The Office of Islamic Religious Community of Macedonia: A Study From the Socio-Legal Framework

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Abstract

Regulatory bodies between the rulers and the ruled have always existed and probably the case will be the same in the future. In this context the religions as faith and the related institutions are referred. Present day Macedonia has been part of this venture, where all the faiths and ultimately religions have gone through certain recognized agencies of the state. Beginning with the Ottoman rule in the region followed by the aftermath of the Ottomans until the dissolution of the Communist rule of Yugoslavia, the religion of Islam in Macedonia and its followers have always been represented by a state organ. Since 1990s the institution that has played the catalyst role between the Government of Macedonia and the followers of the religion of Islam in the country has been distinguishably recognized to be the Islamic Religious Community. Therefore, this work is going to analytically describe the role of this institution as a synergy between the government of Macedonia and the believers of Islam as well as its relations with various other Muslim institutions. After having a brief illustration on the history of Muslim religious representative institution in Macedonia, the focus of the discussion will be on the core issues of the highest Muslim religious institution of the country namely the Islamic Religious Community. As a case study, it will deal with its active role presumably in protecting the rights of Muslims at all levels.

Keywords: Islamic Religious Community, Macedonia, Legal Status, the Ottoman Balkans.

I. INTRODUCTION

State institutions and governmental agencies representing people of different religious beliefs as well as being instrumental in regulating norms between the believers and the state have and will continue to function in the future as a significant communal phenomena. Nevertheless, these kind of activities are found in the societies where those belong to the religion of Islam are either majority or minority in both the Western and the Eastern regions.

In order to support our claim, it is necessary to give few examples before focusing on the subject matter. In the Muslim majority countries or Islamic countries as generally referred, we may find governmental ministries particularly dealing and regulating the issues concerning the faith and practices of its Muslim subject like Saudi Arabia, Gulf States, Brunei, Pakistan, Indonesia, Afghanistan and others. On the other hand, there are certain types of institutions in charge of the above mentioned role which function under the office the Prime Minister as a state agency such the Presidency of Religious Affairs (Diyanet) in Turkey and Jabatan Kemajuan Islam Malaysia (Department of Islamic Development Malaysia) in Malaysia.

In other non-Muslim countries are also found governmental institutions or agencies handling Muslim affairs. For instance, since none of the religions and faiths are officially recognized by the People's Republic of China both the General Office of State Council and the Ministry of Ethnic Affairs interchangeably oversee the issues related to Muslim minorities; the Ministry of Minority Affairs in India; The Ministry of Buddhasasana and Religious Affairs in Sri Lanka; and the Central Islamic Council of Thailand (CICOT) and Chularatchamontri (Shaykh al-Islam), who is appointed by the King upon advice of the Prime Minister, has the authority to administer all Islamic affairs in the nation and to provide advice on Islamic affairs to government agencies in Thailand. As we are going to further elaborate in this paper, the fate in the Balkan or rather Southeast European countries is very much similar to the latter and not to the above former case.

II. A BRIEF INSTITUTIONAL SURVEY OF THE PAST

However, it is necessary to have a quick glimpse of the historical background of Muslim central institutions during the Ottoman era in

the present Balkan states which includes Macedonia, followed by the post-Ottoman 20th century period and finally give the clear picture of the present day legal framework and functionality of the Islamic community in Macedonia.

The Ottoman lands in Europe fell under the jurisdiction of the *eyâlet* of Rumelia with the *Beylerbey* as its chief; this *eyâlet* also was divided into several sancaks. The head of a sancak was *Sancakbey* who was a provincial military-administrative figure, and the head of a district was *Qādī* who was a judicial-administrative figure, both of whom were appointed by the Porte. Both the *Sancakbey* and the *Qādī* had several officials under their authority, some of whom dealt with legal matters as court officials appointed by the *Qādī*, others dealt with administrative matters as officials outside of court appointed by the *Sancakbey*. Although the office of *Sancakbey* was higher than the one of *Qādī*¹ in terms of rank, the latter was considered the most important office in a region (Mesut Idriz, 2010, pp. 70-73).

The *qādīs* held authority over many aspects which were defined and determined by the sacred teachings and traditions of Islam. The idea of the office of *qādī* was for Muslims inseparable from the *shari'ah*, in the sense of being its arms and legs speaking metaphorically. Every *qādī* had full authority, both religious and imperial, to enforce the law within his district. (Mesut, pp. 72-74; Stanford J. Shaw, 1976, pp. 135-136).

Although the authority of *qādī*'s office was bureaucratic, in the Ottoman administrative system they had greater freedom to act within the scope of their office more so than other bureaucrats and military appointees whose positions were defined entirely by writ of the Sultan (Mehmet Ipşirli, 1994, pp. 264-265).² The *Qādīs* were not elected but appointed by the Porte on the basis of his specialized education, technical training, and on-the-job experience. Their salaries were commensurate with their ranks in a hierarchical scale

¹In Turkish it is called Kadi. This institution was not an Ottoman innovation. It was a tradition dating from the first days of Islam, an institution that all previous Muslim dynasties had honored, even grudgingly at times. Therefore, we prefer to maintain the origin term as Qadi.

²On many instances the *qādīs* held the title or office of “*qādī-ship*” (“*kadılık*”) but without being appointed as actual *qādī* to any province, district or city. For instance, the *qādīs* Ali Efendi, Halil Efendi and Şâh Mehmed Efendi were not actual *qādīs* of Manastir appointed by the Porte in the year 1043/1633-1634, but the actual one who held the office during this time was Derviş Ali Efendi. Since there is no available data about them, perhaps the others had retired from the actual office or were waiting to be appointed as *qādī* to other places. See *Turските Dokumenti za Istorijata na Makedonskiot Narod-Serija Prva*, vol.: 2, p. 88, where the document is a translated version of the court record (*qādī sijil*) #3-50b-1.

(İpşirli, p. 266).³ Each *Qādī* was an integral part of the system and he could serve successively in different cities/districts, like Bursa, Sofia, and then in Skopje, without having to take a refresher course in the local traditions (Idriz, pp. 76-77).

The local folk had the right to complain to the sultan about their *qādīs*' activities and behavior, this right was enjoyed by the *re'âyâ* (the governed) against any agent of the sultan. General inspections were carried out from time to time to address wrongdoing attributed to the *qādīs*. In their capacity the *qādīs* recorded a large number of real estate sales, sales of goods that involved different payments, the incurring of loan debts, agreements among members of guilds, and so forth. One of the most important duties of the *qādīs* was to supervise the municipal affairs of the city or town where in which they were appointed. In other words, they played the role of what is known today as municipal mayors.⁴

Among its major significant role was on the state and issues related to the non-Muslims. In the Balkans non-Muslims were predominantly those from the Orthodox-Christian sect. The policy of the Ottomans and particularly the office of the *Qādī* toward their Christian and Jewish subjects was part of a larger pattern of relations between Muslims and non-Muslims that emerged over centuries of Muslim rule. They considered non-Muslim subjects to be autonomous but dependent peoples whose internal social, religious, and communal life was to be regulated by their own religious organizations, but whose leaders were appointed by, and responsible to, a Ottoman state. It is remarkable to note that non-Muslims often preferred to seek a *qādī's* decision or certification not because they were under the jurisdiction of *qādīs* in so many areas of the law, but the use of Muslim courts provided greater assurances, or the means to escape the more rigid stipulations of their own religious laws in such matters as marriage, divorce, and division of inheritance, which were supposed to be under the exclusive jurisdiction of their own Christian or Jewish authority (Halil İnalcık, 1982, p. 437).

The above brief evaluation shows us that the Ottoman *qādīs*

³For hierarchic scale of imperial *qādīs* see: Mehmet İpşirli, "Klasik Donem Osmanlı Devlet Teskilatı", in Osmanlı Devleti ve Medeniyeti Tarihi, vol.: 1, p. 266.

⁴For detailed information on the subject of *şer'iyye sicils* see Mesut Idriz (2010), The Balkan City of Ottoman Manastir (Bitola): A Model Paradigm for Applied Shari'ah with Reference to Ottoman Judicial Records, (Kuala Lumpur, Pelanduk Publications)

were in charge of all sorts of dealings between the ruler and the subject that stipulated as well as regulated any issue related to applications of the religious matter and faith practices. However, to what extend the Ottoman office of the qādī was influential and beneficial during the post-Ottoman era in the Balkans and Macedonia in particular is a matter of dispute. Nevertheless, part of its legacy can be found today. As it will be seen later, principally the statuses of the office of the Islamic Religious Community in all the Balkan countries are being recognized to be autonomous but responsible to the state. We shall describe in short the situation during this period until the collapse of the communist regime at the beginning of 1990s.

The period from 1918 till 1992, the functional activities of the Islamic Religious Communities in the Balkans are divided into two:⁵

- a) Kingdom of Serbs, Croats and Slovenes, which was renamed in 1929 as the Kingdom of Yugoslav between the period of 1918-1941 whereby it covered today's regions of Slovenia, Croatia, Bosnia and Herzegovina, Serbia, Kosovo, Montenegro and Macedonia; and
- b) the Socialist Federal Republic of Yugoslavia (1945-1992). We shall describe the emergence and development of the Islamic Communities during the former followed by the latter eras.

In the duration of formation of the Yugoslav Kingdom, the relationship between the state and any kind of religious communities in the Kingdom of the Serbs, Croats, and Slovenes was based on the principle of recognized or adopted religious confession. However, during the affirmative years of the Yugoslav Kingdom the problem of autonomy and the position of the Islamic community became a matter of question. Once the Law was enacted in 1930, the new overall official title of Islamic Religious Community was given and Muslim religious officials were at the disposal of the state. The law stipulated the followings: a) *Reisul-ulema*, whose seat was previously in Sarajevo, to be based in Belgrade; b) the members of two *Ulema Medzlis'* (council) to be in Sarajevo and Skopje; and c) reduced number of Muftis to nine to be appointed by royal decree, based in Banja Luka, Tuzla, Sarajevo, Mostar, Pljevlja, Novi Pazar, Prizren, Bitola, and Skopje, respectively. This meant that Muslim religious affairs as a whole passed into the hands of religious officials and bodies appointed by the state. As a

⁵It used to be called either "Islamic Community" or "Islamic Religious Community" referring to the institutional office and its organs in all the regions during the Kingdom of Yugoslavia and later periods of the Social Federal Republic of Yugoslavia. Directly or indirectly denotes the same institutional meaning. Therefore, we are going to use the "Islamic Religious Community", unless it is deemed necessary to mention "Islamic Community."

result, unlike the case of the Ottomans towards the non-Muslim institutions, the Ministry of Justice of the Yugoslav Kingdom began to place people loyal to the regime in leadership positions within the Islamic Religious Community (Mustafa Imamovic, 2006, pp. 207-8; Lejla Ramic-Mesihovic, 2014, pp. 150-151).

The number two of the stipulation, Ulema council, were the main bodies through which the administration and supervision of the entire Islamic religious affairs and religious educational and cultural life is exercised. From the above mentioned, the Skopje Ulema council was responsible for the areas covered by the Mufti's offices of Pljevlja, Novi Pazar, Prizren, Bitola, and Skopje (Ramic-Mesihovic, pp. 150-151).

Nevertheless, it is significant to point out that parallel to the two stated *Ulema* councils (*Medzlis*), there were also two designated *Vakuf-Mearif* councils, in Sarajevo and Skopje, with their own boards of governors and managers, appointed directly by the Ministry of Justice. Under these two councils were the regional *Vakuf-Mearif* commissions, the members of which were appointed by the relevant *Vakuf-Mearif* council, and, finally, as the sole electoral body, the *dzemat medzlis* (local congregational council), which elected the congregational committee and was responsible for the affairs of the congregation (Imamovic, pp. 289-90). In the case of Macedonia, most of the reputable local *Ulema* did not get involved and endorsed this system as it contradicted the former Ottoman tradition. This resulted either to migrate to the Eastern Muslim countries or remain within their confined living areas.⁶

Six years later, the 1936 Constitution abolished the muftis' offices and the duality within the Islamic Religious Community, with its two *Ulema Medzlis*, *Vakuf-Mearif* councils and the related offices. Instead, the Constitution stipulated that under the office of *Reisul-Ulema* a single *Ulema Medzlis* be formed together with a single *Vakuf* directorate for the whole country. Contrary to the earlier status, the Constitution reinforced the role of laymen influence in the administration and affairs of the Islamic Religious Community. Consequently, members of electoral body were formed in 1937 in order to elect the *Reisul-Ulema* in pursuant to the Constitution. However, these developments did not last long as the WWII erupted and the Kingdom of Yugoslavia

⁶Private discussion with Adem Idriz, a 73 years old imam in Skopje, who narrates from his predecessor. (Private Talk on the 10th February, 2015).

was under attack in 1941 (Imamovic, pp. 330-341).

After the WWII casualties, under the newly established Socialist Federal Republic of Yugoslavia (SFRY) rule, Muslims of the region found themselves in a brand new state of legal, ideological and political framework whose basic intention and goal was to build communism, the Islamic Religious Community succeeded to consolidate itself and among other achievements ensured the continuation by resuming its activities in 1947. All forms of organized and collective legitimate characters of Muslims were manifested by the Islamic Religious Community as among the main objective of communist rule was to keep Muslims communities separated from the affairs of state and politics. The concrete result of this policy was the abolition of religious studies in the primary and secondary schools, and the abolition of *Shari'ah* courts of any form. In addition, abolition of the private property and nationalizing all the lands in order to develop the economy, agriculture and urbanization, in which it resulted in the Islamic Religious Community to remain almost without movable and immovable properties (*waqfs*), which were of existential basis and source of revenue for centuries. In order to survive, the Islamic Religious Community had to seek new sources of funding and financial support. SFRY being a founding member country of the Non-Aligned Movement (NAM), where the Muslim countries make the largest portion of it, Muslims as well as the Islamic Religious Community of Yugoslavia found this as an opportunity to get in touch with the rest of the Islamic world.

From its inception under the SFRY until 1992, the base of the Islamic Religious Community covering the whole regions including Kosovo and Macedonia was mainly stationed in Sarajevo with its sub-state offices until the collapse of the Socialist regime in the so-called Yugoslavia. The organizational structure of the Islamic Religious Community of SFRY, which was established in 1947 at the *Great Vakuf* Assembly (*Sabor*) in Sarajevo when a new constitution was adopted, consisted of four councils: 1) the Islamic Community (IC) of Bosnia and Herzegovina, Croatia and Slovenia with its seat in Sarajevo; 2) the Islamic Community of Serbia in Priština; 3) the Islamic Community of Macedonia in Skopje; and 4) the Islamic Community of Montenegro in its capital, then Titograd (now Podgorica). A number of delegates from each council were elected onto the Supreme Council of the Islamic Religious Community of SFRY in Sarajevo which elected the *Reisul-Ulema* (Hazim Fazlic, 2011, pp.52-53). Strangely, all the office

holders of the *Reisul-Ulema* were from Bosnia except 1989's Jakub Selimoski, a Macedonian.

Lower organizational structures were regional mufti districts with the *Mufti* as head, comprising several councils with the chief *imam*. The head *imam* was responsible for religious life in his area and the activities of a number of *imams* attached to a mosque or a *mesdžid*. Each *imam* was in charge of leading prayers, teaching children, organizing religious festivals, etc. During 1970s, each Islamic Religious Community began to have its own publishing house with a number of publications, colleges, a faculty, an administrative-legal office, etc. This functioning system continued until the complete dissolution of SFRY towards the end of 1992 (Fazlic, pp.53-55). It is suffice to explain the emergence and development of Islamic Religious Communities in the post-Ottoman Balkans mainly on the Yugoslav territories during the period of 1918-1992. Now we shall proceed with the case of Macedonia, especially with the focus on the post 1992 era until the present.

III. THE OFFICE OF ISLAMIC RELIGIOUS COMMUNITY OF MACEDONIA

Since Macedonia was part of former system of SFR of Yugoslavia, after the end communist regime and declaration of its independence, the newly independent Islamic Religious Community of Macedonia quickly began to rearrange its institutional structure; however, it almost followed the similar functioning tools of the former regime's norms and forms with little changes. This was due to constitutional and legislative framework of the communist Yugoslav states, which had a strong effect to all their post-communist counterparts. All the constitutions, along with the constitution of the former Yugoslavia, guarantee freedom of religion, and equal status of individuals and religious communities before the law. Also, all constitutions, except the Bosnian one, have stated that religion is separate from the state. Free observance of religion is guaranteed at the legislative level as well. But pursuant to the laws on religious communities, they are less eligible for the financial support of state. All the states during this period applied the laws from communist times. Socio-legal provisions of Macedonian Muslims will be elaborated further.

Macedonia with a population of 2.1 million has two major religious groups and they are Orthodox Christianity and Islam. There is a general correlation between ethnicity and religion. The majority of Orthodox believers are ethnic Macedonian, and the majority of Muslim believers are ethnic Albanian. According to the U.S. Department of State, approximately 65 percent of the population is Macedonian Orthodox, 32 percent is Muslim, 1 percent is Roman Catholic, and 2 percent follow other religious beliefs (largely various Protestant denominations). There is also a small Jewish community, most of whose members reside in Skopje.

In Macedonia, the Islamic Religious Community is mentioned in the constitution along with the Macedonian Orthodox Church, the Catholic Church, Evangelical Methodist Church, and the Jewish Community as being separate from the state and equal before the law. These religious groups along with others are free to establish faith schools and charitable organizations.⁷ In terms of legislative provisions, the Law on Religious Communities from 1977 was in force until 1997 when it was replaced by the Law on Religious Communities and Religious Groups.⁸ This was further amended with the 2007 Law, in which it bore the title “Legal Status of Church, Religious Communities and Religious Groups.” Unlike before, the latest law is formed with an additional focus on Christian church, and it consists of three groups: a) Church; b) Religious Communities; and c) Religious Groups. It is clear that the Church has specific legal provisions than the other two. The religion of Islam was stipulated under the second group, i.e. Religious Communities.⁹ In comparison with the privileges and benefits of each religion or religious community in the 2007 Law, a reader could observe that it is more likely that the amendment was done for the credit of Christianity and Ohrid Archbishop of Macedonian Orthodox Church in particular. Because in all the stipulations any amendment related to the other religious communities is clearly less to a minimal level.

⁷Article 19 of the Constitution of the FYR Macedonia (Official Gazette of the Republic of Macedonia, No. 52/1991, 1/1992, 31/1998 and 91/2001).

⁸Закон на Република Македонија, Сл. Весник на Р.Македонија бр. 35/97 од 23.07.1997 година [Constitution of the Republic of Macedonia, Official Gazette of the Republic of Macedonia No. 35/97 amended in 23.07.1997].

⁹Александар Спасеновски, ВЛИЈАНИЕТО НА ВЕРСКИТЕ ЗАЕДНИЦИ ВРЗ ИНСТИТУЦИИТЕ И ПОЛИТИКАТА ВО РЕПУБЛИКА МАКЕДОНИЈА, Policy Brief Macedonia, February 2015, pp. 10-12.

Article 8 of the 1997 Law regulated registration of the last two groups of the above mentioned where the Religious Communities and Religious Groups within the State of Macedonia is clearly cited that “for one confession of faith only one registered religious community or group may exist,” and this continued even after the amendment was done in 2007, with the exception to the “Church.”¹⁰ This provision prevented groups of the same confession to register under a different name. Among Muslims, the case of the newly formed “Muslim Community,” lead by the former *Reisul-Ulema* of Yugoslavia, Jakub Selimoski, has found it very difficult to register his Islamic organization because the Islamic Religious Community, which was a continued and registered Islamic organization from the time of former Yugoslavia, was already recognized institution representing all the Muslims of Macedonia. In other word, the Islamic Religious Community and the Muslim Community as two parallel Muslim organizations within the State of Macedonia was going to take place, and this was against the above provision of the Law. The 1977 Law of SFR of Yugoslavia required registration of a religious community with the Ministry of Interior, while, according to the 1997 Law of the independent Macedonia, the Authority in Charge of Religious Affairs executes registration.

In addition, since the 1997 Law only allows one religious denomination for every faith, being adherents of the Orthodox faith, Vlachs were therefore not permitted to establish their own Vlach religious organization. Other restrictions on “Religious Groups” were due to the distinction between “traditional” denominations which were registered as “Religious Communities” (the Macedonian Orthodox Church, the Islamic Religious Community and the Roman Catholic Church) and enjoyed various privileges, and others which had to be registered as “Religious Groups”. The Serbian minority was unable to exercise its religion freely under the Serbian Orthodox Church and Serb Orthodox clergy were prevented from entering the country or holding services for the ethnic Serb population. Other official “Religious Groups” recognized by the Republic of Macedonia was the group consisting of Muslim Bektashi Order placed under the Bektashi Union of Macedonia. Since it was not associated with the Islamic Religious Community, Bektashi Union of Macedonia became

¹⁰Ibid., II. ВЕРСКИ ЗАЕДНИЦИ И РЕЛИГИОЗНИ ГРУПИ Член 8 “Верската заедница според овој закон е доброволно организирана, непрофитна заедница на верници од иста вероисповест. За една вероисповест може да постои само една верска заедница.”

part of Muslim World Union of Bektashi based in Tirana, Albania.¹¹

In other word, any religious institution, organization, or movement that is registered under the “Religious Groups” was automatically under and responsible to one of the major and recognized “Religious Communities.”

The adoption of the 1997 Law has made resolution of this issue even more unlikely. Vlachs, Turks and Macedonian Muslims also experienced a certain degree of discrimination by not being allowed to practice their religious rituals in their mother tongue. The laws on education previously forbade any religious activity or instruction in the schools, primary, secondary or higher educational institutions.¹²

However, the new amendments of the 2007 Law would allow students to have religious instruction in the schools to some extent.¹³ Nevertheless, provision of spiritual support in care homes, prisons and in the army, regulation of charitable activities or organizations of religious communities, provision of state funds, and any intentions to denationalize religious properties are not mentioned in this law. These are among the crucial issues in the eye public, both Muslim and non-Muslim. Christmas, the second day of Easter, the first day of Ramadan Bayram, the first day of Kurban Bayram, and the first day of Yom Kippur are public holidays and non-working days according to article 4 of the Law on Holidays of the Republic of Macedonia.¹⁴ Macedonia is among the three countries of the former Yugoslav republics to celebrate Ramadan and Kurban Bayram as

¹¹Makedonya Muslumanlari, IHH Insani ve Sosyal Arastirmalar Merkezi, Kasim 2014, pp. 7-9.

¹²Article 13 of the Law on Primary Education (Official Gazette of the Republic of Macedonia, No. 44/1995); Article 7 of the Law on Secondary Education (Official Gazette of Republic of Macedonia, No. 44/1995); Article 13 of the Law on Higher Education (Official Gazette of the Republic of Macedonia, No. 64/2000).

¹³On April 16, 2007, Parliament adopted amendments to the law on education to allow for religious education in public schools starting in the 6th year of primary school, when students are approximately 12 years old. Religious instruction is not mandatory. Parents and the student must give consent and specify which religious instruction they wish to receive. The law does not limit the type or number of religious beliefs that can be taught. Courses were to range from religious practice to history of religion and ethics. The new amendments were scheduled to be implemented starting in the 2008-09 academic year. Macedonia, International Religious Freedom Report 2007 (Washington: Bureau of Democracy, Human Rights, and Labor, 2007) <http://www.state.gov/g/drl/rls/irf/2007/90187.htm> [Accessed on 11 February 2015]. For further discussions on the matter and its content, see Muhamed Ali, “Civic Education and Religion in Macedonia”, in *Islam and Citizenship Education*, ed. by Ednan Aslan and Marcia Hermansen, VS, January 2015, pp. 177-182.

¹⁴Law on holidays of the Republic of Macedonia (Official Gazette of Republic of Macedonia, No. 21/1998).

public holidays. However, there are no provisions or socio-religious contract between the State of Macedonia and the Islamic Religious Community on various other faith matters such as permission to perform Jum'ah prayer on Friday for the government servants and employees of the private sector, shortening working hours during the fasting month of Ramadan as the public are not going for the lunch hour due to fasting, and other further suggestions as these issues are among the paramount importance for the followers of the faith. Now our focus will be on the role, functions, contributions and challenges of the Islamic Religious Community of Macedonia.

3.1. The Islamic Religious Community: Office and Scope

As an inherited continuation of the tradition of the Ottoman rule and Yugoslav era in the Balkans, the Islamic Religious Community (literally translated as the Islamic Religious Union but commonly known as the former) became an independent and only institution recognized by the Macedonian government that serves and represents Muslims of the country by the Law, as it was indicated earlier. After the dissolution of SFRY, the constitution of Islamic Religious Community of independent and sovereign country of Macedonia was drafted for the first time in 1994 and recognized by the state. With this, it entered to a new phase of history as a religious institution. In the constitution, it has been stated that the Islamic Religious Community of Macedonia due to its historical background is the sole legal inheritor of all the religious institutions and representative organization of all the Muslims in the territories of Macedonia. It is a competent institution that is in charge of the religious development and the welfare of Muslim believers which regulates by taking care as well as designates the affairs and obligations related to the followers of Islam. It also protects and cultivates all aspects of moral and social values, economic, cultural, educational, and other significant matters concerning Muslims. In addition, it represents Macedonian Muslims in the country and abroad. It is obligated to follow the Holy Quran, the tradition of the Prophet Muhammad, the constitution of the Islamic Religious Community of Macedonia, and practice the judicial school of Hanafi.¹⁵

Organizational structure within the Islamic Religious Community of Macedonia consists of four: a) the Council of the

¹⁵For details, see the book published by the Islamic Religious Community of Macedonia namely Bashkesia Fetare Islame e Republikes se Maqedonise, Skopje, Rijaseti i BFI, 2012, p. 4.

Islamic Religious Community; b) *Reisul-Ulema*, the Head; c) *Rijaset* of the Islamic Religious Community; and d) *Muftis* of 13 districts. The institutional areas which operate directly under and/or regulated by the Islamic Religious Community mainly are: a) *Waqf* Directorate; b) Religious schools of *Medrese*; c) Facult(ies) of Islamic Studies; d) Islamic research centers, institutes, libraries, information and publishing centers, museums, archives belong to Muslim history, hans (Ottoman accommodation complexes) and *hammams* (Ottoman public bathes); and e) Muslim humanitarian organizations.

Major but not least aspects in achieving the aims and objectives of the Islamic Religious Community are the following areas:¹⁶

- Educating and cultivating the Islamic values;
- Establishment and maintenance of mosques, *masjids*, Islamic centers, *tekkes* and *maktabs*;
- Establishment and running the educational institutions;
- Establishment and running the socio-cultural institutions;
- Establishment and maintenance of the libraries, archives, museums, and other specified institutions;
- Establishment and maintenance of the graves and graveyards;
- Establishment and running the welfare and charitable institutions;
- Establishment of *waqfs* (endowment) and protection of the rights;
- Promoting the peace and the declaration of war against evil and terrorism;
- Publishing the beneficial works;
- Cooperation with all the world institutions, associations, and various organizations that promote the Islamic values;
- Cooperation with all the religious centers, non-governmental and

¹⁶Ibid., pp. 6-7.

governmental organizations in Macedonia as well as supporting all the activities concerning the advancement of Muslim in the country related to religious, cultural, scientific, health, and socio-economic fields.

Nevertheless, it is significantly important to highlight the problem of restitution of religious properties expropriated by the former Yugoslav government, which was not fully resolved until the present. Many religious communities had extensive grounds or other properties expropriated by the communist regime, and they have not regained full ownership of many of the properties. Ownership of many mosques has been restored to the appropriate religious community, but that was not the case for most of the other properties. Restitution or compensation claims are complicated by the fact that the seized properties have changed hands many times or have been developed. The Islamic Religious Community of Macedonia has been tirelessly advocating the matter and claimed it was not able to regain rightful use of several mosques that the Government had agreed to return. The Islamic Religious Community was also alleged that in some cases the Government of Macedonia delayed the process of restitution by selling or starting new construction on disputed property and by questioning the historical legal claim of the Islamic Religious Community to religious properties (like the mosque of Burmalı and Davut Pasha *Hammam* in Skopje). It faced greater difficulty in obtaining ownership of previously owned property if the property was located in a desirable location for investors or business owners, often in urban areas. In addition, some *Sufi* Islamic groups of Macedonia experienced extensive difficulties, such as Bektashi center of Tetovo sued the Government for failing to reverse the former Yugoslavia's nationalization of the sufi lodge known as the Arabati Baba *Tekke*. The same Bektashi group also filed suit against the Islamic Religious Community, which seized part of the mentioned complex in 2002. The Islamic Religious Community's argument was that the property belonged to them, since the Bektashi order is a "mystical sect" of Islam. The dispute and legal issues still continues.

As was common in many other cities and towns of both the East and the West, Macedonian cities too had clock-towers named *saat-kule*, which was one of the most attractive monumental structures. In Macedonian case, most of the clock-towers were built during the Ottoman era. The clock-tower of Bitola was mentioned even during the 17th century in some written documents. The clock-tower of

Skopje attached to the mosque of Sultan Murad was mentioned by Evliya Çelebi and many others during the 17th century (Idriz, pp. 63-65). The clock-towers of the cities of Gostivar and Tetovo are also either attached or next to the mosque. However, the case of Bitola is in a great conflicting and provocative state of condition as the Christian symbol of cross was crowned to the clock-tower in the late 1990s created a clash between the Islamic Religious Community and the Government of Macedonia which has yet to be resolved. Similar examples and many other crucial issues are still ongoing conflicts causing the uneasy and unhealthy environments between the Muslim society and the Government of Macedonia, where the Islamic Religious Community's role is in paramount state.

3.2. The Role of Institutions within the Islamic Religious Community in Promoting Values and Culture

Islamic institutions and their activities under the office of Islamic Religious Community in Macedonia play the major role as they represent an important segment in promoting and disseminating the ethical values and proper code of conduct among the Muslims and between Muslims and non-Muslims. In this context, there are three significantly instrumental areas where the Islamic Religious Community has paid a great deal of focus in achieving the above intentions, and they are as follows:

1. Isa Beg Medrese (High school) including its branches as well as the Faculty of Islamic Studies (FSHI) are two key institutions for Islamic studies in Macedonia, where the subjects taught promote elements of civil education, universal values, ethics and culture. In this context, it is important to refer to the core subjects, where they shape aims and objectives of both institutions: Da'wah (Preaching Islam), Islamic civilization, and Akhlaq (Islamic moral education). As a result, through these courses students would be able to learn the following: a) cultural similarities and differences, functions of religion in society; b) Islamic civilization and its distinctive characteristics; c) relations of Islamic culture and civilization with other civilizations; d) being a model of tolerance and cooperation inside the society where one lives; and e) coexistence in multicultural societies and the positive attitude of Islam towards peace and tolerance (Muhammed Ali, p. 179).
2. Through the mosques and media that are under the supervision of the Islamic Religious Community of Macedonia prolific

performances and positive activities are conducted. There are more than 600 registered mosques in Macedonia. Besides mosques, the most important activities in the promotion of Islamic values which are in accordance with state and democratic values like tolerance and coexistence with members of other religious communities, the Islamic Religious Community through the religious and cultural articles published in the socio-cultural magazine namely “Hena e Re” (published in three languages, i.e. Macedonian, Albanian and Turkish) which functions as an organ of the institution, the “Ilmije” Association, which is one of the publications arm of the Islamic Religious Community, as well as active participation in religious programs on various radio and TV stations tries to achieve its aims and objectives (Ali, pp. 179-181).

3. Taking active part as participant in the international conferences with particular interest in inter-religious and inter-civilization dialogue has always been in the main agenda of the Islamic Religious Community. Starting from 2007, the world conference for inter-religious and inter-civilization dialogue is held every three years, under the organization of the Ministry of Culture and in cooperation with the Commission for relations with religious communities and religious groups, with religious communities in the Republic of Macedonia, as well as the Ministry of Foreign Affairs. The most eminent participants on these conferences are many presidents of states and governments, ministers of foreign affairs, ministers of culture, directors/chairmen of commissions for relations with religious communities, religious leaders, representatives of religious communities and organizations, representatives of international organizations such as UNESCO, Alliance of civilizations, the Council of Europe, Organization of the Islamic conference, Arab league, World Council of Churches, International conference for religions of peace, International organization of Francophones, eminent experts and university lecturers, who deal with matters from the perspectives of religion and culture.

The First international conference for inter-religious and inter-civilization dialogue with the topic “The Contribution of Religion towards Peace, Common Respect and Coexistence” was successfully realized in 2007 in the city of Ohrid. The Second world conference for dialogue between religions and civilizations was held in 2010 in Ohrid as well, with the theme “Religion and Culture – Unbreakable

Connection between People.”

Both conferences had numerous participants from invited eminent religious leaders, intellectuals and politicians who deal with the inter-religious and inter-cultural dialogue. In both conferences there were participants from more than 50 countries and they were followed by a hundred accredited journalists and reporters from both Macedonia and overseas. In these conferences, many common declarations were adopted and the international committee for organizing the next world conference was formed. The above mentioned two conferences made great contributions towards strengthening inter-religious dialogue and tolerance and affirming democratic values that play a vital role on respect between differences. Ministry of Culture of the Republic of Macedonia (2011).

However, the third conference held in 2013 was boycotted by the Islamic Religious Community, an act that caused a series of reactions. This action from the authorities was justified by the discriminatory politics of the Macedonian government towards the institution of the Islamic Religious Community. The following reasons were mentioned in the explanation for the boycott: 1) ‘Delay of Carshi Mosque rebuilding in Prilep, burned by Macedonian nationalists during the 2001 conflict; 2) Delay of Lazhec Mosque rebuilding; 3) Crosses crowned and painted on the Clock-Tower in Bitola and Prilep respectively; 4) Call for the restitution of the Islamic Religious Community’s nationalized land; 5) Granting a designated land for building the new office for the Islamic Religious Community in Skopje; 6) Exclusion of Islamic elements in the city centre of Skopje from the ‘Skopje 2014 Project.’ (Muhamed Ali, pp.180-181)

IV. CONCLUDING REMARKS

As a continuation of the Islamic institutional tradition particularly with reference to the Balkan Peninsula, beginning with the office of Qadi during the Ottoman rule and its continuation with the office of Rijaset or rather Reisul-Ulema during both the Kingdom of Yugoslavia and the Communist Yugoslavia followed by the break of Yugoslav states and establishment of the newly emerged states whereby the office representing Muslim communities was rearranged and reemerged with the new rules and constitutions of the institutions namely Islamic Religious Community in the major three states of Macedonia, Kosovo and Bosnia and Herzegovina.

Since the independence of Macedonia from Yugoslavia and the first drafted constitution of the Islamic Religious Community of Macedonia in 1994, Muslims of Macedonia to some extent began to regain their religious rights and freedom. Thanks to the existence of the Islamic Religious Community which played a catalyst role in keeping the affairs of religion and the state in the most exalted level, if not the best. Using its instruments properly, the Islamic Religious Community of Macedonia managed not only to survive but gain a very strong respect among the Muslim folks and the governmental and international arenas. The question here is that whether the Islamic Religious Community has done enough contributions as well as the Government of Macedonia has been fair towards its Muslim population in terms of their religious right and other related matters, the answer would be that there is 'a long way to go.' A simple remark or rather a suggestion here could be that both the Islamic Religious Community and the Government of Macedonia has to learn a lot from the history of Ottoman rule in the Balkans and its management with the subject of all faiths, as we have tried to give a glimpse at the beginning of this article.

REFERENCES

Bashkesia Fetare Islame e Republikes se Maqedonise (2012). Skopje, Rijaseti i BFI.

Government of Afghanistan (2015). <http://www.mohia.gov.af/en> , (Accessed on 15.02.2015).

Federal Authority (2015). <http://www.pmo.gov.bn/Theme/Home.aspx> & <http://www.mufti.gov.bn/> (Accessed on 15.02.2015).

Halil Inalcık (1982). *Ottoman Archival Materials on Millets, in Christians and Jews in the Ottoman Empire*, ed. by B. Braude and B. Lewis, vol.: 1, New York: Holmes & Meier, pp. 437.

Halil İnalcık (1989). *The Ottoman Empire: The Classical Age 1300-1600*, trans. by Norman Itzkowitz and Colin Imber, New York: Aristide D. Caratzas.

Hazim Fazlic (2011). *Islam in the Successor States of Former Yugoslavia-Religious Changes in the Post-Communist Balkans from 1989-2009*, An Unpublished PhD thesis submitted to the University of Birmingham.

Lejla Ramic-Mesihovic (2014). *Religious Organization of the Montenegrin Muslims after the Berlin Congress, in Islam in Southeast Europe: Past Reflections and Future Prospects*, ed. by Mesut Idriz and Osman Bakar, Bandar Seri Begawan, UBD Press.

Leyla Amzi-Erdoğan (2013). *Afterlife of Empire: Muslim-Ottoman Relations*

The Office of Islamic Religious Community of Macedonia: A Study From the Socio-Legal Framework in *Habsburg Bosnia Herzegovina, 1878-1914*, an unpublished PhD Dissertation submitted to the Graduate School of Arts and Sciences, Columbia University.

Mehmet İpşirli (1994). *Klasik Dönem Osmanlı Devlet Teşkilatı*, in *Osmanlı Devleti ve Medeniyeti Tarihi*, ed. By Ekmeleddin İhsanoglu, vol.: 1, Istanbul: IRCICA.

Mesut Idriz (2010). *The Balkan City of Ottoman Manastir (Bitola): A Model Paradigm for Applied Shari'ah with Reference to Ottoman Judicial Records*, Kuala Lumpur, Pelanduk Publications.

Ministry of Awqaf (2015). Islamic Affairs - State of Kuwait, <http://cms.islam.gov.kw/Pages/en/Default.aspx> (Accessed on 15.02.2015).

Ministry of Culture of the Republic of Macedonia (2011). *Third World Conference on Dialogue among Religions and Civilizations*, <http://www.kultura.gov.mk/index.php/odnosi-so-javnost/soopstenija/933-treta-svetska-konferencija-zamegjureligiski-i%20megjucivilizaciskidijalog> (Accessed on 15.02.2015).

Ministry of Islamic Affairs (2009). *Endowments, Da'wah and Guidance*, <http://www.moia.gov.sa/eng/Menu/Pages/About.aspx> (Accessed on 15.02.2015).

Ministry of Religious Affairs (2013). Government of Pakistan, <http://www.mora.gov.pk/gop/index.php?q=aHR0cDovLzE5Mi4xNjguNzAuMTMwOjkwODAvbW9yYS8%3D> (Accessed on 15.02.2015).

Muhamed Ali (2015). *Civic Education and Religion in Macedonia, in Islam and Citizenship Education*, ed. by Ednan Aslan and Marcia Hermansen, VS.

Mustafa Imamovic (2006). *Bosnia and Herzegovina Evolution of its Political and Legal Institutions*, translated into English by Saba Risaluddin, Sarajevo: Magistrat Sarajevo.

Pusat Informasi dan Humas Kementerian Agama (2014). <http://www.kemenag.go.id/> (Accessed on 15.02.2015)

Stanford J. Shaw (1976). *History of the Ottoman Empire and Modern Turkey*, vol.: 1, Cambridge: Cambridge University Press.

The Government of Malaysia (2015). <http://www.islam.gov.my/en> (Accessed on 15.02.2015).

The Ministry of Buddhasasana and Religious Affairs in Sri Lanka; and the Central Islamic Council of Thailand (CICOT) The central Islamic Council of Thailand (2015). <http://www.cicot.or.th/>, (Accessed on 15.02.2015).

The Ministry of Ethnic Affairs State Ethnic Affairs Commission (2015), <http://www.seac.gov.cn/> (Accessed on 15.02.2015).

The Ministry of Minority Affairs in India; Ministry of Minority Affairs (2015). <http://www.elections.in/government/ministry-of-minority-affairs.html>,

Governmnet of India, (Accessed on 15.02.2015).

The State Council The people's Republic of China (2015). <http://english.gov.cn/> (Accessed on 15.02.2015).

Turkey Presidency of Religious Affairs (2013). <http://www.diyenet.gov.tr/en/home> (Accessed on 15.02.2015).

U.S. Department of State (2007). International Religious Freedom Report, <http://www.state.gov/j/drl/rls/irf/2007/90187.htm> (Accessed on 15.02.2015).