

THE DISCOURSE ON ISLAM, DEMOCRACY AND HUMAN RIGHTS IN BOSNIA AND HERZEGOVINA 1980–2010

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Abstract: This article explores the relationship between Islam, democracy, and human rights in Islamic publications in Bosnia and Herzegovina in the period from 1980 to 2010. During this period two waves of the Islamic revival emerged in the country, as a reaction to an existing threat to Bosnian Muslims' vital rights and interests, which in turn were presented by Serb nationalist intellectuals as "evidence" of the supposed intent of Bosnian Muslims to create an Islamic state in Europe which "could become the stronghold of the most extreme Islamic fundamentalism". Based on an analysis of the publications from this period, this article explores the influence of the Islamic revival on the relationship between Islam, democracy and human rights. It shows that most of the publications are written by prominent Muslim intellectuals, who emphasize the compatibility of Islam, democracy and human rights. It also shows that while the different interpretations of Islam that were brought in the second wave of the Islamic revival challenged the local Islamic customs and religious practices, there were no attempts to impose political ideas. There were no demands for the application of the Shari'ah or the establishment of an Islamic state.

Keywords: Islam, democracy, human rights, Islamic revival

Apstrakt: Ovaj članak istražuje odnos između islama, demokratije i ljudskih prava u islamskim publikacijama u Bosni i Hercegovini u periodu od 1980. do 2010. godine. Tokom tog perioda pojavila su se dva vala islamske obnove, uglavnom kao odgovor na postojeću prijetnju njihovim vitalnim pravima

i interesima, koje su srpski nacionalistički intelektualci predstavljali kao “dokaz” navodne namjere muslimana u Bosni i Hercegovini da stvore islamsku državu u Evropi koja bi “mogla postati uporište najekstremnijeg islamskog fundamentalizma”. U ovom radu istražuje se utjecaj islamske obnove na odnos islama, demokracije i ljudskih prava, na temelju analize publikacija iz datog perioda. Većina radova objavljenih u ovom periodu naglašavaju kompatibilnost islama, demokracije i ljudskih prava i napisali su ih istaknuti muslimanski intelektualci. Također, ovaj članak pokazuje da, iako su različita tumačenja islama koja su donesena u drugom valu islamskog preporoda, dovela u pitanje lokalne islamske običaje i vjerske prakse, nije bilo pokušaja nametanja političkih ideja. Nije bilo zahtjeva za primjenom šerijata ili uspostavom islamske države.

Ključne riječi: islam, demokracija, ljudska prava, islamski preporod

Introduction

When Bisera Turković, then Bosnian and Herzegovinian Minister of Foreign Affairs, said in an interview held on 11th December 2020 that the abolition of the entities in Bosnia and Herzegovina (B&H) is possible “by the will of the people and with the support of the foreign powers”,¹ the Serb member of the Presidency of Bosnia and Herzegovina and secessionist, Milorad Dodik, called her “a Muslim fundamentalist and extremist”, who “along with others who stand for Bosnia and Herzegovina propose that Republika Srpska and Serbs disappear, that they subdue Croats, so that Muslims and *mujahideen* can spread here”.²

This same rhetoric has been used since the 1980s, by Serb nationalist intellectuals and politicians who, in order to justify future acts against Bosnian Muslims, sought to portray them as “Islamic fundamentalists” who want to

¹ “Burne reakcije iz Republike Srpske na izjave ministrice Turković”, *Radio Slobodna Evropa* 12. 12. 2020, available at: <https://www.slobodnaevropa.org/a/30997631.html> (accessed 10 July 2023).

² “Dodik saziva sastanak zbog izjava ministrice Bisere Turković: To je muslimanski fundamentalista i ekstremista”, *Novi*, 13. 12. 2020, available at: <https://novi.ba/clanak/301626/dodik-saziva-sastanak-zbog-izjava-ministrice-bisere-turkovic-to-je-muslimanski-fundamentalista-i-ekstremista> (accessed 10 July 2023).

create a Muslim state in Europe which “could become the stronghold of the most extreme Islamic fundamentalism and a state to which money would flow from the most extreme Islamic countries”.³ They have portrayed Islamic revival as a radical or militant movement, which has spread from the Middle East towards Europe, trying, as the Bosnian scholar Fikret Karčić pointed out, not to explain the phenomenon but to influence its direction.⁴

This article analyses the relationship between Islam, democracy, and human rights in the Islamic publications in Bosnia and Herzegovina in the period from 1980 to 2010. During this period two waves of the Islamic revival emerged in Bosnia and Herzegovina, were both used as “evidence” of the supposed intent of Bosnian Muslims to create an Islamic state. The first revival began after the liberalization of the socialist regime in the late 1960s, which introduced a period of Muslim national affirmation in B&H, and opened the issue of the place of Islam in their cultural identity. The second began after the dissolution of Yugoslavia in 1991, which was abruptly followed by the ethnic cleansing and genocide of the Bosnian Muslims (Bosniaks). The main agents of Islamic revival after 1992, were foreign Muslim aid workers, several hundred – mainly Saudi and Iranian – freedom fighters (*mujahedeen*), and the graduates of Islamic studies outside the country (often sent by *mujahedeen* and aid agencies),⁵ who criticized local Islamic customs and practices and sought to impose their interpretation of Islam.

Based on the analysis of the publications belonging to both waves of the Islamic revival, this article explores the influence of Islamic revivalism on

³ Norman Cigar, “The Nationalist Serbian Intellectuals and Islam: Defining and Eliminating a Muslim Community”, in: *The New Crusades: Constructing the Muslim Enemy*, eds. Emran Qureshi and Michael A. Sells, New York: Columbia University Press, 2003, 330.

⁴ Fikret Karčić, “Islamic Revival in the Balkans 1970–1992”, in: *Islamic Studies*, 1997, vol. 36, no. 2/3, 578.

⁵ Harun Karčić, “Globalisation and Islam in Bosnia: Foreign Influences and Their Effects”, in: *Totalitarian Movements and Political Religions*, 2010, vol. 11, no. 2, 151–166; Harun Karčić, “Islamic Revival in Post-Socialist Bosnia and Herzegovina: International Actors and Activities”, in: *Journal of Muslim Minority Affairs*, 2010, vol. 30, no. 4, 519–534.

the Bosnian scholars approach to the relationship between Islam, democracy, and human rights. Periodical publications included in this review are: *Preporod* (Renaissance) the informative publication of the Riyasat of the Islamic Community in B&H, issued twice a month since 1970 and one of the most important promoters of the revitalization of Islam in the first wave of Islamic revival. Also considered is *Glasnik Vrhovnog islamskog starješinstva/Rijaseta u Jugoslaviji / Glasnik Rijaseta Islamske zajednice u Bosni i Hercegovini* (The Herald of the Supreme Islamic Authorities/Riyasat in Yugoslavia / The Herald of the Riyasat of Islamic Community in Bosnia and Herzegovina) an official journal of the Islamic Community in Bosnia and Herzegovina (hereafter: Islamic Community) published bimonthly since 1933; *Takvim*, an almanac, published by the Association of Ulama since 1933; *Islamska misao* (Islamic Thought), published monthly since 1979 until 1993; *Muallim* (Teacher), published by the Association of Ulama from 1910 to 1913 and from 1990 to 1998, and since 2000 under a new name – *Novi muallim* (New Teacher); *Saff* (Prayer row), a magazine of the main Salafi organization – the Active Islamic Youth published biweekly since 1997; *Novi horizonti* (New Horizons), a magazine for “scientific, cultural and spiritual affirmation”, published by the Association of Citizens “Selam” in Zenica, issued monthly since September 1999; *Znakovi vremena* (Signs of the Times), a magazine for philosophy, religion, science, and social practices, published by Ibn Sina Insitute, one of the main Iranian institutions in BiH, issued since 1997.

After a brief overview of the waves of the Islamic revival, the analysis of the publications that deal with the Islam and democracy and then Islam and human rights will be given in chronological order.

The First Islamic Revival – 1970–1992

The liberalization of the socialist regime in the late 1960s in Yugoslavia saw the rise of an Islamic revival, which was encouraged by the process of “national affirmation” of the Bosnian Muslims (Bosniaks). They were recognized

as a separate ethnic group (nation) under the name ‘Muslimani’. This inevitably led to a discussion on the place of Islam in their cultural identity.⁶

Islamic revival was manifested in the increase in Islamic publishing, the reconstruction of mosques, the reestablishment of *madrasas* (educational institutions), the opening of the Faculty of Islamic Theology in 1977 in Sarajevo, the reopening of a girls’ division of the Gazi Husrevbeg *madrasa*, the reappearance of Islamic social symbols in public life, etc.

During 1970, as part of this process of revitalization, Alija Izetbegović, who would go on to become the first president of the independent B&H in 1992, wrote a treatise on the politics and Islam, in which he called for “renewal of Islamic religious thought and the creation of a unified Islamic community from Morocco to Indonesia”.⁷ This treatise was partially published in *Takvim* in 1972,⁸ but was only problematized eleven years later, when in 1983, it served as a basis for charges against the group of thirteen people, including Alija Izetbegović, levelled by the Yugoslav authorities for “carrying out criminal acts of a counterrevolutionary threat to social order”.⁹ They were accused of encouraging the creation of an “ethnically pure Bosnia and Herzegovina”, secretly traveling to Iran and circulating the *Islamic Declaration*.¹⁰

Izetbegović was sentenced to fourteen years in prison by the District Court in Sarajevo, later reduced to nine years by Yugoslavia’s Federal Court. He was released in 1988, after five years in prison.¹¹ During the same year, his

⁶ F. Karčić, “Islamic Revival in the Balkans 1970–1992”, 567.

⁷ Alija Izetbegović, *Islamska deklaracija*, Sarajevo: Bosna, 1990, 3.

⁸ Alija Izetbegović, “Sadašnji trenutak muslimanskih naroda”, in: *Takvim*, Sarajevo: Izvršni odbor Udruženja ilmije u SRBiH, 1972, 51–62; Alija Izetbegović, “Islamski preporod – vjerska ili politička revolucija”, in: *Takvim*, 1972, 63–66.

⁹ Abid Prguda, *Sarajevski proces: Suđenje muslimanskim intelektualcima 1983: sabrani dokumenti*, Sarajevo, 1990, 38, 45.

¹⁰ Anto Knežević, “Alija Izetbegović’s ‘Islamic Declaration’: Its Substance and its Western Reception”, in: *Islamic Studies*, 1997, vol. 36, vol. 2/3, 499.

¹¹ *Ibid.*, 500.

book *Islam between East and West* was published in Belgrade¹² in which he presented Islam as a “middle way”, a kind of spiritual and intellectual synthesis which included the values of Western Europe,¹³ and compared it, among others, with the social doctrine of the Catholic Church and social democracy.

The *Islamic Declaration*, which will be analyzed in greater detail later, does not mention B&H or Yugoslavia. However, since the beginning of the 1980s it has been represented as a “blueprint for the transformation of Bosnia into a fundamentalist Islamic state”¹⁴ by the Serb nationalists and used to justify future acts against Bosnian Muslims.

The Party of Democratic Action (*Stranka demokratske akcije*) which was formed in May 1990, under the leadership of Alija Izetbegović, used certain Muslim symbols such as the green coloured flag with the crescent and referred to Islam as an element of Bosnian identity and religious liberties as a part of general human rights and freedoms, but there were no demands for the establishment of the state on the basis of an Islamic ideology nor any calls for the implementation of Shari‘ah.¹⁵

The Islamic revival of this period was a mainly religious and cultural movement. This was, according to prominent Islamic scholar, Fikret Karčić, partly a result of the apolitical nature of Islam in the post-Ottoman period, the demise of the Marxist ideology and aggressive secularism, and the failure of the concept of Serbs as the “ruling nation”. The revival of Islamic cultural identity was a Muslim reaction to an existing threat to their vital rights and interests.¹⁶

The dissolution of the Yugoslav Federation in 1991 and the subsequent genocide of Bosnian Muslims marked an end of this wave of the Islamic revival in B&H.¹⁷

¹² Alija Izetbegović, *Islam između Istoka i Zapada*, Beograd: Nova, 1988.

¹³ Noel Malcolm, *Bosnia: A Short History*, London: Pan Books, 2002, 221.

¹⁴ *Ibid.*, 219.

¹⁵ F. Karčić, “Islamic Revival in the Balkans 1970–1992”, 574.

¹⁶ *Ibid.*, 578.

¹⁷ *Ibid.*, 579.

Islamic Revival After 1992

After the dissolution of Yugoslavia, B&H gained independence in 1992 by referendum. In the war that followed, begun by the Bosnian Serbs, aided and orchestrated by Serbia and Montenegro, Bosnian Muslims were persecuted, tortured, and killed on a mass scale, sent to concentration camps, men and women raped, and humiliated in other ways. In a systematic campaign of religious and cultural eradication, religious and cultural heritage was destroyed. Ethnic cleansing and genocide culminated in the extermination of more than eight thousand men and boys in Srebrenica in July 1995.

With the new unprecedented circumstances that threatened the survival of the Bosnian Muslims, the second and different wave of the Islamic revival began. The main protagonists of this wave of Islamic revival were several hundreds of freedom fighters (*mujahedeen*) mainly from Iran, Saudi Arabia and other Gulf states, and foreign Muslim aid workers.

The understanding of Islamic practices of these fighters and aid workers clashed with the ways Islam has been practiced traditionally. Particularly challenging has been the ideological influence of Salafism, whose representatives often strongly criticized local Islamic customs and practices and sought to impose their interpretation of Islam. In a booklet *Shvatanja koja trebamo ispraviti* (Attitudes that we have to change) published in the central Bosnian town of Travnik in 1993, the author ‘Imad al-Misri¹⁸ made an argument for a radical departure from some established practices among Bosnian Muslims. After identifying the number of “incorrect” practices, he appealed to the *imams* to watch their behavior, to leave Turkish innovations in religion, to require the consent of the bride’s guardian before concluding marriage, to be in the forefront of *jihad*, etc.¹⁹ However, Bosnian Muslims

¹⁸ The author, ‘Imad al-Misri was deported to Egypt on October 6, 2001 under the accusation of false identity (allegedly he was Al Hussein Arman Ahmed who is sentenced to ten years imprisonment in Egypt). See more: Ahmet Alibašić, “Traditional and Reformist Islam in Bosnia and Herzegovina”, in: *Cambridge Programme for Security in International Society (C-SIS)*, working paper no. 2, 2003, 16.

¹⁹ A. Alibašić, “Traditional and Reformist Islam”, 16.

were not receptive to these attempts to indoctrinate them, as one former Bosnian soldier stated: “Those who came here from the East came ill-[in]formed about the Bosnian Muslims, who are both Easterners and Westerners. Their plan to impose their way of seeing the religion and teach us how to pray has failed. They tried to plant trees here, palm trees, which can’t grow in Bosnia.”²⁰

Despite the opposition of the local population to what they saw as alien Islamic practices after the war ended, Gulf states’ (mainly Saudi Arabia) and Iran’s humanitarian organizations and the religious, cultural, and diplomatic institutions remained in the country (or were established after 1995) and became the main protagonists of the Islamic revival in the following years.²¹ The main Saudi relief agencies were the Saudi High Committee for Assistance to Bosnia and Herzegovina, which was founded in 1993 by Prince Salman Ibn Abdulaziz Al-Saud and the Al-Haramain Foundation, who spread Salafi ideas through publishing and distributing the books, financing orphanages, schools, Islamic centers and mosques etc.²² The Active Islamic Youth was the most important local organization, “the symbol and catalyst of Islamic revival at the same time”, which was very active in promoting Salafi ideas.²³ Their magazine, *Saff* has been in existence since 1997 and will also be part of this analysis. Another important magazine with a pro-Salafi orientation is the monthly *Novi horizonti*, which was established by the former mufti of Zenica, but whose major contributors are considered to be Salafi and conservative by the Islamic Community.²⁴

The Active Islamic Youth organization, along with its sister organization, al-Furqan were closed down in 2004 and 2006 respectively.²⁵ *Saff* and

²⁰ Ina Merdjanova, *Rediscovering the Umma: Muslims in the Balkans between Nationalism and Transnationalism*, New York: Oxford University Press, 2013, 61.

²¹ H. Karčić, “Islamic Revival in Post-Socialist Bosnia and Herzegovina”, 524–528

²² *Ibid.*, 526.

²³ A. Alibašić, “Traditional and Reformist Islam”, 12.

²⁴ *Ibid.*, 18.

²⁵ H. Karčić, “Globalisation and Islam in Bosnia”, 159.

Novi horizonti continued to be published but with a different, more nationalistic than religious orientation.

Among the Iranian cultural and academic institutions, which promote Iranian Shia and pro-Shia views in Bosnia and Herzegovina are the Mulla Sadra Foundation and the Ibn Sina Institute. Unlike Saudi Arabia their focus are Bosnian intellectual elites.²⁶ Ibn Sina Institute publishes a high-quality journal called the *Signs of the Times* (*Znakovi vremena*).

Turkish institutions and organizations were also present (and still are), but unlike the Middle Eastern agents that challenged local Islamic institutions and traditional practices, the Turkish efforts were “geared towards the preservation of existing institutional structures, religious practices and the rediscovery of the Ottoman-Islamic heritage”.²⁷

However, no Islamic organization, including the Salafi ones, tried to impose political ideas on the Bosnian Muslims or demanded the application of the Sharia or the establishment of an Islamic state. As this article will show, the publications that belong to the foreign Islamic institutions and organizations, or promote Salafi or Shia interpretations of Islam either did not deal with Islam and democracy or promoted the compatibility of Islam and human rights.

Islam and Democracy

During the period from 1980 to 1990, not a single article or a book explicitly dealing with Islam, democracy and human rights was published in B&H. That was mainly the consequence of the careful scrutinization of the Islamic publications by the state prosecutors, as well as internal censorship, since the religious communities in Yugoslavia were allowed only to publish papers devoted to the exposition of religious teachings and dissem-

²⁶ H. Karčić, “Globalisation and Islam in Bosnia”, 161.

²⁷ Kerem Öktem, *New Islamic Actors After the Wahhabi Intermezzo: Turkey’s Return to the Muslim Balkans*, European Studies Centre, University of Oxford, 2010, 42.

ination of news on confessional matters.²⁸ Paradoxically, as a consequence of that, the Muslims in Yugoslavia learned more about the Islamic revival – a new development in the Muslim world that contributed to their new self-perception – through the secular liberal media from Belgrade and Zagreb than through the publications of the Islamic Community.²⁹

In 1990, *Preporod* published an interview with Fathi Osman, an influential scholar who articulated a liberal interpretation of the Qur’anic teaching on democratic pluralism, human rights, women’s rights, and the obligation of Muslims in the West to embrace Western civic values. Osman stated in the interview that democracy is “a necessity” and that the Qur’an, the Hadith and the tradition of the first caliphs “can fully nurture the spirit of modern democracy”.³⁰

During the same year, the *Islamic Declaration*, written by Alija Izetbegović, was republished in Sarajevo. The book consists of an introduction, three chapters, and a conclusion. The first chapter deals with the “backwardness of the Muslim peoples”, “the roots of helplessness” and “the indifference of the Muslim masses”. The second chapter treats the “Islamic order” and the contemporary problems of the “Islamic order” are addressed in the third chapter.

Izetbegović defined Islamic order as the “unity of religion and law, upbringing and power, ideal and interest, the spiritual community and the state and willingness and force”.³¹ As a synthesis of these components, he states, the Islamic order has two fundamental assumptions: Islamic society and Islamic government. An Islamic society, which is “the matter of the Islamic order”, without an Islamic authority is “incomplete and without power”. The Islamic government, which is a “form of the Islamic order”, without an Islamic society

²⁸ Fikret Karčić, “Preporod Newspaper: An Agent of and a Witness to Islamic Revival in Bosnia”, in: *Intellectual Discourse*, 1999, vol. 7, no. 1, 91.

²⁹ F. Karčić, “Islamic Revival in the Balkans 1970–1992”, 568.

³⁰ Fathi Osman, “Džihad je odbrana ljudskih prava” [Jihad is a Defense of Human Rights], in: *Preporod*, no. 23/486, 1 December 1990, 10–11.

³¹ A. Izetbegović, *Islamska deklaracija*, 19.

is “either utopia or violence”.³² “Islamic order”, he states “can only be achieved in countries where Muslims represent the majority of the population. Without this majority, the Islamic order is reduced to mere power (because the second element is lacking – the Islamic society) and can turn into tyranny”.³³

In the sentence frequently quoted in isolation by the Serb propagandists “there is no peace or coexistence between the Islamic faith and non-Islamic social and political institutions”,³⁴ as Noel Malcolm pointed out, Izetbegović was referring to countries which, unlike Bosnia, have Islamic societies, and arguing that where the majority of the people are practicing Muslims, they cannot accept the imposition of non-Muslim institutions.³⁵

The only part of the treatise that can be understood as referring to the position of the Bosnian Muslims is the paragraph treating Muslim minorities in non-Muslim states. It says: “Muslim minorities comprised in non-Muslim communities, so long as there is a guarantee of religious freedom and normal life and development, are loyal and are obliged to carry out all obligations towards that community, except those which harm Islam and Muslims”.³⁶

However, as has been previously mentioned the *Islamic Declaration*, has been represented since the early 1980s, as a “blueprint for the transformation of Bosnia into a fundamentalist Islamic state”,³⁷ and was used to justify future acts against Bosnian Muslims in the eyes of the West. For instance, in 1992, Radovan Karadžić, the leader of Bosnian Serbs, who was later convicted of genocide, crimes against humanity, and war crimes, accused Izetbegović attempting to create “the first Islamic state in the heart of modern Europe”,³⁸ citing the *Islamic Declaration* as proof. In 1994 he “warned” that the Muslims

³² A. Izetbegović, *Islamska deklaracija*,

³³ *Ibid.*, 37.

³⁴ *Ibid.*, 22.

³⁵ N. Malcolm, *Bosnia*, 220.

³⁶ A. Izetbegović, *Islamska deklaracija*, 37–38.

³⁷ N. Malcolm, *Bosnia*, 219.

³⁸ A. Knežević, “Alija Izetbegović’s ‘Islamic Declaration’”, 503.

“have dark schemes, wishing to make Bosnia a springboard for Islamic penetration into Europe”.³⁹ “The West”, he stated, “will be grateful to us one day because we decided to defend Christian values and culture”.⁴⁰

During the war, the publications under review here were either not published or were focused on documenting the destruction of religious and cultural heritage and persecution of Bosnian Muslims. No articles dealing with Islam, democracy, and human rights were published until 1995.

In 1995 however, Džemaludin Latić, an eminent pan-Islamist activist, who was a close associate of Izetbegović and the co-defendant at the 1983 trial (when he was sentenced to three and a half years in prison by the Yugoslavia's Federal Court), discussed the relationship between Islam and democracy in an article entitled “Islam and Democracy”, where he criticized democracy and suggested that a *'daru s-sulh'* (a non-Muslim territory that has concluded an armistice with a Muslim government, agreeing to protect Muslims) was a “political ideal” for the Bosnian Muslims and Muslims in Sandžak (the part of Serbia). “It is a territory in which Muslims are not the majority or where the Islamic laws are not applied, but Muslims in such territory are free and no one endangers their lives, faith, and honor”.⁴¹ Džemaludin Latić was a representative of the pan-Islamist current which was in a minority within the Islamic Community, and had marginal political position, as Xavier Bougarel has shown.⁴²

During the same year, 1995, a translation of the book *Islam and Democracy, Theocracy and Totalitarianism*⁴³ written by the Turkish author Ali Bulaç, was published in B&H. Latić wrote the foreword. Bulaç is a controversial

³⁹ N. Cigar, “The Nationalist Serbian Intellectuals and Islam”, 329; See more: Emir Suljagić, “Genocide by Plebiscite: The Bosnian Serb Assembly and Social Construction of ‘Turks’ in Bosnia and Herzegovina”, in: *Journal of Genocide Research*, 2021, vol. 23, no. 4, 568–587.

⁴⁰ N. Cigar, “The Nationalist Serbian Intellectuals and Islam”, 331.

⁴¹ Džemaludin Latić, “Islam i demokracija” [Islam and Democracy], in: *Takvim*, 1995, 28.

⁴² Xavier Bougarel, *Islam and Nationhood in Bosnia-Herzegovina: Surviving Empires*, tr. by Christopher Mobley, London – New York: Bloomsbury Academic, 2018, 195.

⁴³ Ali Bulaç, *Islam i demokracija, teokracija i totalitarizam*, tr. by Ajet Arifi, Sarajevo – Ljubljana: Liljan, 1995.

Turkish Islamic thinker, sociologist, theologian and columnist in various newspapers, including the *Zaman* and *Yarına Bakış*. He considers democracy a more advanced form of government compared to reciprocal models such as oligarchy, monarchy and one-party systems,⁴⁴ but he argues that it safeguards and represents only the majority of the population. A 51 percent majority, he believes, can impose measures on 49 percent of the population that has no possibility of defending itself.⁴⁵ Therefore, he advocates for the “Constitution of Medina” model which gives every group (religious, political, ethnic) the right to administer its community in the way it chooses. This system grants a high degree of autonomy and freedom to all minorities, something that democracy cannot provide so effectively. In this way, according to Bulaç, religious cultural and legal pluralism in the political community can function uniquely. This “unity in diversity” model, as he suggests to it be called, could resolve conflicts over the excessive power of the central government, so coexistence could be successfully realized.⁴⁶

In 1997, the compilation of Yusuf al-Qaradawi’s fatwas was published in Tuzla,⁴⁷ which contains his answer to the question about the relationship between Islam and democracy. Yusuf al-Qaradawi is an Egyptian Islamic scholar affiliated with the Muslim Brotherhood. He was a member of the Al-Azhar Islamic Research Council and the founder and chairman of the International Union of Muslim Scholars. A popular website, IslamOnline.net issued his fatwas, and Muslims around the world could submit their questions online.⁴⁸

Yusuf al-Qaradawi argues that Islam, before democracy, defined the principles on which democracy rests, but it left detailed elaborations to Muslims as a subject of discovery (*ijtihad*), in accordance with the precepts

⁴⁴ A. Bulaç, *Islam i demokracija, teokracija i totalitarizam*, 64.

⁴⁵ *Ibid.*, 49.

⁴⁶ *Ibid.*, 54.

⁴⁷ Jusuf el-Karadavi, *Savremene fetve* [Contemporary Fatwas], tr. by Amir Karić, Munir Mujić, Tuzla: Harfo-graf, 1997.

⁴⁸ <https://islamonline.net/>, accessed 12 July 2023.

of their religion, the demands of life, and the changes in their lives with regard to time and place.⁴⁹ He considers that democracy still holds the best means to guarantee the protection of the people from the domination of tyrants. While there is no obstacle to leaders and thinkers to try to find other ways, he considers it is necessary to take from democracy the methods to achieve justice, mutual agreement (*shura*), respect for human rights and rise up against the injustice of arrogant rulers.⁵⁰

Džemaludin Latić, in the other article published in 1998, referring to the Indian poet and philosopher, Muhammad Iqbal, and his views on democracy, suggests the concept of “Islamic democracy” which “has affirmed the concepts of consultation (*shura*), consensus (*ijma'*) and the independent formation of opinions and legal decisions (*ijtihad*)”. Latić emphasizes that, since the Qur'an does not give the specific formulation of the state model, then *shura*, *ijma'*, and *ijtihad* are crucial in formulating Islamic democracy and in connecting Islam and democracy in modern times.⁵¹ However, he did not suggest it as a model for B&H.

In 1998, a collection of texts dealing with Islamic law in the contemporary period was published in Sarajevo.⁵² It contained a translation of Azizah Y. al-Hibri's analysis of Islamic constitutionalism and the concept of democracy. Azizah Y. al-Hibri is a professor of law at the University of Richmond. In 1992, she became the first Muslim woman law professor in the United States. Since then, she has written about women's issues, democracy, and human rights from an Islamic perspective. In her 1992 article “Islamic Constitutionalism and the Concept of Democracy”, originally published in the *Case Western Reserve Journal of International Law*, al-Hibri discusses the basic principles of Islamic law relating to democratic

⁴⁹ J. el-Karadavi, *Savremene fetve*, 32.

⁵⁰ *Ibid.*, 32–42.

⁵¹ Džemaludin Latić, “Moć i nemoć demokracije i prednost islama nad njom” [Power and Powerlessness of Democracy and Advantages of Islam Over It], in: *Takvim*, 1998, 185–206.

⁵² Fikret Karčić and Enes Karić (eds.), *Šerijatsko pravo u savremenim društvima* [Sharia Law in Contemporary Societies], Sarajevo: Fond Otvoreno društvo BiH, 1998.

governance and assesses the Islamic system of government in light of two major principles of Western democracies: the will of the people and the separation of powers. She considers that the contrast between democracy and Islam “even though it appears striking, it is superficial”.⁵³

The seeming contrast, she states, stems from the fact that democratic governments and their laws draw their legitimacy from the will of people and base their legality on their approval, whereas in Islam laws draw their legitimacy from God’s will “which seems to be much closer to a totalitarian than a democratic system”.⁵⁴ However, by analyzing the democratic form of government in the United States of America and comparing it to Islam, she comes to different conclusions. As the political system of the United States is founded on the Constitution, she states, whilst the Qur’an is “the core of the Muslim’s constitution”⁵⁵ and the process of reinterpretation of the American Constitution is analogous to *ijtihad*. And, much as in the United States, where the legislature needs to enact a multitude of laws in the process of government, the Muslim legislature needs to do the same, since the Qur’an provides only general laws.⁵⁶ “Islam is flexible, and part of its flexibility lies in the ability to interpret and supplement the Qur’an, in ways consistent with the Qur’an, to produce laws suitable to a certain epoch and society”,⁵⁷ she writes.

On the other side she argues, since the Qur’an requires that Muslim governance be based on the principle of *shura* (consultation), this requirement, combined with the supremacy of Islamic law and the fact that the interpretation of such law rests with the *mujtahids*, “points to a *de facto* if not *de jure* separation of powers”.⁵⁸ Therefore, al-Hibri concludes, “the

⁵³ Azizah Y. al-Hibri, “Islamski konstitucionalizam i pojam demokratije” [Islamic Constitutionalism and the Concept of Democracy] tr. by Ahmet Alibašić, in: *Šerijatsko pravo u savremenim društvima* [Sharia Law in Contemporary Societies], ed. by Fikret Karčić, Enes Karić, Sarajevo: Fond Otvoreno društvo BiH, 1998, 89.

⁵⁴ Ibid.

⁵⁵ Ibid., 90.

⁵⁶ Ibid.

⁵⁷ Ibid., 91.

⁵⁸ Ibid., 100.

attempts by Muslims to improve the democratic character of their various Muslim states, if properly undertaken, need not run afoul of the rule of Islamic law, but may, in fact, enhance it”⁵⁹

In 2006, Khaled Abou El Fadl’s book *Islam and the Challenge of Democracy*⁶⁰ was translated and published in B&H. Khaled Abou El Fadl, professor of law at the University of California (Los Angeles) Law School, one of the world’s leading authorities on Islamic law and Islam, was awarded the University of Oslo Human Rights Award in 2007 for his analysis of Islamic law and human rights.

In *Islam and the Challenge of Democracy*, El Fadl states that democracy, by assigning equal rights of speech, association, and suffrage to all, offers the greatest potential for promoting justice and protecting human dignity.⁶¹ The fundamental idea of the Qur’an according to El-Fadl is that “God vested all of humanity with a kind of divinity by making every person the viceroy of God on this earth”.⁶² Human beings, therefore, as God’s vicegerents, are especially responsible for ensuring justice in the world. Democracy expresses the special status of human beings in God’s creation and enables them to discharge that responsibility.⁶³

Democracy, he emphasizes, does not ensure justice, but it does establish a basis for pursuing justice and thus for fulfilling a fundamental responsibility assigned by God to each one of us. “It is morally good in and of itself that democracy (through the institution of the vote, division of power and the guarantee of pluralism) at the very least offers the possibility to correct an injustice”,⁶⁴ he states.

⁵⁹ A. Y. al-Hibri, “Islamski konstitucionalizam i pojam demokratije”, 100.

⁶⁰ Khaled Abou El Fadl, *Islam and the Challenge of Democracy*, Princeton, Oxford: Princeton University Press, 2004.

⁶¹ Khaled Abou El Fadl, *Islam i izazov demokratije* [Islam and the Challenge of Democracy], tr. by Zilka Spahić-Šiljak, Sarajevo: Buyook, 2006, 10.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

In terms of the democratic concept of human authority and the Islamic understanding of divine authority, he argues that the conception of divine sovereignty does not negate human agency by requiring mechanical enforcement of rules. In fact, it accommodates human agency and even promotes it insofar as it contributes to the fulfillment of justice.⁶⁵ He suggests that Sharia is “a symbolic construct for the divine perfection that is unreachable by human effort”.⁶⁶ The meaning derived from the Qur’an and Sunna is negotiated through human agency. Laws articulated and applied in a state are thoroughly human and should be treated as such.⁶⁷ “Democracy is”, El-Fadl concludes, “an appropriate system for Islam because it both expresses the special worth of human beings – the status of viceregency – and at the same time deprives the state of any pretense of divinity by locating ultimate authority in the hands of the people rather than the *ulema*”.⁶⁸

In 2008, the chapter “Democracy and Human Rights” from El Fadl’s book *The Great Theft: Wrestling Islam from the Extremists*⁶⁹ was translated and published in *Glasnik Rijaseta Islamske zajednice*.⁷⁰ In this chapter, El Fadl argues that the most important challenge confronting Muslims today is the issue of whether Islam can support and bolster a democratic order that respects individual rights.⁷¹ He confronts “moderate and puritan” Muslims’ views on the issue.

While moderate Muslims, he argues, believe that human rights as a concept and democracy as a system are fully compatible with Islamic theology and law, puritans regard democracy as a Western invention. For them,

⁶⁵ K. A. El Fadl, *Islam i izazov demokratije*, 19.

⁶⁶ *Ibid.*, 25.

⁶⁷ *Ibid.*, 26.

⁶⁸ *Ibid.*, 27.

⁶⁹ Khaled Abou El-Fadl, *The Great Theft: Wrestling Islam from the Extremists*, New York: Harper Collins, 2005, 180–203.

⁷⁰ Khaled Abou El Fadl, “Demokratija i ljudska prava (otimanje islama od ekstremista)” [Democracy and Human Rights (Wrestling Islam from the Extremists)], tr. by Harun Karčić, in: *Glasnik Rijaseta Islamske Zajednice u BiH*, 2008, LXX, no. 9–10, 862–880.

⁷¹ K. A. El Fadl, “Demokratija i ljudska prava”, 862.

that is reason enough to reject it.⁷² Moreover, puritans insist on the recreation of the caliphate, and in this imagined order, there is no need for individual rights which they consider yet another component of the Western intellectual invasion.⁷³ On the other side, some moderate Muslims argue that not only are Islam and democracy and human rights reconcilable, but that Islam *mandates* and *demands* a democratic system of government.⁷⁴

Moderates, he states, reason that the “pursuit of justice obligates Muslims to find a system in which people must have access to powers and institutions within society that can redress injustices and protect people from oppression”.⁷⁵ He concludes that the human experience has clearly demonstrated that only a constitutional democratic system of government can fulfill these conditions.⁷⁶ The puritan ideology of the state, he states, “will only lead to considerable bloodshed without the puritans ever finding their utopia with its just despot”.⁷⁷

This moderate approach, as El-Fadl defines it, is employed by Bosnian authors. Enver Ferhatović, a researcher at the Otto-Suhr-Institute for Political Science, Freie Universität Berlin, wrote about democratic principles in Islam in 2007. In an article entitled “Elements of Democracy in Islam” he states that the Qur’an’s principles and the practices of the Prophet Mohammed, as a direct source of the Islamic law and political power, as well as the constitutional agreement between Muslims and the citizens of Medina, give enough legislative and political substance for a modern interpretation. All these principles, he considers, emphasize the spirit of coexistence, constitutional equality of Muslim and Non-Muslim citizens, and the establishment of parliamentary democracy which ensures the rule of law, division of power, and the protection of property, life, honor, and faith

⁷² K. A. El Fadl, “Demokratija i ljudska prava”, 875.

⁷³ Ibid., 877.

⁷⁴ Ibid., 865.

⁷⁵ Ibid., 868.

⁷⁶ Ibid.

⁷⁷ Ibid., 878.

of an individual.⁷⁸ “If both Muslim and Western scholars and politicians”, he concludes, “start understanding the history and the truth as a process, as Hegel presented it, then the reconciliation of Islam, modernism, and democracy will get the time it needs for development”.⁷⁹

In an article, “Islam and Democracy”, Abdulgafar Velić, the main imam of the Majlis of the Islamic Community of Sarajevo, states that since the Qur’an did not specify or strictly determine a type of government, instead of rejecting democracy, Muslims should use its principles “to establish *shura* in practice”.⁸⁰ “Muslims”, he writes, “currently do not have many alternatives, if we reject democracy as one of the possible alternatives, then we are left with the dictatorship and tyranny that the Qur’an warns us about in its narrations about Pharaoh, Hāmān, and Hārūn”.⁸¹

During the period under review, no articles dealing with Islam and democracy were published in the Salafi and pro-Salafi magazines, *Saff* and *Novi horizonti*, nor in the Iranian *Znakovi vremena*.

Islam and Human Rights

In 1990 the official Islamic Community publishing center – El-Kalem published a book *Qur’an and the Civil Liberties*⁸² written by Abolhassan Bani-Sadr – a year after it was first published in France (1989). During the same year, a chapter of this book entitled “Human Rights in Islam” was published in the magazine *Islamska misao* (Islamic Thought),⁸³ and

⁷⁸ Enver Ferhatović, “Moderni pristup politici u muslimanskoj misli: elementi demokratije u islamu” [Modern Approach to Government and Politics in Muslim Thought: Elements of Democracy in Islam], in: *Novi muallim*, 2007, VII, no. 29, 20–30.

⁷⁹ Ibid.

⁸⁰ Abdulgafar Velić, “Islam i demokratija” [Islam and Democracy], in: *Glasnik Rijaseta Islamske zajednice*, 2009, vol. LXXI, no. 7/8, 649.

⁸¹ Ibid., 650.

⁸² Abdulhasan Beni Sadr, *Kur’an i ljudska prava* [*Qur’an and the Human Rights*], tr. by Tarik Haverić, Sarajevo: Mešihat Islamske zajednice – El-Kalem, 1990.

⁸³ Abul Hassan Bani-Sadr, “Ljudska prava u islamu” [Human Rights in Islam], in: *Islamska misao*, 1990, XII, 29–37.

republished in the book *Uporedna religijska prava* (Comparative Religious Laws)⁸⁴ in 2005.

Abolhasan Bani-Sadr, an Iranian economist and politician, was the first president of the Islamic Republic of Iran after the 1979 revolution. After he was dismissed from office through a coup in 1981, he fled to France where he obtained a doctorate at the Sorbonne University and later taught. In his book, *Qur'an and the Civil Liberties*, Bani-Sadr finds the essence of human rights in Islam in the fact that, according to the Qur'an, a man was made in the nature of God. He considers that the articles of the Universal Islamic Declaration of Human Rights for which “the most comprehensive explanation can be found in the Qur'an”,⁸⁵ are in complete accordance with the main principles and goals of Islamic justice and they encourage *tawhīd* (the oneness of God). These rights, he states, “proclaim the respect of dignity which human beings enjoy in Islam”.⁸⁶

In 1991, the Cairo Declaration on Human Rights in Islam was translated by Fikret Karčić and published in *Glasnik Islamske zajednice u SFRJ*.⁸⁷ It was later republished in the book *Ljudska prava u kontekstu islamsko-zapadne debate* [Human Rights in the Context of the Islamic-Western Debate]⁸⁸ in 1996.

In the book *Ljudska prava u kontekstu islamsko-zapadne debate*, several articles and book chapters written by an Algerian philosopher and reformist thinker, a proponent of Islamic modernism, Mohammad Arkoun, were published. Among them is the article, “Human Rights and Islam”⁸⁹ in which

⁸⁴ Abul Hassan Bani-Sadr, “Ljudska prava u islamu”, in: *Uporedna religijska prava* [Comparative Religious Laws], ed. by Fikret Karčić, Sarajevo: Fakultet islamskih nauka, 2005, 167–203.

⁸⁵ A. Beni Sadr, *Kur'an i ljudska prava*, 151.

⁸⁶ Ibid.

⁸⁷ Fikret Karčić, “Kairska deklaracija o ljudskim pravima” [Cairo Declaration of Human Rights], in: *Glasnik Rijaseta Islamske zajednice u SFRJ*, 1991, vol. 54, no. 6, 784–790.

⁸⁸ Muhammed Arkoun, “Ljudska prava i islam”, in: *Ljudska prava u kontekstu islamsko-zapadne debate* [Human Rights in the Context of Islamic-Western Debate], ed. by Enes Karić, Sarajevo: Pravni centar – Fond Otvoreno društvo Bosne i Hercegovine, 1996, 159–170.

⁸⁹ The article “Human Rights in Islam” is the translation of the chapter of Arkoun’s book, *Rethinking Islam: Common Questions, Uncommon Answers*, tr. by Robert D. Lee, Westview Press, 1994, 106–113.

Arkoun asks for a “critical reexamination and reworking of the concept of Truth-Right (*al-haqq*) and its foundations”, which is “both possible and necessary”.⁹⁰ The analyses, he considers, must proceed in two directions: a) showing that Islam as a religion is not only open to the proclamation and defense of human rights, but also that the Qur’an, as the Word of God, defined these rights at the beginning of the seventh century, much before Western revolutions; b) the critical and historical reexamination of the actual contents of the Holy Scriptures, on the one hand, and of the modern culture of human rights on the other is still an urgent and indispensable intellectual task.⁹¹

Islamic thought, he writes, has always included a discourse on the rights of God and the rights of man (*huquq allah / huquq adam*) and the respect of human rights is an aspect of, and a basic condition for, respecting the rights of God.⁹²

During the same year, 1996, *Preporod* published Murad Wilfried Hofmann’s article “Human Rights” in which he considered the Islamic and Western conception of human rights, concluding that there is no “essential contradiction between Islamic and Western studies on human rights”.⁹³ Hofmann was a German diplomat and author, who converted to Islam in 1980. Since then he has written many articles and books on Islam, including *Islam: the Alternative*⁹⁴ and *Islam 2000*⁹⁵ which were both translated and published in B&H.

In 1998, Bosnian author Sead Hodžić in his article “Human Rights in Islam” argues that human rights are: “a complete, universal, constant, permanent and essential determinant of the holy Qur’an and the religion

⁹⁰ M. Arkoun, “Ljudska prava i islam”, 161.

⁹¹ Ibid., 161–162.

⁹² Ibid., 162.

⁹³ Murad Hofman, “Ljudska prava” [Human Rights], in: *Preporod*, no. 16/602, 15. December 1996, 18.

⁹⁴ Murad W. Hofmann, *Islam kao alternativa*, tr. by Behija Mulaosmanović-Durmišević, Zenica: Be-most, 1996.

⁹⁵ Murad W. Hofmann, *Islam 2000*, tr. by Mirnes Kovač, Sarajevo: El-Kalem, 2002.

of Islam”.⁹⁶ He analyses two documents: The Medina Charter “from the beginning of the history of Islam” and the Cairo Declaration on Human Rights in Islam, as a “modern time document”,⁹⁷ which he considered to be the proof that human rights are a: “constant and imperishable essence of Islam in the historical continuum”.⁹⁸

The next decade saw a proliferation of publications dealing with human rights and Islam. In this period, the dissemination of different interpretations of Islam, mainly Salafi and Shia had intensified. The salafi magazine *Saff* and the pro-shia magazine *Znakovi vremena* came into existence in 1997, and the pro-salafi magazine *Novi horizonti* has been published since 1999.

In 2000, in an article published in *Novi horizonti*, Bosnian author Sulejman Topoljak (who obtained his Ph.D. at the Faculty of Islamic Law, Jordan University in Aman) defines the ideological basis of human rights and liberties in Islam. He considers that God granted humans “perfect and unaltered rights and liberties and free will”, and made them responsible for respecting these rights.⁹⁹

In 2001, a translation of Olivier Leaman’s article “Can Rights Coexist with Religion?” was published in *Glasnik Rijasete Islamske zajednice*. This professor of philosophy at the University of Kentucky, concludes that rights can coexist with religion and vice versa. “A/the Believer thinks”, he states, “that the basis of his rights lies in God and a denier thinks it lies in his individuality”. They both believe in something that is true, that an individual has rights, but they explain these rights in different ways, he argues. “Since two ways of finding out the truth are possible, then there are two possible stories about this truth. According to the first one, morality is enabled by the fact that we all have the same rights based on our individuality and based on our belonging to humankind. According to the second story we

⁹⁶ Sead Hodžić, “Pogled na ljudska prava u islamu” [Human Rights in Islam], in: *Takvim*, 1998, 182.

⁹⁷ *Ibid.*, 178.

⁹⁸ *Ibid.*

⁹⁹ Sulejman Topoljak, “Ideološka osnova ljudskih prava i sloboda u islamu” [Ideological Basis for Human Rights in Islam], in: *Novi horizonti*, 2000, vol. 1, no. 2, 36–40.

are in a world created by a holy being that determined us to live in a certain way and as a result, we should conceive our essence by following the divine law. These stories are different but not incompatible”, Leaman concludes.¹⁰⁰

In an article “The Islamic Concept of Human Rights”, published in *Znakovi vremena*, a Bosnian author Mehmedalija Hadžić,¹⁰¹ the then advisor to the *reis-ul-ulama*’s, states that God endowed humans with rights “as a crown to His Creation on earth”. As God’s vicegerents on earth, in order to accomplish their duties, he states, humans were created by God to be free and were given rights and obligations. To have those rights and to enable others to enjoy the same, means “to be devoted to the Islamic idea of *tawhīd*, which is the faith in One and only One God”.¹⁰²

According Hadžić, human rights are duties and they represent an expression of devotion to God and “the return to the Creator”.¹⁰³ The essence of justice and equity in Islam, he states, is the demand that “to each be given his rights”, and only a human society that satisfies this general requirement can justly be regarded as “the best nation ever brought forth to men”. The consequence of violating fundamental rights is “chaos on Earth”, he concludes.¹⁰⁴

The following year, Seyyed Hossein Nasr’s article “Human Responsibilities and Human Rights” was also translated and published in *Glasnik Rijasete Islamske zajednice u Bosni i Hercegovini*.¹⁰⁵ Nasr is an Iranian-American professor of Islamic Studies at the George Washington University. The

¹⁰⁰ Olivier Leaman, “Mogu li prava koegzistirati sa religijom?” [Can Rights Coexist With Religion], tr. by Nevad Kahteran, in: *Glasnik Rijasete Islamske zajednice u Bosni i Hercegovini*, 2001, vol. LXIII, no. 1/2, 1049–1064.

¹⁰¹ Mehmedalija Hadžić, “O islamskom konceptu ljudskih prava” [The Islamic Concept of Human Rights], in: *Znakovi vremena*, Sarajevo: Naučnoistraživački institut “Ibn Sina”, 2001, no. 12, 50–57.

¹⁰² *Ibid.*, 51.

¹⁰³ *Ibid.*, 50.

¹⁰⁴ *Ibid.*

¹⁰⁵ Seyyed Hossein Nasr, “Ljudske odgovornosti i ljudska prava” [Human Responsibilities and Human Rights], tr. by Nevad Kahteran, in: *Glasnik Rijasete Islamske zajednice*, 2002, vol. LXIV, no. 7/8, 773–798.

article “Human Responsibilities and Human Rights” is based on a chapter from his book *The Heart of Islam: Enduring Values for Humanity*.¹⁰⁶

Human rights in Islam, he states, stem from the fact that man is God’s vicegerent on earth, and as such he has the responsibility to do God’s Will on earth.¹⁰⁷ Islam, according to Nasr, derives its understanding of human responsibilities and rights from the relationship with God, “who is the ontological cause of our existence”.¹⁰⁸ “We owe everything to Him, and our rights derive from fulfilling our responsibilities toward Him and obeying His Will”, he writes.¹⁰⁹

As with Aboulhassan Bani-Sadr, Nasr finds the human rights listed in the Universal Islamic Declaration of Human Rights to be “entirely based on the Qur’an and Hadith”.¹¹⁰ In fact, he believes that all the elements of human rights delineated in the Universal Islamic Declaration, are to be found within traditional Islamic sources. But they need to be reformulated in a contemporary context, in such a way as to be able to respond to modern Western challenges and also to the current situation within various Islamic societies.¹¹¹

Similarly, in a translated interview given to Aljazeera, on “Human Rights in Islam” (published in *Novi horizonti* in 2006), Yusuf al-Qaradawi states that precisely the fact that human rights in Islam are considered to be duties, represents the basic difference between the understanding of human rights in Islam and human rights in Western legal systems.¹¹² However, he considers that even though the Qur’an does not directly use the term human rights, Sharia guarantees human rights and defines them precisely, without making the distinction between Muslims and non-Muslims.¹¹³

¹⁰⁶ Seyyed Hossein Nasr, *The Heart of Islam: Enduring Values for Humanity*, Harper, 2002, 273–306.

¹⁰⁷ S. H. Nasr, “Ljudske odgovornosti i ljudska prava”, 774.

¹⁰⁸ *Ibid.*, 775.

¹⁰⁹ *Ibid.*, 798.

¹¹⁰ *Ibid.*, 790.

¹¹¹ *Ibid.*, 793.

¹¹² Yusuf al-Qaradawi, “Ljudska prava u islamu” [Human Rights in Islam], tr. by Muharem Adilović, in: *Novi horizonti*, 2006, vol. 7, no. 78, 22.

¹¹³ Y. al-Qaradawi, “Ljudska prava u islamu”, 21.

Several articles published in different publications in this period also consider the compatibility of Islam and particular human rights and civil liberties. In the article “Freedom of Speech”, translated and published in *Novi horizonti*, Mohamed Fathi Osman finds that the freedom of religion, consciousness, and belief, which is inextricably connected with freedom of expression, is emphasized in the Qur’an’s provision that “there is no compulsion in faith” (Quran, 2: 256).¹¹⁴

Another Bosnian author and diplomat, Ensar Eminović, analyses the freedom of speech “from a Western and Islamic perspective” in an article entitled “Freedom of Expression”.¹¹⁵ He concluded that “these perspectives are compatible”.¹¹⁶

In the series of articles under the heading “Human Rights in Islam” in the Salafi magazine *Saff*, Abdulvaris Ribo, analyzed particular human rights from the Islamic standpoint. The biography of this author cannot be found, but his opinions and religious explanations about certain issues are provided on the various websites, and YouTube channels. One such channel is Televizija 5, which was started in 2016 for “promoting universal, moral and cultural values for the prevention and suppression of social deviations and vices”.¹¹⁷

In the article “The one who looks at the home of his neighbor without permission, has looked at the hatch of Jahannam”¹¹⁸ (part of the series “Human Rights in Islam”), Ribo explains the inviolability and security of private property from an Islamic perspective. In the article “Human rights

¹¹⁴ Fethi Osman, “Sloboda riječi” [Freedom of Speech], tr. by Mirnes Kovač, in: *Novi horizonti*, 2001, no. 24, 58–61.

¹¹⁵ Ensar Eminović, “Pravo na slobodu izražavanja” [Right to Freedom of Expression], in: *Preporod*, no. 7/728, 1 April 2002, 20; Ensar Eminović, “Pravo na slobodu izražavanja” [Right to Freedom of Expression], in: *Preporod*, no. 8/729, 15 April 2002, 25.

¹¹⁶ Ensar Eminović, “Pravo na slobodu izražavanja” [Right to Freedom of Expression], in: *Preporod*, No. 8/729, 15 April 2002, 25.

¹¹⁷ <https://televizija5.ba>.

¹¹⁸ Abdulvaris Ribo, “Ko bez dozvole, pogleda kuću svog komšije, kao da je pogledao u otvor Džehennema” [The one who looks at the home of his neighbor without permission, has looked at the hatch of Jahannam], (Human Rights in Islam V), in: *Saff*, no. 124, 15 July 2004, 18–19.

violations are major sins”, he considers that Islamic law promotes equality before the law. As an argument he quotes a hadith: “The people before you were destroyed because they used to inflict the legal punishments on the poor and forgive the rich. By Him in Whose Hand my soul is! If Fatima did that [i.e. stole] I would cut off her hand”.¹¹⁹ This author further explains the compatibility of Islam and human rights in a similarly reductionist manner, without much theoretical elaboration in a series of other articles.

In a series of articles, “Islam is the heir of basic documents on human rights protection”, published in *Novi horizonti*, a Bosnian author Elvir Duranović (research associate at the Institute for the Islamic Tradition of Bosniaks) points out that the Medina Charter was the first legal document ever written based on equal rights and the protection of democratic values.¹²⁰ The distinctiveness of the Medina Charter, he states, lies in the significance it gives to the religious, legal, and cultural uniqueness, the preference it gives to the pluralistic model and the constitutional guaranty it gives to that pluralism.¹²¹

Finally, in *Znakovi vremena*, a translation of the text “Theoretical Basis of Human Rights in Islam”, written by the Iranian authors Seyyed ‘Ali Miromsavī and Seyyed Sādeq Haqīqat, was published in 2009. The article was originally published in *Qabsat: A Research Journal in Philosophy, Religion, and Culture* in 1997/8 in Tehran. The authors discuss the theoretical principles and foundations of human rights from an Islamic perspective and compare it with the Western concept of human rights.¹²² They argue,

¹¹⁹ Abdulvaris Ribo, “Kršenje ljudskih prava spada u velike grijehе” [Human Rights Violations are Major Sins], in: *Saff*, no. 120, 15 May 2004, 18.

¹²⁰ Elvir Duranović, “Islam je baštinik temeljnih dokumenata o zaštiti ljudskih prava” [Islam Is The Protector Of The Basic Documents On Protection of Human Rights], in: *Novi horizonti*, 2006, vol. 7, no. 81, 52–54; 2006, vol. 7, no. 82, 52–54; 2006, vol. 7, no. 83, 60–61.

¹²¹ Elvir Duranović, “Islam je baštinik temeljnih dokumenata o zaštiti ljudskih prava”, in: *Novi horizonti*, 2006, vol. 7, no. 82, 53.

¹²² Seyyed ‘Ali Miromsavī, Seyyed Sādeq Haqīqat, “Teorijski temelji ljudskih prava u islamu” [Theoretical Basis Of Human Rights In Islam], translated by Mubina Moker, in: *Znakovi vremena*, Fall–Winter 2009, vol. 12, no. 45–46, 66.

as have some of the previously mentioned authors, that rights were given to humans by God and are connected with their duties as God's "vicegerents on earth" and the "trustees of God's duty".¹²³ God's law, according to these authors, explains natural and immanent human rights.¹²⁴

Conclusion

During the study period, a total of 21 articles and 7 books that dealt with the relationship between Islam, democracy, and human rights were published. All of them were published after 1990, which was the result of freedom from the scrutinization of the socialist period, since the religious communities had only been allowed to publish papers devoted to the exposition of religious teachings and the dissemination of news on confessional matters. A series of arrests of Islamic thinkers and activists was orchestrated from 1983 to 1987, including ex-president Alija Izetbegović. They were accused of disseminating the *Islamic Declaration* and encouraging the creation of an Islamic state.

Two waves of Islamic revival emerged in B&H during this period. The first came during the 1970s and 1980s, and the second after 1992. Both emerged as a reaction to an existential threat to Bosnian Muslims' vital rights and interests but were represented by the Serb nationalist intellectuals as "evidence" of the supposed intent of Bosnian Muslims to create an Islamic state in Europe. However, no Islamic organization, including Salafi ones, demanded the application of the Shari'ah or the establishment of an Islamic state.

Most of the publications that deal with Islam, democracy and human rights published in the period 1980–2010 are translations of books, articles and book chapters, written by prominent Muslim intellectuals who reexamine Islamic traditions and reinterpret the Islamic principles to reconcile Islam with the democratization process and the multiparty political systems

¹²³ Ibid., 90.

¹²⁴ Ibid., 100.

and human rights. The selection of the authors was made by translators. But it partly depended on the general views of the institutions and the editors behind the publication.

Bosnian authors who wrote about Islam and democracy and human rights employed the moderate Muslim approach, as El-Fadl defines it, stating that human rights as a concept and democracy as a system are fully compatible with Islamic theology and law. They argue that the Islamic principles of consultation (*shura*), the consensus (*ijma'*), *ijtihad*, and the Medina constitution support the principle of democracy.

In the last decade of the study period (2000–2010) the dissemination of different interpretations of Islam, mainly Salafi and Shia had intensified. While these interpretations, especially Salafi, challenged the local Islamic customs and religious practices, there were no attempts to impose political ideas on the Bosnian Muslims.

In *Salafi* and pro-*Salafi* magazines, *Saff* and *Novi horizonti*, as well as the Iranian journal *Znakovi vremena*, there were no articles dealing with Islam and democracy, and the few articles dealing with Islam and human rights, promoted their compatibility.

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DISKURS O ISLAMU, DEMOKRATIJI I LJUDSKIM PRAVIMA U BOSNI I HERCEGOVINI 1980–2010.

Sažetak

U periodu obuhvaćenom ovim istraživanjem objavljeno je ukupno 7 knjiga i 21 članak, koji razmatraju pitanje odnosa islama, demokratije i ljudskih prava. Sve publikacije objavljene su nakon 1990. godine, što je bila posljedica pada socijalističkog režima, tokom kojeg su se vjerske zajednice mogle baviti samo konfesionalnim, odnosno obrednim pitanjima. Od 1983. do 1987. organizirano je niz hapšenja islamskih intelektualaca i aktivista, uključujući i bivšeg predsjednika Republike Bosne i Hercegovine Aliju Izetbegovića, koji su bili i procesuirani za subverzivno djelovanje i namjeru stvaranja “islamske države”.

U Bosni i Hercegovini u ovom periodu pojavila su se dva vala islamske obnove. Prvi, tokom 1970-ih i 1980-ih godina, a drugi nakon 1992. Oba su nastala kao reakcija na egzistencijalnu prijetnju vitalnim pravima i interesima muslimana. Međutim, srpski nacionalistički intelektualci predstavljali su ih kao “dokaz” njihove navodne namjere da stvore islamsku državu u Evropi. Ovaj rad pokazuje da niti jedna islamska organizacija nije zahtijevala uspostavu islamske države i primjenu šerijatskog prava.

Većina publikacija koje razmatraju odnos islama, demokratije i ljudskih prava, objavljenih u razdoblju od 1980. do 2010, prijevodi su knjiga, članaka i poglavlja u knjigama koje su napisali istaknuti muslimanski intelektualci. Oni preispituju islamsku tradiciju i reinterpreteraju islamska načela kako bi pomirili islam s procesom demokratizacije, višestranačkim političkim sistemima i ljudskim pravima. Odabir autora čije će tekstove prevoditi izvršili su uglavnom prevodioci, ali je to dijelom zavisilo i od općih stavova institucija i urednika koji su stajali iza publikacije.

Bosanskohercegovački autori koji su pisali o islamu, demokratiji i ljudskim pravima koristili su “umjereni pristup” kako ga definira Khaled Abou

El-Fadl, navodeći da su ljudska prava kao koncept i demokratija kao sistem potpuno kompatibilni s islamskom teologijom i pravom. Oni tvrde da islamski principi poput savjetovanja (*šura*), konsenzusa (*idžma'*), stvaralačkog tumačenja islamskog prava (*idžtihad*) i dr. podržavaju princip demokratije.

U posljednjem desetljeću proučavanog razdoblja (2000–2010) u Bosni i Hercegovini su se pojavila i intenzivirala različita tumačenja islama, uglavnom selefijska i šiijaska. Iako su ova tumačenja dovela u pitanje lokalne islamske običaje i vjersku praksu, nije bilo pokušaja nametanja političkih ideja muslimanima u Bosni i Hercegovini. U selefijskim i proselefijskim časopisima, *Saffu* i *Novim horizontima*, kao i u iranskom časopisu *Znakovi vremena*, nije bilo članaka koji su se bavili islamom i demokratijom, dok je mali broj objavljenih članaka koji su razmatrali odnos islama i ljudskih prava promovirao njihovu kompatibilnost.

