number of difficulties in this regard. Out of the 15 *džemats*/groups visited, there was a female *abdesthana* at only four locations, while at two of them there was no *abdesthana* at all (there was an ancillary building beside the mosque whose toilet could be used for ablutions, if it was unlocked), while in the remaining nine *džemats*/groups the women stated that there were no facilities for ritual ablutions at the mosque. The female respondents pointed out that the problem of an *abdesthana* is equally present in surrounding localities and mosques where they sometimes go to pray. Often, the only *abdesthana* is outdoors, in the form of a fountain, and the *abdesthana* is sometimes a common one shared by men and women, but that in some places there is a separate female *abdesthana*. Cases were also noted where the women's *abdesthana* was locked, or used for storage, or didn't have suitable curtains on the doors and windows. The women also stated that it has been known to happen that the men enter the female *abdesthana* unannounced.

There is an *abdesthana* problem in quite a lot of *džemats*, as the *abdesthanas* are outside, I mean they are *šadrvani* [fountains], or they have common *abdesthanas*, and not separate ones. If my husband and I are out somewhere and we hear the *ezan* [call to evening prayer], I will say to him we should wait till we get home to pray, since I know full well what I'll have to go through while carrying out ablutions. (female respondent, Kiseljak)

A year or two ago, when we were making night prayers at *teravija*, the imam would tell us to go home, as we would be starting at 1 o'clock. What else could I do? Where was I supposed to do ablutions? I would hurry and be all out of breath by the time I got home. As soon as I'd carried out my ablutions, I'd be on my way back. Should I have called on the imam's wife? I didn't want to be a bother. (female respondent, Veliki Lug)

There was an area outfitted for female ablutions in one of the *džemats*, thanks to an initiative by a proactive female *džemat* member.

We used to have a shared abdesthana too. After one of the sisters put in a lot of effort, they separated off an area this year for us women. It's the same abdesthana, just before it was open. So, a man could come along and push in with me. As I told all the members of the *džemat* and the imam, how can a woman be expected just to roll up her sleeves, if you'll pardon me, and lift her legs up onto the basin to perform her ablutions, with the men passing by like that? I made a right nuisance of myself for two years. But I did it. All they had to do was knock through one door and put in another, put up some plasterboard here and build a bit of wall. Now it's perfect. (female respondent, Veliki Lug)

On the issue of women's spaces in the mosque, it is also worth noting that the female respondents point out that the attitudes displayed by the faithful at the mosque towards mothers with small children are not always good. The women point out that they are often the targets of recrimination and scorn, that they don't feel welcome, which causes them to reduce over time how often they visit the mosque themselves or with their children. It would therefore be very useful for the imams to appeal through their sermons for the *džemat* to display a more appropriate attitude towards mothers and children.

If children are welcome in a mosque, then that is automatically where the young mother will go. She will feel invited through her children. It's an absolutely different thing. I'm no longer flying solo, and you have to accept me as I am. It's simple enough, if I have that sort of communication, then I feel at ease in that mosque and I'll go there more frequently. If someone says to me "what are you doing bringing your bareheaded child when they are praying a *mevlud*." You know the sort of awful comments... That's how women end up being shut-in. A lot of young women have no habit of coming. How can they come, if they have to bring the child? And if they bring the child, they'll be given a hard time. (female respondent, Sarajevo 2)

If I have to keep hushing my child, and telling him not to move, not to squirm... When he is a bit older and I ask him "Listen, why don't you go to the mosque? Why don't you go to prayers? Why do you prefer the coffeeshop to the mosque?" Well, naturally he likes it better where he feels socially more accepted, and just yesterday he was treated as basically just a wee nuisance. (female respondent, Dobrinja)

Regarding other female-accessible areas, all the visited locations had at their disposal a classroom or space in which women (or men) could organise additional activities. All the mosques had premises either inside or alongside the mosque where maktab classes could be held, or courses, or regular gatherings, so that finding space is not generally a problem for this form of activity.

## The views of the female respondents on women's inclusion in decision-making in the (local) organs of the Islamic Community

Asked "Are there any questions or problems in the *džemat* that women should be involved in resolving?", 51.4% of the sample said yes, 29.3% said no, while 19.3% of the women gave no answer to the question. The respondents made specific mention of communal problems affecting the entire *džemat*, but also problems specific to the female section, which they felt were not being appropriately addressed within the community. Examples of specific problems and issues of the mosque which women should be involved in resolving included:

... Women should be involved in *džemat* committees and executive committees of the majlis so that they can take part when decisions are being made; the presence of women at Friday prayers and the sermon, because they don't have a weekly sermon (*vaz*); they should be included on all issues, I don't see any reason that they shouldn't participate on any question; organising sporting activities for women; the maktab parents' committee; I don't think there are any issues affecting the life of the *džemat* that don't affect women; decision-making about *džemat* activities and the lack of a women's abdesthana...

It is clear from the findings of our survey that the female respondents are not generally very well informed about Islamic Community elections, even if they have almost all been members of the Islamic Community for years and regularly paid their membership dues. As many as 83% of the respondents reported not availing of their rights to vote or stand for election.

- But no one ever told us women could vote. Only the men voted and they proposed men. No one ever told us and I didn't know that women could sit on *džemat* committees. (female respondent, Mali Lug)
- I have never voted. They decide on that Friday prayers, we are not there, and that's the end of that. I suppose it suits them for three or four people to decide. Don't cause too much of a fuss. Don't make waves. The fewer people involved, the fewer the obligations. The path of least resistance. (female respondent, Kakanj)
- I have never voted, I don't even know when the elections are. I didn't know that was a thing. The men know, they wrap it up. (female respondent, Mostar)
- In only two of the *džemats* visited (both in the Tuzla mufti-ship) did the respondents report regularly participating in elections and voting. In the other *džemats*, female participation in elections was negligible and random.
- All the female members of the *džemat* come out and vote, it's all exactly as it should be. (female respondent, Tuzla)
- The effendi told us that we could and should vote, so we all do. (female respondent, Krojčica)

- Most of the respondents had no idea that there were elections for members of the *džemat* committee, or when they were, or where, or how they were carried out. Nor were they well informed about the activities and work of the *džemat* committee.
- A bunch of men sit on it. My son's been there from the beginning. I really don't know anything about it. If he were here, he'd tell you all about it. (female respondent, Dobrinja)
- Well we don't know. I don't even know who's on the *džemat* committee, or when we're supposed to vote for it. Women aren't asked about these things. (female respondent, Gornji Vakuf)
- Most of the female respondents have never heard that women can sit on the *džemat* committees, and in fact many of them thought that it was forbidden either by custom or religion and that only men could serve on the committees. Out of the 15 locations visited, in only two of them was there even one female member of the *džemat* committee and both of these were in the Tuzla mufti-ship.
- None of us is aware that the Islamic Community statutes generally allow for women to carry out any function or role. Are we told about this? Well, let's say that the muallima, this one... gives really lovely talks during Ramadan, she reaches out to the young ones, and so on. But has the theme once, just once, been, let's say, the rights of women in the *džemat*? (female respondent, Gornji Vakuf)
- I don't think that there is even a single woman in any *džemat* committee in Mostar. (female respondent, Mostar)
- Asked whether they would personally accept a position on the *džemat* committee, 46.4% of the respondents said yes, 25.7% said no, and 27.9% gave no answer. Correlating these positive responses to age group, we find that the younger the respondent the greater the readiness to join or sit on a *džemat* committee (20-29 years of age: 51.7%; 30-59 years of age: 47.3%; over 50: 43.7% of the total number of responses for that age group).
- In further conversation, some of the respondents said that they would be happy to stand and serve on the *džemat* committee, because they think that if women constitute the *džemat* and come to the mosque, then they also have the right to participate in decision-making processes regarding the religious life of their community.
- The climate here would simply not allow that to happen, I guess. But it would be an excellent thing if women were to get themselves onto the *džemat* committee and fight for women's activities. A woman who has her wits about her, knows what she's going to say and what proposals to present, wouldn't necessarily cause a breach. She'd have to agree things in advance with the other female members of the *džemat*, of course, as to what was needed most this time, something else next time. Even fighting for just one thing for us would be great. (female respondent, Nišići)

- Oh, that's a super idea! And you know why? A woman as a woman will speak about what happened at the meeting in the neighbourhood and will pass it on to others, so that it gets passed on as it should be. That is really positive. If we can manage to get it, that is. But, I've been working for 40 years in education now, and I never knew about this and no one ever told me. I didn't know. Why wouldn't I have voted? (female respondent, Gornji Vakuf)

Asked if they would accept being a member on a *džemat* board, most of them and said that they would do it for the following reasons:

- It would be a good way to ensure "women's issues" are talked about - 24.3%
- Since women come to the mosque, they should be represented accordingly - 15.0%
- I like volunteer work and activism and like to be useful - 12.9%

A smaller number of respondents felt there was no need for women to sit on the committees, as women never had done so and it was really a place for the men. These respondents would not accept being members of the committees, as they have no clear understanding of what they would do there, what their duties would be. Some of them thought it wasn't in accordance with religion for women to sit alone with men and that some other solution would be better, like setting up a parallel female *džemat* committee to deal with women's issues.

There are enough men for them to handle that. A woman should be on the committee only when there aren't enough men. That's what the tradition is, so far as I know. (female respondent, Nišići)

Well presumably our interests are represented, and for me that is... I don't know. If they were to offer it to me tomorrow, I don't see how I could accept it. I don't know what I'd do there. What would I do there with all those men? (female respondent, Dobrinja)

The respondents were asked how they thought the men would react if women expressed a desire to become members of the committees. The most common responses are given below.

- Don't know - 37.1%
- They wouldn't be happy to have a woman as a member of the committee - 32.9%
- They would accept it as a matter of course - 18.6%

Cross-referencing answers to this question with place of residence, we find that respondents from larger urban areas were more likely to think that "the men would accept women on the *džemat* committee as a matter of course," while those from smaller semi-rural or rural areas were more likely to think that "the men would not be happy to have a woman as a member of the committee."

During the focus group discussions, the respondents were generally agreed that the men would react negatively to a proposal for a woman to join the *džemat*

committee or that they simply wouldn't take her seriously, and that she would end up not participating in decision-making.

They'd be in shock. Just think, five grandpas sitting there, and some woman turns up to join them. The first thing they'd say is put on the coffee there dear. Her role would be to bring cakes regularly to the sessions. (female respondent, Sarajevo 1)

The men would not accept it. There's no chance they would support it. There would be a breach between the men and the women, if they were to propose a woman at all. First off, the men wouldn't recognise anything that that woman proposed there. (female respondent, Nišići)

In a youth association attached to an Islamic Community Majlis, the girls were allowed to sit on the youth association steering committee.

There were only males on the steering committee of the youth section. The women had wanted to organise something for women, and for girls to be part of the steering committee... And the men responded to her that it was against sharia for women to be on the committee, and how could women be in a position of authority. What type of authority?! It's the youth branch of the Islamic Community Majlis K. What type of authority are you talking about man? Anyway, she lost the plot. She went above their heads, through the imam and the chief imam, through everyone, and they made it so that girls can now be on the committee. Basically, when it turned out to be a problem, the girls decided to suspend their help to the association. (female respondent, Sarajevo 2)

There are, however, female members of the *džemat* committee at two of the locations visited (in the Tuzla mufti-ship). What is more, one of the female *džemat* members present was also a member of the Tuzla Majlis executive committee.

I am a member of the *džemat* committee. They proposed me. And I don't find it uncomfortable. It's great. It's useful, women understand women, it's different. (female respondent, Krojčica)

Is important to note that both the female members of the *džemat* committees were proposed for the position by men from the *džemat*. This was also the case for the woman serving as a member of the executive committee.

To this day I have never been able to find out who proposed me for that shortlist. I really was honestly surprised when I saw myself on the voting list. I said to myself, there are female members of the *džemat* who have been here for a long time and who have been very active. And it looks like some of the men have recognised and supported that. (female respondent, Tuzla)

This has not been the case in other places. This makes clear that male openness and willingness to support women is very significant for the quality of female inclusion in the work of the *džemat*:

There's practically no sensitivity in the *džemat*, or in the majlis, or indeed in the Rijaset. When we were choosing the majlis executive committee, I was on hajj, as was the chief imam. When we returned, the elections had already taken place. I asked but why didn't you talk with us so that we could have proposed two women for the majlis executive committee? He said, it never occurred to us. I've nothing against it, that would be super, but it never occurred to us! (female respondent, Kakanj)

The women fast, prepare *iftar*, and wait, and then there are the images of the Bey's mosque always full, just men, going around handing out bajram alms, and I've never seen any women shown, not even as somebody's wife. (female respondent, Mostar)

In analysing the potential for greater inclusion of women, one should mention that the respondents proposed various ways of approaching the issues of women's representation in positions where decisions are made on the implementation and organisation of religious life.

I don't think that there needs to be a woman on the *džemat* committee, sitting in that way next to the men and deciding together with them. Firstly, I don't think that that is allowed by sharia, and it's also not entirely realistic here or possible to achieve something like that. But setting up some type of parallel committee, that would mean that we decide on our own issues, that we organise our own *džemat*. (female respondent, Dobrinja)

What I might propose to the Islamic Community is that there could be a regional female adviser who would have influence and she could be given some authorities through the Islamic Community. In this way, the imams and all the local *džemat* committees would have to consult with her. She could have some regular activities in addition to that. (female respondent, Gornji Vakuf)

Some of the respondents saw an additional barrier to including women on the *džemat* committees in the need to ensure that meetings not be held in the mosque, because women were not always in a position to enter the mosque from a position of ritual purity. Most respondents did not see this as an obstacle or problem, because the reason for going to the mosque in this case was not a ritual one.

## Attitudes within the official structures of the Islamic Community on women's presence and participation in Islamic Community bodies and organs

It is clear from the results of the survey presented so far that the respondents view the Islamic Community as not always sufficiently open to female participation (activities in the mosque, inclusion on committees, et cetera). The reasons for this

are certainly multiple, but the ones most often mentioned were their view and perception that it was because the Community had a greater focus on men and favoured the male viewpoint. As stated above, in addition to the female respondents, the study also interviewed religious officials of both sexes and high-ranking employees of the Islamic Community in Bosnia and Herzegovina. We will now look at some of their responses.

The roots go deep, the problem is structural (...) The girls are brought up in our madrasas, unconsciously, I can't say it's consciously, to be a little more withdrawn than would be quite normally the case. If there is a discussion at the University, only a very brave girl or female student will pipe up, generally it'll only be from the sidelines... I have noticed that the girls who are with us in the editor's room, and we generally choose the best girls, are a bit more withdrawn than seems entirely natural. It's the same at university. I think there are too few opportunities for female students to stand out, to gain confidence. When has there been a female student president of the Student Association? Never. I mean to say that male psychology permeates it. I don't have any illusions that in 3 to 5 years we will succeed in changing the mental outlook of people here, but I am sure that if we make a point of talking about it we can achieve something. (A.K.).

The problem is in people, even the people who are promoting and pushing this issue in their work, because they're not consistent. The problem is in us, the problem is in us not being honest about this, but time is needed for that. (E.T)

Some of the answers to the question as to why there are so few women on the *džemat* committees:

- *Because of stereotypes and prejudice*
- *The specific nature of smalltown environments*
- *Because of the women's obligations*
- *Because they never have been and never will be, and Allah knows best*
- *A lack of interest, primarily on the part of the imams and the executive committees of the Islamic Community councils in getting women involved in the work of the committees*
- *Because of the predominant general view that this is a male role*
- *Lack of interest amongst women*
- *Lack of understanding amongst men*

Some of the answers to the question on how to increase women's involvement in *džemat* committees:

- *It would be difficult, maybe impossible because of the Majlis, which has no understanding for any type of initiative*
- *I think that the members should be people including women who can contribute to the work of the džemat through their knowledge and work*
- *I don't think that the solution lies in formal membership, it's more important for women to be present in all džemat activities*



- *To have a woman who will communicate with them*
- *Maximum distance from the imam, because of affairs*
- *Introducing women to how things work in the Islamic Community, particularly on the džemat committees*
- *Effendis who encounter women with the capacity and the will for such work should propose them and include them in the work of the džemat*
- *Women would be more constructive, particularly in areas related to them*
- *That's a good suggestion, I'm surprised and I'm asking myself why something like this has been a taboo theme up until now, given that we were very aware of the role women have always played since the beginnings of this sublime religion, from the time of the Messenger and the exemplary companions, some of whom were women.*

## Major findings of the study

On the basis of the demographic profile of the female respondents who participated in our study, one may conclude that the women who attend mosque in Bosnia and Herzegovina tend in general to be persons whose highest level of education is a high school diploma, who are unemployed, and who are middle-aged or older.

For ease of review, we shall present our findings in the order of the tasks set.

### *a. Reasons for and frequency of visits*

- Women go to the mosque when there is something useful or of interest to them on offer there, especially when it is provided in a way that is tailored to their needs and capacities.
- Women find it important that an activity or event should be clearly and openly announced. Otherwise, only a few of the more elderly women are likely to attend.
- The younger women were more likely to say they went to the mosque "once or twice a month" (77.5% of all those giving this answer) or "only on special occasions" (70% of all those giving this answer).

### *b. Degree of activity and organisation*

- The degree of activity and of organisation depends directly on the involvement of the imam or some other individual (a female member of the džemat, the imam's wife, the local muallima...) and whether or not there is a women's association as part of the majlis.

- Other than the imam, nobody involved in organising the women in any way receives payment for it, as a rule; they do it in their own free time and the quality of any activities depends upon the capacity, availability, and enthusiasm of the women themselves, in the absence of any systemic arrangements.
- Creating women's associations as part of the majlis might be a good way to improve the situation, but at present they exist only sporadically and in different forms, so that there is no systematic approach to establishing or running them. In the end, any organised activity on the part of the women depends on them themselves, generally speaking without much encouragement from the structures of the ICBiH (at any level), so that there is a general lack of male support for such work or organised activities, whether we are talking about material support (where men normally have the deciding voice) or even just moral support. Organising such activities is noticeably easier and longer lasting in places where some degree of even sporadic support for such work does exist on the part of the (local) Islamic Community bodies.
- Muslim women's organisations represent a particular phenomenon insofar as they seem to attract younger, educated women who in this way find themselves transferring from the ambit of the ICBiH into one that offers them a higher quality of spiritual, religious, and social content, but is more in line with their needs.

### *c. Physical accessibility of premises*

- The study found that mosques dispose of enough physical capacity for women's activities, as regards accessible premises and classrooms that can be used for these purposes.
- A female abdesthana, or room for women to carry out ritual ablutions, is a bigger problem as in most cases there either is none or it is not in usable condition. The existence or not of a usable female abdesthana at the mosque speaks volumes, at the symbolic level, about respect for women's needs, and it sends a very important message.
- There are also challenges regarding bringing children to the mosque, which is generally considered an exclusively female obligation and responsibility.

### *d. The presence of women in (local) Islamic Community bodies*

- The study demonstrated that female respondents barely participate in the work of the *džemat* committees.
- They rarely use their rights to vote or be elected and are generally unaware that they even have such rights.

- They are generally unaware of elections being held within the Community, which is certainly one of the more serious problems brought to light during this study. It is, moreover, a good indicator of the position accorded women within the Community.
- This makes it very important to incorporate recommendations on greater participation by women through electoral rules and procedures as soon as possible.

*e. Views within the Islamic Community itself on the presence and participation of women in Islamic Community bodies and organs*

- The position within the Islamic Community is that women can be active to whatever degree they want and that nobody is stopping them and that they are themselves responsible if they aren't active.
- The ICBiH does not have a systematic approach to this issue, and there is no individual whose job description includes reporting on women's issues nor is there any systematic allocation of resources (material, human, or financial) to underwrite sustained activity on the part of the female faithful (at any level).

## Systematic steps towards greater institutional inclusion of women<sup>20</sup>

The first steps towards systematic change in this area have been taken within the framework of a project to establish more efficient administration within the ICBiH and restructure the departments and administration of the Rijaset. This provided an opportunity to present the findings of this study, after it had been completed, to the Islamic Community at a consultative meeting held in the office of the Grand Mufti. A consultation process followed, at the behest of the Grand Mufti, on September 27, 2014, entitled "Female activism and solidarity across the Islamic Community in Bosnia and Herzegovina – cooperation and action after the floods." More than 140 participants attended from across Bosnia and Herzegovina.

The recommendations and conclusions of the consultation process included, amongst other things, the following: a call for more women on the ICBiH's representative bodies, the need to establish an office or role of female coordinator for

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20 Adapted after Đermana Šeta, "Institucionalno uključivanje referata za ženski aktivizam, brak i porodicu u rad Islamske zajednice u Bosnia and Herzegovina kroz uspostavu Odjela za brak i porodicu," in *Muslimanska porodica – prava i dužnosti*, (Sarajevo: Rijaset Islamic Community in Bosnia and Herzegovina, Uprava za vjerske poslove, El Kalem, 2017, 241-249.

female activism and solidarity, the adoption of clear recommendations on the founding and work of women's associations at the majlises, establishing educational seminars and religious lectures for women at all mosques, establishing a database with social records for all male and female *džemat* members, and work on projects to provide longer-term assistance to individuals in at-risk areas.<sup>21</sup> Next, the Assembly of the ICBiH, at its session on October 25, and the Rijaset of the ICBiH, at its session on October 30, 2014, sent a call to all the members of the ICBiH, but particularly women and young people, to participate actively in the electoral process and exercise their electoral rights.<sup>22</sup>

According to a survey carried out for the Office for religious affairs after the election, women's participation on representative bodies of the ICBiH stood as follows: 55 female members of *džemat* committees (2.4%), 28 female members of majlis boards (3%), 12 female members of the Assembly from Bosnia and Herzegovina (a further two from abroad) (13.7%). There followed preparations to establish a Department for marriage and the family, under the Office for religious affairs. This department started active work in May 2015. According to the departmental schematic, the Department is part of the Office for religious affairs and covers two major areas of activity: a section for women's activism and a section for marriage and the family. The Department for marriage and the family's first activities were directed towards creating a network of female coordinators in the field. In May 2015, all the mufti-ships had nominated female coordinators for women's activism and the family, after which they also nominated female coordinators at the level of each majlis. Overall, some 108 female coordinators were nominated (eight at muftiate level, nine within the educational institutions of the Islamic Community in Bosnia and Herzegovina, 91 at the level of the majlises, and a female head of the Department for marriage and the family at the Rijaset). After the process of nominating female coordinators at the level of the muftiates and the majlises had been completed, it was followed by data collection on current activities and operations in the field. According to the data thus gathered, it appears that there are 25 muallimas in full-time employment carrying out relevant jobs within the ICBiH (which is made up of 1600 constituent *džemats*), and that 17 of those are fiat appointments. Of the 91 majlises, only 30 reported having some form of organised women's group (a section, association, or informal group). It was also established that there are at least 112 other Muslim women's groups and organisations active in the same territory, in addition to the Islamic Community in Bosnia and Herzegovina.

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21 Report on consultations and conclusions: [http://www.islamskazajednica.ba/index.php?option=com\\_content&view=article&id=20645:preporuke-i-zakljucci-sa-savjetovanja-aktivizam-i-solidarnost-zena-kroz-iz-u-Bosnia and Herzegovina&catid=201&Itemid=457](http://www.islamskazajednica.ba/index.php?option=com_content&view=article&id=20645:preporuke-i-zakljucci-sa-savjetovanja-aktivizam-i-solidarnost-zena-kroz-iz-u-Bosnia%20and%20Herzegovina&catid=201&Itemid=457)

22 For more: [http://www.islamskazajednica.ba/index.php?option=com\\_content&view=article&id=20899:izbori-za-organe-islamske-zajednice&catid=201&Itemid=457](http://www.islamskazajednica.ba/index.php?option=com_content&view=article&id=20899:izbori-za-organe-islamske-zajednice&catid=201&Itemid=457)

## Final Considerations

Muslim women in the Islamic Community of Bosnia and Herzegovina generally do not make use of their rights to vote or be elected and have minimal involvement in the work of the *džemat* committees. Efforts must continue to be made to encourage them to exercise their rights. At the same time, the calls by the Rijaset and the Assembly (*Sabor*) for more female representation on the elected bodies of the Islamic Community in Bosnia and Herzegovina should be given formal expression through election rules. There is also a need to approach the employment of women in the Islamic Community in Bosnia and Herzegovina more actively through affirmative action.

As noted above, there are women's associations or action-groups, at some majlises. Work is needed to adopt clear instructions on establishing associations and action-groups and their activities, drafting a proposed work-statute or rule-book which would cover the relevant bodies (e.g. the assembly, the management board, the presidency) and their authorities, modes of operation and resource management, and relationship with the female coordinator.

With regard to already nominated coordinators, it would be important to ensure that positions like that of the "female head of the marital and family department" be *ex officio* members of the Rijaset, that the "female coordinator for female activism and family" at a muftiate be a member of the Mufti's Council, that "the Majlis female coordinator" be a member of the Majlis Executive Board and the "female coordinator at the *džemat*" be members of the *džemat* committee. In this way, they would be guaranteed participation in the processes of creating and making decisions on women's, family, and children's issues and would have the opportunity to offer their perspective on other important issues in the Community.

There has been a major step forward with the nomination of 108 female coordinators for female activism and family, and adoption of the Guidelines for drafting their work plan. Still, even if the coordinators' work is defined as falling under the work of the muftiate or majlis and as being an integral part of it, most coordinators lack a defined legal status and often carry out tasks for free. Their status should be defined by passing a decision on nomination and the setting of terms of reference through a contract of employment or for piece-work. This is also be basis for the ICBiH training female students at its educational institutions to "carry out services of religious education in the Islamic Community, as well as of various cultural, educational, and social activities for which a humanist education is required."<sup>23</sup> There is a disproportion between the number of female students graduating at higher educational institutions and their employment at the Community's institutions. There is a need to review this fact critically and open up space for greater female involvement in the Community, particularly given the many challenges on the gender-biased labour market.

23 Tahirović, *Muslimanska teologinja u bh.društvu – pozicija i uloga*, p. 29.

Work in the women's section of the *džemats* should not be left to volunteering by individuals, as has generally been the case to date. Indicative data for this include the facts that there are only 25 muallimas employed at the ICBiH carrying out muallim tasks, that the women attending the mosque most regularly tend to be unemployed women with high-school education, and that women are barely included in the work of the Islamic Community in Bosnia and Herzegovina's representative bodies. This all calls for serious thought and focused action. Given that there are at least 112 other female muslim groups and organisation besides the ICBiH (not including women's organisations without a religious designation), it appears that women with a high degree of social capital decide to invest their capacities and become active outside the Islamic Community in Bosnia and Herzegovina. The phenomenon of women giving up on activity at the mosques (*unmosquing*)<sup>24</sup> has long been present in some Muslim communities.

## Annex – Tabular presentation of summary data from the study

Age	%
Under 19	5.7
20 – 29	20.7
30 – 49	39.3
Over 50	34.3
<b>Educational level</b>	
	<b>%</b>
Never attended school	1.4
Only primary school	24.4
Secondary school	50.7
Graduate-level	20
Post-graduate level	3.5
<b>Status</b>	
	<b>%</b>
Employed	26.4
Unemployed	70
No answer	3.6

24 For more see e.g.: [http://www.huffingtonpost.com/ahmed-eid/young-american-muslims\\_b\\_4109256.html](http://www.huffingtonpost.com/ahmed-eid/young-american-muslims_b_4109256.html), accessed 2.3.2016.

<b>Residential status</b>	<b>%</b>
Independent household	47.1
Joint household	47.9
Other	5
<b>Frequency of female attendance at mosque</b>	<b>%</b>
Every day	9.3
Several times a week	30
Once a week	4
Several times a month	28.6
Only on special occasions	28.1
<b>Do you have anyone to ask if you have doubts about your faith?</b>	<b>%</b>
Yes	64.3
No	19.3
No answer	16.4
<b>Are there issues and problems in the local religious community (<i>džemat</i>) in the resolution of which women should be included?</b>	<b>%</b>
Yes	51.4
No	29.3
No answer	19.3
<i>Would you accept membership on the džemat committee?</i>	<b>%</b>
Yes	46.4
No	25.7
No answer	27.9





# CONTEXT

Prikazi knjiga / Book Review

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Michael Hamilton Morgan, *Izgubljena historija: trajno naslijeđe muslimanskih naučnika, mislilaca i umjetnika*, Sarajevo: Centar za napredne studije, 2017. Str. 356, ISBN 978-9958-022-55-5.

Iako kulturna i naučna dostignuća islamske civilizacije nisu bila nepoznata evropskim renesansnim učenjacima koji su ih naslijedili i unaprijedili, ona su u današnjem naučnom diskursu nepravedno zapostavljena. S ciljem da doprinese rješavanju tog pitanja, Michael Hamilton Morgan je 2007. godine napisao djelo *Izgubljena historija – Trajno naslijeđe muslimanskih naučnika, mislilaca i umjetnika*. Deset godina kasnije djelo na bosanskom jeziku izdaje Centar za napredne studije Sarajevo u prijevodu Edina Mezita. Autor u Uvodu (str. 15–21) navodi kako su ga atmosfera u Sjedinjenim Američkim Državama nakon 11. 9. 2001. godine – dakle, rastuća islamofobija te neznanje i nerazumijevanje doprinosa islamske civilizacije, prisutno i kod muslimana i kod nemuslimana, naveli da napiše ovo djelo. Također ističe kako ovo nije knjiga o islamu, teologiji ili bilo kojoj religiji, već knjiga o „civilizaciji u kojoj je islam imao vodeću ulogu“ (17).

Djelo započinje „Historijskim pregledom“ (7–12), u kojem su navedene godine najvažnijih događaja iz povijesti islama; zatim dolaze „Predgovor“ i „Uvod“ (13–21), a nakon njih slijedi glavni sadržaj knjige, podijeljen u osam poglavlja. Knjiga završava Epilogom, Zahvalom i Bibliografijom (347–353). *Izgubljenu historiju* mogli bismo svrstati u žanr koji se na engleskom govornom području naziva ‘non-fiction’ – svako njeno poglavlje započinje savremenom pripoviješću, za koje autor u „Uvodu“ kaže da su „izmišljene“ (20), a unutar iznošenja historijskih zabilješki provlače se i „imaginarnе rekonstrukcije događaja“ (20), što djelo čini čitljivijim i zanimljivijim.

Prvo poglavlje nosi naslov „Djeca Rima“ (22–68). Kao podnaslov naveden je odlomak iz Kur’ana koji nagovještava sadržaj poglavlja. Odgovarajući kur’anski odlomci bit će podnaslovi svih osam poglavlja. Poglavlje „Djeca Rima“ započinje savremenom pripoviješću o francuskoj muslimanskoj porodici porijeklom iz Maroka koja odlazi na izlet u gradić Tur u Francuskoj. Izlet im ne ispunjava očekivanja ali otkrivaju da ih arhitektura tog gradića, zašiljeni lukovi, stubovi i tornjevi podsjećaju na Maroko. Iako im nije bilo jasno šta kršćanski gradić ima zajedničko s muslimanskim Marokom, njihov se izlet bliži kraju, pa odlaze nazad u Pariz bez

odgovora. Čitalac će odgovor dobiti do kraja prvog poglavlja, jer će njegov sadržaj pratiti rođenje i život poslanika Muhammeda, nastanak i širenje islama preko Azije i Afrike do juga Francuske i gradića Tura, u kojem su se 732. godine odigrale važne bitke između muslimana i kršćana. To je vrijeme kada s muslimanskim osvajačima u Evropu stižu prvi oklopni vitezovi, najmoćnija konjica na svijetu i do tada neviđeno oružje – tehnologija koju će Evropa preuzeti i unaprijediti kroz buduća stoljeća.

Drugo poglavlje, „Izgubljeni gradovi genija“ (69–110) započinje pričom iz Bagdada, kroz koju nas autor upoznaje s tamošnjim obrazovanim stanovništvom i njihovim nepoznavanjem vlastite povijesti, kulture, nauke i predaka – velikana koji su kroz hiljadugodišnju islamsku civilizaciju bili istaknuti učenjaci – najnapredniji u tadašnjem svijetu. Raspravljajući nadalje o važnim dijelovima islamskoga svijeta, autor donosi pregled prijestolnica islamske civilizacije: Bagdada, Kordobe i Kaira, koji su kroz historiju bili stjecište naučnika, mislilaca i umjetnika.

Početak poglavlja „Božansko u brojevima“ (111–150) donosi priču iz Indije, gdje jedna savremena naučnica, kako bi riješila poslovni zadatak, poseže za djelom *Elementi algoritma*, uglednog islamskog matematičara el-Havarizmija. U ovom nas poglavlju autor upoznaje s radom el-Havarizmija u „Kući mudrosti“ u Bagdadu, a daje nam i podatke o uspjesima drugih naučnika, iz kasnijih perioda i drugih gradova, čija je poveznica s el-Havarizmijem to što su se također predano bavili matematikom.

Poglavlje „Zvezdani obrasci“ (151–189) nudi nam priču o savremenom naučniku Baileyju, koji nailazi na članak iz kojeg saznaje za njegovu moguću vezu s izvjesnim Bilalom, doseljenikom iz Afrike u SAD, koji je najvjerovatnije bio musliman. Kako su priče u ostalim poglavljima isprepletene sa samim sadržajem poglavlja, i ovdje je Baileyev rad u NASA-i vezan uz pregled najvažnijih muslimanskih naučnika koji su se bavili astronomijom. Nebo je oduvijek bilo jedna od najvećih nepoznanica ljudima, a islam i njegova obredna pravila (obavljanje molitvi u tačno određeno doba dana) dodatno su poticali ljude da se bave astronomijom. U tom su smislu islamski učenjaci toliko napredovali da su abasijski astronomi bez upotrebe teleskopa izračunali tačan promjer zemlje i dužinu Ekvadora, uz neznatne greške od nekoliko milja (161).

Poglavlja „Izumitelji i naučnici“ (190–222) i „Liječnici i bolnice“ (223–268) govore o pojedinačnim ličnostima koje su dale nemjerljive naučne doprinose iz različitih oblasti. U ovim poglavljima čitamo pripovijest o Armenu Firmanu i Ibn Firnasu, koji su uspješno izveli prve pokuse letenja; o Džabiru ibn Hajanu (lat. Geber), ocu hemije i alhemije; Razi je bio prvi veliki muslimanski liječnik a njegov nasljednik – Ibn Sina (lat. Avicena) bit će cijenjen u Evropi kao najveći medicinski mislilac svih vremena.

„Vizija, glas, tvrđava“ (269–304) pretposljednje je poglavlje u knjizi, posvećeno nastanku, izgradnji, a ponegdje i nestanku veličanstvenih gradova islamske civilizacije: grada Medina ez-Zehra u emevijskoj Španiji, koji će biti srušen 1010.

godine i danas predstavlja stari dio savremenog grada Kordobe; Granade u Španiji; Isfahana u Perziji; Semerkanda u Uzbekistanu; Agre i Tadž Mahala u Indiji. Poglavlje završava kraćim pregledom muslimanskog doprinosa razvoju muzike i književnosti, s posebnim osvrtom na poeziju.

Knjiga završava poglavljem „Prosvjetljeno vodstvo“ (305–346), koje nam donosi podatke o prvoj četverici halifa, nasljednicima poslanika Muhammeda u političkom smislu, a onda daje podatke iz života Haruna er-Rašida, abasijskog vladara s početka devetog stoljeća. Kroz ovo poglavlje autor ističe i druge predvodnike muslimana kroz historiju, naročito one koji odgovaraju samom naslovu poglavlja – dakle, *prosvjetljene* vladare kao što je Nizamulmulk, koji je dao izgrađivati škole diljem Perzije i Bliskog Istoka. Poglavlje se nastavlja pričom o sultaniji Raziji, vladarici sultanata u Delhiju iz prve polovine 13. stoljeća, a završava podacima o osmanskom vladaru Sulejmanu Zakonodavcu.

Autor se u „Epilogu“ (347–350) vraća u sadašnjost i iznosi razloge kasnije zaostalosti islamske civilizacije te postavlja pitanje da li je uspon Zapada nakon 16. stoljeća bio neminovan, da li je historija mogla krenuti drugim pravcem, pravcem u kome bi muslimani preplovili Pacifik i/ili preuzeli kontrolu nad Atlantikom? Autor zaključuje kako su uspon Evrope i pad muslimanskih zemalja ustvari dvije strane jedne medalje te kako su prva muslimanska zlatna doba prošla, ali su vjerovatno rođena nova.

Nerealno je očekivati da knjiga ovog obima obuhvati mnogobrojne događaje koji su oblikovali ovu 1 400 godina staru civilizaciju. Ipak, izuzetnom je čini to što obuhvata različite ‘zenite’ islamske misli, od onih u Centralnoj Aziji do onih u današnjoj Turskoj i Indiji. Sadržaj ove knjige nije fokusiran samo na jednu dinastiju, jedno stoljeće, geografsku ili naučnu oblast, već obuhvata najznačajnija dostignuća različitih dinastija, u različito vrijeme i na mjestima koja su udaljena hiljadama kilometara. Njen dijahronijski pristup: pripovijesti o savremenim muslimanima u Libanu, Indiji ili Bagdadu, odnosno Evropljanima koji žive na mjestima na kojima su nekada vladali muslimani a koji su zaboravili na historiju svog okruženja, na svoje pretke koji su se bavili naukom stoljećima prije njih, čini da knjiga bude prijemčivija i zanimljivija. Knjiga nije napisana visokim akademskim stilom, niti je temeljena na primarnim izvorima pa vjerovatno neće ponuditi mnogo novih informacija onima koji se duže bave islamskom civilizacijom.

S druge strane, *Izgubljena historija* odlično će poslužiti da nadomjesti nedostatak literature o ovoj temi za šire čitateljstvo u Bosni i Hercegovini. Knjigu preporučujemo svakome ko zna malo ili nimalo o doprinosu muslimanskih naučnika, mislilaca i umjetnika savremenom društvu. Kroz knjigu saznajemo kako muslimanski doprinosi nauci predstavljaju temelje za nagli razvoj zapadnog društva nakon srednjeg vijeka te da je islamska civilizacija ta izgubljena poveznica između antičkih grčkih, rimskih, kineskih i indijskih znanja i renesanse u Evropi. Ovo djelo u posljednjem poglavlju ističe važnost i ulogu vladara u razvoju nauke, bez čije bi podrške taj razvoj sigurno bio sporiji.

Nadamo se da će ova knjiga ispuniti još jedan cilj: otkloniti predrasudu da su muslimani svoje cjelokupno znanje samo preuzeli od antičkih Grka te da islam sprečava muslimane da se bave naukom. Knjiga otvara prostor za diskusiju i pomaže u uklanjanju ustaljenog narativa o sukobu između civilizacija te, u konačnici, opovrgava mišljenje da zapadna i islamska civilizacija nemaju dodirnih tačaka.

*Emina Mostić*

*Institucije islamske civilizacije – izabrani članci iz Türkiye Diyanet Vakfı İslâm Ansiklopedisi*, Ahmet Alibašić, Munir Mujić (ur.), Sarajevo: Centar za napredne studije, 2017, str. 712, ISBN 978-9958-022-50-0.

Među publikacijama kojima se Centar za napredne studije (CNS) iz Sarajeva predstavio naučnoj javnosti u 2017. godini nalazi se knjiga *Institucije islamske civilizacije – izabrani članci iz Türkiye Diyanet Vakfı İslâm Ansiklopedisi*. Na 712 stranica predstavljene su 54 institucije prisutne kroz historiju islamske civilizacije. Knjiga predstavlja izbor enciklopedijskih članaka iz kapitalnog djela *Türkiye Diyanet Vakfı İslâm Ansiklopedisi*, na kojem već decenijama rade renomirani turski istraživači. Urednici ovog izdanja su Ahmet Alibašić i Munir Mujić, dok su redakcijski odbor sačinjavali Munir Mujić, Munir Drkić, Ahmed Zildžić i Adnan Kadrić. Enciklopedijske članke s turskog na bosanski jezik za ovu priliku preveli su Sabina Bakšić, Mirsad Turanović, Belma Fišo, Amina Kadribegović-Mehić, Edina Nurikić, Samira Osmanbegović-Bakšić, Nadira Jahić, Azra Efendić i Amela Jordamović. Uzimajući u obzir obim ove publikacije, na ovom mjestu će biti ponuđen osvrt na svega nekoliko enciklopedijskih članaka kako bi zainteresirani čitatelji mogli steći bolji uvid u ono što im nudi ova knjiga.

Enciklopedijski članak o tituli *beglerbeg* (15–26), koja se u osmanskim izvorima javlja i pod nazivima *mir-i miran*, *emir el-umera* i *vali* napisao je Mehmet İpşirli. Autor navodi da je kod turskih i zapadnih historičara postojalo neslaganje u mišljenju o porijeklu titule, ali kao referentne stavove uzeo je one koje su iznijeli Fuad Köprülü i İsmail Hakkı Uzunçarşılı, prema kojima je temelje ove institucije potrebno tražiti u islamsko-turkijskim zemljama, a ne u Bizantu. İpşirli je akcenat stavio na prisustvo spomenute titule u Osmanskom Carstvu te je čitateljima ponudio osnovne informacije o imenovanjima i smjeni beglerbegova, njihovim dužnostima, ovlastima, odgovornostima te prihodima i rashodima. Nekoliko članaka u ovom izboru iz enciklopedije *Türkiye Diyanet Vakfı İslâm Ansiklopedisi* posvećeno je terminu *emir*. Abdulaziz ed-Duri (184–187) piše da je riječ o terminu koji je korišten za imenovanje zapovjednika vojske ili vojnih jedinica te namjesnika. Autor u kraćim crtama prati razvoj ove titule, ukazujući na djelokrug emira, sve do vremena seldžuka, ejubija i mameluka, kada je, zbog činjenice da je

mjesto propale birokratske uprave zauzela vojna uprava, titula emira dodjeljivana kako komandantima svih činova, tako i seldžučkim prinčevima. U sklopu ovog izbora čitateljima su predstavljeni i termini *emir-i dad* (autor: Aydın Taneri, 188–189), *emir-i bares* (Aydın Taneri, 190–191), *emir-i medžlis* (Asri Çubukçu, 192–193), *emir-i silah* (Aydın Taneri, 194), *el-emir el-kebir* (Asri Çubukçu, 195–196), *emir el-mu' minin* (Mustafa Fayda, 197–198), *emir el-mu' minin fi el-hadis* (Mehmet Yaşar Kandemir, 199–200), *emir el-muslimin* (Mustafa Fayda, 201–202), *emir el-umera* (Hakki Dursun Yıldız, 203–205).

Najveću vojnu i civilnu titulu kod Osmanlija, titulu *paşe*, čitateljima je predstavio Abdulkadir Özcan (596–598). Ukazano je na različita mišljenja vezana uz etimologiju ovog termina. Također, autor prati historijski razvoj ovog termina i njegovog korištenja od početaka osmanske dinastije pa sve do 1934. godine, kada je zamijenjen riječju general. Özcan, između ostaloga, navodi da je pojam paša svoje mjesto pronašao i u balkanskim jezicima, tako da ga i danas često možemo čuti u neformalnom govoru. O vladarskoj tituli *sultan*, koja se u islamskom svijetu koristi od XI stoljeća, pisao je Osman Gazi Özgüdenli (612–615). Autor je ponudio informacije o etimološkom porijeklu riječi sultan te o pojavi ove imenice u muslimanskoj svetoj knjizi Kur'an i u hadisima. Özgüdenli također prati upotrebu ove titule od trenutka kada ju je u političkom značenju iskoristio abasijski halifa Harun er-Rašid, pa sve do danas, napominjući da se od trinaestog stoljeća ova imenica koristila za označavanje sufija i gnostika, zatim uz vlastito ime za majke, supruge, kćerke i sinove sultana, ali i kao lično ime. Posljednji termin objavljen u ovom izboru na koji ćemo se osvrnuti u ovom prikazu jeste *vezir* (685–710). Kao i za mnoge druge titule, postoje različita mišljenja o porijeklu i ove titule, pa su tako pojedini naučnici mišljenja da ona vodi porijeklo iz sasanidske države i da pripada perzijskom jeziku, dok drugi smatraju da je riječ o terminu i tituli arapskog porijekla. Fatih Yahya Aziz čitateljima je prezentirao historijski razvoj ove institucije, a zatim se osvrnuo i na emevijsku državu u Andaluziji, dok su Abdülkerim Özeydin, Osman Gazi Özgüdenli i Halil İnalçık dali pregled razvoja ove titule u islamskim turkijskim državama.

Pojava jednog ovakvog izdanja na bosanskom jeziku vrijedna je svake pohvale. Osim što može olakšati naučna istraživanja, knjiga *Institucije islamske civilizacije* u isto vrijeme može poslužiti kao vrijedno sredstvo informiranja studentima i široj čitalačkoj publici zainteresiranoj za historiju muslimanskih država i način njihovog funkcioniranja. Pozitivna je i činjenica da je nakon svakog enciklopedijskog članka ponuđena bibliografija radova, zahvaljujući kojoj oni koji žele mogu dodatno proširiti svoja znanja, iako među navedenom literaturom počesto nema djela pisanih kako na engleskom i njemačkom, tako i na južnoslavenskim jezicima. Prilikom čitanja ovakve publikacije treba imati na umu da su autori ovih enciklopedijskih tekstova mahom turski naučnici te da knjiga koja je pred nama uglavnom nudi „tursku naučnu perspektivu“, na pojedinim mjestima i bez previelikog uključivanja istraživačkih rezultata ponuđenih u inostranim naukama.



Na kraju je potrebno izraziti nadu da se Centar za napredne studije neće zaustaviti na ovom izdanju, te da će i u budućnosti nastaviti objavljivati izbore članaka iz *Türkiye Diyanet Vakfı İslâm Ansiklopedisi* i iz sličnih enciklopedija, jer kako je i sama redakcija zaključila izbor koji je ovoga puta ponuđen čitateljima „ne pretendira biti konačnim i zaokruženim“ te i dalje postoji veliki broj članaka u okviru ove enciklopedije koje bi vrijedilo prevesti i objaviti na bosanskom jeziku. Također, u budućim sličnim poduhvatima, ukoliko ih bude, vrijedilo bi razmisliti o tematskom raspoređivanju članaka i njihovom objavljivanju na takav način.

*Amer Maslo*



*Syrians In Turkey: Special Report*, The Ombudsman Institution of Republic Of Turkey. Ankara, 2018. Str. 192, ISBN 978-605-9468-19-0.

Institucija ombudsmena Republike Turske (*Kamu Denetçiliği Kurumu*) predstavlja relativno mladu ustanovu u turskom pravnom sistemu. Uspostavljena je posebnim Zakonom br. 6328 donijetim 2012, kao zasebno i nezavisno tijelo pri Velikoj turskoj narodnoj skupštini (*Türkiye Büyük Millet Meclisi*) sa zadatkom da, kroz nadziranje rada organa javne vlasti, osigura najviši stepen poštivanja domaćih i međunarodnih standarda ljudskih prava. Ova kompleksna obaveza ostvaruje se prvenstveno kroz postupanje ombudsmena po žalbama građana na rad državnih organa, izdavanjem preporuka radi otklanjanja povreda prava te objavljivanjem godišnjih i specijalnih izvještaja o pojedinim pravnim, društvenim i socijalnim fenomenima značajnim za određenu zajednicu. U sklopu ove izdavačke djelatnosti turski ombudsmen je 2018. u formi knjige objavio specijalni izvještaj pod naslovom *Syrians in Turkey: Special Report (Specijalni izvještaj: Sirijci u Turskoj)*, posvećen analizi posljedica velike izbjegličke krize prouzrokovane građanskim ratom u Siriji.

Izvještaj je sistematski podijeljen u tri tematske cjeline. U prvom poglavlju: *Developments in the Syrian Arab Republic and Turkey's Approach to the Emerging Refugee Crisis* (Događaji u Arapskoj Republici Siriji i turski pristup izbjegličkoj krizi), str. 39 –51, hronološki su predstavljeni događaji koji su prethodili jednoj od najvećih humanitarnih katastrofa današnjice. Naime, nakon Tunisa, Egipta, i Siriju je tokom 2011. zahvatio talas „arapskog proljeća“, revolucionarnih strujanja pokrenutih s ciljem ostvarenja većeg stepena demokratije, političkih i građanskih prava u arapskim društvima. Prve, mirne demonstracije održane su 16. marta 2011. u sirijskom gradu Daraa. Policijske i vojne snage ova su okupljanja brutalno prekinule, što je dovelo do vala nezadovoljstva i oružanih sukoba širom zemlje, postepeno eskaliravši u razorni građanski rat. Prema statistikama turskog Ministarstva vanjskih poslova, u sirijskom sukobu je od 2011. poginulo 600 000 ljudi, 6 300 000 Sirijaca interno je raseljeno, a 5 miliona ima izbjeglički status. Od tog broja u Turskoj, koja primjenjuje politiku otvorenih vrata prema izbjeglicama, nalazi se 3,4 miliona sirijskih državljana, što ovu zemlju, prema ocjeni Visokog

komesara za izbjeglice pri Organizaciji ujedinjenih nacija, svrstava u red država s najvećom izbjegličkom populacijom na svijetu. Pored humanitarnog aspekta, Turska se sirijskom građanskom ratu posvetila i kroz različite međunarodne aktivnosti (trilateralala Turska – Rusija – Iran, mirovne konferencije u Astani) radi iznalaženja trajnog rješenja koje bi dovelo do okončanja sukoba u Siriji i time uspostavilo njenu dugoročnu političku stabilnost.

Drugo poglavlje: *Practices and Services for Syrians under Temporary Protection* (Usluge za Sirijce pod privremenom zaštitom sa osvrtom na dosadšnju praksu), str. 51–126) predstavlja najvažniji dio ovog specijalnog izvještaja. U sklopu ove tematske jedinice navedena su prava koja pripadaju sirijskim izbjeglicama u Turskoj s osvrtom na ustanove, institucije i različite međunarodne organizacije koje na brojne načine pružaju pomoć ovim licima. Njihov pravni položaj regulisan je posebnim Zakonom o strancima i međunarodnoj zaštiti iz 2013. godine. Ovaj propis uređuje pružanje privremene, međunarodne zaštite osobama koje su usljed sukoba napustile svoju zemlju, bez mogućnosti skorijeg povratka, ili u velikim grupama dolaze u granične oblasti kako bi dobile zaštićeni status. Zakon istovremeno obuhvata i ostala pitanja, poput prava i obaveza koji pripadaju ovim zaštićenim kategorijama, njihovo kretanje unutar zemlje i koordinaciju državnih tijela u primjeni ovog propisa. Drugi dokument je Regulatorna o privremenoj zaštiti iz 2014, kojom je u cijelosti uređen postupak registracije izbjeglica. Spomenutom legislativom sirijski državljani u Turskoj nalaze se pod zaštitom na privremenoj osnovi sve do normalizacije stanja u njihovoj matičnoj zemlji. Cjelokupnom procedurom registracije i smještaja izbjeglica rukovode Uprava za migracije pri Ministarstvu unutrašnjih poslova (Göç İdaresi Genel Müdürlüğü) i AFAD – Direkcija za upravljanje katastrofama (Afet ve Acil Durum Yönetimi Başkanlığı). U cijeloj zemlji djeluje oko 200 registracionih centara, a izbjeglice su smještene u posebne kampove na bazi šatorskih ili kontejnerskih naselja. U njima je registrirano 228 546 lica, dok ostali žive u gradskim ili seoskim sredinama. U pokrajine s najvećom sirijskom populacijom spadaju Gaziantep, Mersin, Adana, Kilis, Şanlıurfa, Kahramanmaraş, Konya, Bursa, Izmir i Istanbul. Regulatornom iz 2014. predviđen je niz prava koja stoje na raspolaganju nosiocima privremene zaštite. To se u prvom redu odnosi na zdravstvene usluge, obrazovanje, pristup tržištu rada i korištenju prestacija iz sistema socijalne zaštite. Po okončanju postupka registracije, osobi se izdaje posebna identifikaciona kartica, na osnovu koje se mogu koristiti spomenuta prava. Propisano je da se pravo na ljekarsku pomoć ostvaruje kako pri medicinskim punktovima u okviru privremenih smještajnih centara, tako i u državnim zdravstvenim institucijama pod kontrolom Ministarstva zdravstva. Usluge iz primarne zdravstvene zaštite za zaštićena lica ne naplaćuju se, dok ostale zahvate finansira AFAD. Obrazovanje sirijskih izbjeglicapod ingerencijom je Ministarstva obrazovanja. Proces edukacije, školovanja i usavršavanja obavlja se na više nivoa. Prvi se odnosi na privremene obrazovne centre u kampovima, dok drugi podrazumijeva učešće u redovnoj nastavi u osnovnim i srednjim

školama. Prema statističkim podacima u školskoj 2017/18. godini broj sirijske djece uključene u nastavu iznosio je 618 948. Od toga je najveći broj u osnovnim školama, dok se u srednjem i visokom obrazovanju ta brojka smanjuje. Razlozi za prekid obrazovanja brojni su, a glavni se odnosi na česte slučajeve dječijeg rada, prosjačenja ili drugih zloupotreba. Stanje dodatno otežava činjenica da je od ukupnog broja registrovanih lica 33,3% nepismeno, dok se 13% tek osposobljava za čitanje i pisanje. Uzrok ovog problema leži u tome što je najveći broj izbjeglih osoba porijeklom iz sjeverne Sirije, nerazvijene regije, dok su izbjeglice s višom stručnom spremom još 2015. napustile Tursku i otišle u neku od zapadnoevropskih zemalja. Od svih dostupnih prava posebno mjesto svakako pripada pravu na rad. Sirijcima je dozvoljeno da pri Ministarstvu rada i socijalne zaštite apliciraju za radnu dozvolu, pri čemu period njenog važenja ne može biti duži od trajanja privremene zaštite. Osim upošljavanja u turskim privrednim društvima, velik broj sirijskih državljana u Turskoj posjeduje vlastite trgovačke, uslužne i druge kapacitete. Osim primjene političkih, socijalnih i ekonomskih prava, fokus djelovanja turskih institucija stavljen je i na ostale segmente izbjegličke krize: integraciju u tursko društvo, pružanje potrebne psihološke, savjetodavne i pravne pomoći te socijalno zbrinjavanje nemoćnih osoba kroz mrežu posebno osnovanih centara i ustanova. Kao primjer se navodi Centar za pružanje pomoći *Ensariye* u gradu Gaziantepu koji prvenstveno ženskoj i dječijoj populaciji pruža potrebne ljekarske, obrazovne i pravne savjete. U kontekstu zbrinjavanja socijalno ugroženih osoba pokrenut je program pružanja pomoći od strane turskog Crvenog krsta (*Türk Kızılay*). Svim izbjeglicama izdata je posebna *Kızılaykart*, na koju se svakog mjeseca uplaćuje novac za podmirenje osnovnih životnih potreba. Taj iznos kreće se od 50 lira za stanovnike u kampovima, dok osobe koje borave u gradskim / seoskim sredinama dobijaju 100 lira. Sličan program pokrenuo je i AFAD. Kroz spomenute aktivnosti svoj doprinos dale su i međunarodne vladine i nevladine organizacije poput Međunarodne organizacije za migrante (IOM), Evropske unije, UNICEF-a, UNHCR-a i drugih.

U trećem poglavlju specijalnog izvještaja *Findings and Recommendations* (Preporuke i nalazi), str. 126–173) turski ombudsmen je akcentirao nekoliko važnih smjernica u pogledu unapređenja stanja izbjegličke populacije. U prvom redu istaknuta je potreba promjene pristupa cjelokupne politike ovom problemu. Kako se rat u Siriji približava svojoj osmoj godini trajanja, bez izgledne mogućnosti njegovog skorijeg završetka, teško je govoriti o osnovanosti koncepta privremene zaštite, pa je potrebno iznaći novo rješenje u cilju efikasnijeg postupanja sa sirijskim izbjeglicama. S administrativnog aspekta ukazano je na problem u postojećem sistemu evidentiranja novopridošlih lica. Naime, prema važećem uređenju, postupak registracije okončava se po završetku sigurnosnih provjera aplikanta, što može trajati prilično dugo i istovremeno onemogućiti korištenje ljekarskih, obrazovnih i drugih usluga. Prepreku ka postizanju efikasnosti u postupanju s izbjeglicama predstavlja uključenost velikog broja državnih tijela,

koja često međusobno ne koordiniraju svoje aktivnosti. U vezi s tim predloženo je formiranje posebnog, nezavisnog organa koji će biti nadležan za usklađivanje rada svih relevantnih političkih, nevladinih i drugih institucija. U predstojećem periodu više bi se pažnje trebalo posvetiti integraciji jer bi njeno neprovođenje moglo dovesti do određenih sigurnosnih problema, u prvom redu izolacije, činja krivičnih djela te vjerske radikalizacije. Također je naglašena potreba povećanja kapaciteta u obrazovnim, zdravstvenim i drugim centrima prvenstveno kroz upošljavanje kako turskih državljana, tako i sirijskih s ciljem što bržeg premošćavanja jezičke barijere.

Izbjegličke i migrantske krize globalni su fenomen. Ovaj specijalni izvještaj ima izuzetan značaj. To se prvenstveno ogleda u raznovrsnosti korištenih izvora i uloženog istraživačkog rada gdje se unutar jednog dokumentiranog pregleda mogu pronaći sistematski prezentirani podaci o efektima izbjegličke krize u Turskoj, s osvrtom na stanje u pojedinačnim oblastima pravnog, političkog i društvenog djelovanja tokom rješavanja ovog problema, uz iznošenje prognoza o njegovim budućim kretanjima. Istovremeno, izvještaj ima i jedan širi, informativni karakter. Zbog jednostavnog stila, predočavanja i argumentiranog izlaganja dostupan je stručnom kao i širem krugu ljudi, koji se mogu informisati o ovoj velikoj humanitarnoj krizi, koja već godinama privlači pažnju svjetske javnosti. Izvještaj pruža mogućnost poređenja s iskustvima i stanjem u drugim zemljama koje su prihvatile izbjeglice i načinom njihovog zbrinjavanja. Kako je riječ o aktuelnoj tematici, osnovano je očekivati dalji nastavak objavljivanja sličnih publikacija.

*Sead Bandžović*

# CONTEXT

## Uputstva autorima

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### Tematika

*Context: Časopis za interdisciplinarnu studiju* je recenzirani, naučni časopis posvećen unapređenju interdisciplinarnih istraživanja najurgentnijih društvenih i političkih tema našeg vremena kao što su posljedice ubrzane globalizacije, pluralizam i raznolikost, ljudska prava i slobode, održivi razvoj i međureligijska susretanja. Pozivamo istraživače u humanističkim i društvenim naukama da daju doprinos boljem razumijevanju glavnih moralnih i etičkih problema kroz kreativnu razmjenu ideja, gledišta i metodologija. U nastojanju da premostimo razlike među kulturama, u ovom časopisu objavljivat ćemo i prijevode značajnih radova. *Contextu* su dobrodošli i članci i prikazi knjiga iz svih područja interdisciplinarnih istraživanja. Svi radovi za ovaj časopis moraju biti originalni i zasnovani na znatnom korištenju primarnih izvora. Uredništvo također podstiče mlade naučnike, na počecima karijere, da dostavljaju svoje radove.

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Tekst treba biti napisan dvostrukim proredom. Svi radovi treba da imaju sažetak od maksimalno 100 riječi, kao i popis od 3–10 ključnih riječi. Autori moraju dosljedno pisati velika slova. Treba izbjegavati pretjerano korištenje velikih slova. Skraćenice „vol.“, „no.“ i „pt.“ ne pišu se velikim slovom. Naslove djela i periodike po pravilu pisati italicom. Strane riječi također treba pisati italicom.

## Bibliografske jedinice u fusnotama

1. Rad iz časopisa: Ime autora, „Naslov rada u časopisu“, *Naziv časopisa*, 15:1 (1992), 142–153. [John Smith, „Article in Journal“, *Journal Name*, 15:1 (1992), 142–153].
2. Rad u uredničkoj knjizi: Ime autora, „Naslov rada u knjizi“, u *Naslov knjige*, Ime urednika (ur.) (Mjesto: Izdavač, Datum), str. 24–29. [John Smith, „Article in journal“, in *Book Name*, John Smith (ed.) (Place: Publisher, Date), pp. 24–29].
3. Knjiga: Ime autora, *Naslov knjige* (Mjesto izdanja: Izdavač, Datum), str. 65–73. [John Smith, *Book Name* (Place: Publisher, Date), pp. 65–73].
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6. Za izvore sa interneta slijediti sljedeći format: Ziaudin Sardar, „Welcome to postnormal times“, <http://ziauddinsardar.com/2011/03/welcome-to-postnormal-times/>, pristupljeno 4. 12. 2014.
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## Slike

Dijagrami, grafikoni, mape, nacrti i drugi crteži moraju se predati u formatiranom obliku. Mora se dati popis potpisa pod slikama označenih kao Slika 1, Slika 2, itd., uključujući odgovarajuće priznanje autorskih prava. Fotografije se dostavljaju u elektronskom formatu (JPEG ili TIFF) i moraju imati minimalno 300 dpl. Za sve ilustracije na koje postoje autorska prava autori moraju pribaviti odgovarajuće saglasnosti od njihovih vlasnika.

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Ime i prezime autora, *Naslov knjige*, Sarajevo: Matica bosanska, 2014. Str. 215, ISBN ....., 25 KM.

ili

*Observing the Observer: The State of Islamic Studies in American Universities*, By Mumtaz Ahmad, Zahid Bukhari & Sulayman Nyang (eds). London: IIIT, 2012. Pp. xxxiii+258. ISBN 978 1 56564 580 6. €17. \$23.

Ime autora prikaza i njegovu institucionalnu pripadnost navesti na kraju rada (npr. Sarah Kovačević, Free University of Sarajevo).

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# CONTEXT

## Instructions for Authors

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### **Bibliographical References in Footnotes**

1. Article in journal: John Smith, “Article in journal”, *Journal Name*, 15:1 (1992), 142-53.
2. Article in edited book: John Smith, “Article in journal”, in *Book Name*, John Smith (ed.) (Place: Publisher, Date), pp. 24-9.
3. Book: John Smith, *Book Name* (Place: Publisher, Date), pp. 65-73.
4. If a reference in a footnote has been mentioned already in an earlier footnote, the footnote should give surname and a brief title only, e.g. Smith, *Book*, p. 23 or Smith, “Article”, p. 45. Do not use op.cit.
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7. Where necessary titles of works in languages other the language of the paper will be given in the original language with a translation into the language of the paper added after the title in square brackets. Titles in non-roman scripts will be given in transliteration with a translation in the language of the paper if needed, as above.
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*Observing the Observer: The State of Islamic Studies in American Universities.* By Mumtaz Ahmad, Zahid Bukhari & Sulayman Nyang (eds). London: IIIT, 2012. Pp. xxxiii+258. ISBN 978 1 56564 580 6. €17. \$23.

The reviewer's name and institutional affiliation will be given at the end of the manuscript (eg. Sarah Kovacevic, Free University of Sarajevo).

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Reviews should be written for a multi-disciplinary readership that spans academic, policy, and religious communities. It is up to the individual reviewer to decide exactly what points should be covered in the review, in what order and in what depth, but as a rule of thumb, please consult the following checklist:

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- *Assess the strengths and weaknesses* (in a constructive way): How well does the work meet its purpose? Is it theoretically and methodologically sound? Are the empirical data accurate and adequate? Is it well written and well produced?
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# CONTEXT

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