# 1941 Resolutions of El-Hidaje in Bosnia and Herzegovina as a Case of Traditional Conflict Transformation

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#### Abstract

During the Second World War, Bosnia and Herzegovina was under the authority of the Independent State of Crotia (NDH). The ruling Ustaša leadership of Ante Pavelić committed haunting atrocities, especially towards Serb and Jewish population, aimed to "cleanse" the region. Despite the relative privileges that were granted to them by the Ustaša leaders, who treated Bosnian Muslims as Muslims of Croat nation, this article will present how Muslim ulama, convened under the framework of el-Hidaje Ilmijje organization, protested the atrocities committed towards both Muslims and the aforementioned victims of NDH, mainly through Resolutions circulated in several cities of Bosnia and Herzegovina in 1941.

I will argue that, these resolutions does not only represent an act of tolerance, such as Reis-ul-ulema Džemaludin Čaušević's initiatives during the anti-Serb riots after the assassination of Archduke Ferdinand in Sarajevo in 1914, but also represent important clues and prospects how a religious organization can include in peacemaking in terms of conflict transformation at the grass root level, such as publicly condemning believers on their side who took part in these events and taking a stance vis-à-vis state bodies in times of crisis.

**Keywords:** Bosnia and Herzegovina, El-Hidaje, 1941 Resolutions, Second World War, Conflict Transformation

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## Introduction: Bosnia and Herzegovina in the Second World War

Following the collapse of the Austro-Hungarian Empire, Bosnia and Herzegovina<sup>1</sup> became a part of the newly established Kingdom of Serbs, Croats and Slovenes in 1918. While the Belgrade regime recognized the territorial integrity of Bosnia in 1919<sup>2</sup>, this regional integrity was gradually abolished in the following decade, first by the abolishment of the regional government in 1924, and then by the territorial and political re-organization of the state following the proclamation of the personal regime of King Alexander in 1929. Moreover, the rising internal political tensions in the Serb-dominated Yugoslav Kingdom resulted in a political compromise between the government of Dragiša Cvetković and the main opposition party (Croatian Peasant Party/Hrvatska Seljačka Stranka) leader Vlatko Maček in August 1939. While the Croatian party recognized Muslims of Yugoslavia as Croats in the ethnic sense, they succeeded in the establishment of an autonomous Banovina [Regional Unit] of Croatia and the division of Bosnia between Croatia and Serbia. However, Cvetković- Maček agreement further instigated the political crisis of the Kingdom in the following years, marked by ethnonational conflicts as well as an increasing subordination to Germany, which would result in the coup in March 1941 led by General Dušan Simović (Redžič 2005, 4-6). Rather than keeping Yugoslavia out of the increasing tension approaching its northern borders, it instigated Hitler's blietzkrieg. Axis forces attacked Yugoslavia on 6 April.

Following the surrender of Yugoslavia to Hitler's Germany on 17 April 1941, only 11 days after the start of the invasion of Axis forces, Bosnia became an integral part of the Independent State of Croatia (*Nezavisne Države Hrvatske*/NDH), founded by the retired Colonel Slavko Kvaternik on 10 April 1941 (Redžić 2005, 7). This decision was indeed realization of an already proclaimed approach of the leader of the extremist Croatian nationalist elite, namely Ustaša, Ante Pavelić, who stated in July 1938 that Bosnia "[is] not considered a country in its own right." (Friedman 1998, 122). Moreover, this approach on the statehood of Bosnia was directly related to the distinctive nationhood of Bosnian Muslims. For the Ustaša ideology which regarded Bosnia as the "heart of the Croat state," Bosnian Muslims was the "flower of the Croat nation," with their religion as one of the religions of the Croat nation (Redžić 2005, 110).

Under the authority of the NDH, several groups fought against each other in Bosnia: Axis forces led by German and Italians, Ustashas of the NDH, Serb paramilitary forces (Chetniks) of Draža Mihailović, pro-German Muslims fighting under the SS division Handžer and Partisans led by Tito. However, what was more detrimental for

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<sup>&</sup>lt;sup>1</sup> Bosnia hereinafter.

<sup>&</sup>lt;sup>2</sup> Bosnia was, then, ruled by the government of the National Council of Serbs, Croats and Muslims as an integral part of the new Yugoslav Kingdom.

the Bosnian Muslims was NDH's policy towards "the others." According to the ruling elite, NDH had to be cleansed from the Serb and Jewish population, alongside communists. Revealing their approach both towards Muslims and the other non-Croats, Mile Budak, the then Minister of Education, stated in 1941 that "a third of the eight hundred thousand Serbs in Bosnia and Herzegovina were to be expelled, a third killed and a third converted to Catholicism," adding that "the NDH was to become a nation of two religions, Catholicism and Islam." (Friedman 1998, 122)<sup>3</sup>

For their part, Muslims now were not only under attack but also in a sensitive situation especially towards Serb and Jewish population under the Croat nationalist leadership, which put them directly as the target of the Serbian irregular armed forces, *Četnik*s' desire for revenge. In this paper, I will present how, the society of Bosnian Ulama *el-Hidaje* publicly reacted to crimes, committed by the Croatian forces and some elements of Muslim society who joined them in these atrocities, by issuing several resolutions in 1941.

## Bosnian Muslims under the Authority of NDH

The Bosnian Muslim leadership aimed at three main objectives during the war: security, religious freedom, and some sort of autonomy (Donia 2006, 186). Confirming Malcolm's (1996, 185) argument on the choice of Bosnian Muslim politicians and clergy in between choosing Zagreb or Belgrade, Pavelić sent a representative to the leader of Yugoslav Muslim Organisation, Fehim Spaho on 25 April 1941 to present his guarantees to Bosnian Muslims to feel "free, contented and possessed of equal rights" (Malcolm 1996, 185). Muslims were assured to experience freedom of religion, including their educational system and eleven former JMO politicians were invited to join the pseudo-parliament in Zagreb. Accordingly, the leader of JMO Osman Kulenović, as well as his successor Džafer Kulenović, were appointed as the vice-presidents of the NDH government on November 1, 1941." Regarding the appointment of JMO officials, Friedman (1996, 123) notes that NDH officials and Ustaša members included more than 12 percent Muslims, adding that other sources put the number of Muslim Ustaša at 20 percent, such as "Conflict and Conflict Resolution in Yugoslavia".

However, there was not a unanimous approach among the Bosnian Muslim political and religious leadership towards the Croat leadership and the idea of the "Croatization" of Bosnian Muslims. Describing the stance of the majority of the official religious leadership, Zajim Šarac, the former Yugoslav minister of commerce, stated that:

<sup>&</sup>lt;sup>3</sup> Donia and Fine (1997, 141) notes direct or tacit involvement of involvement of Catholic Church and Bosnian Franciscans in the conversion campaign in Bosnia, which amounted to over 200,000 Serbs convert to Catholicism.

"The majority of the ruling circles placed itself at the service of the fascist invaders ... The circles of the high Ilmia, among whom Reis-ul-Ulema Spaho, gave their blessings to German arms and together with the treacherous politicians described the occupation as being the liberation of the Moslems" (Friedman 1996, 125)

However, despite such conformist position of religious and political leadership towards Pavelić regime, the compliments of Pavelić's Ustaša state such as transforming the Art Pavillion of Ivan Meštrović to Poglavnik's [literally *Fuhrer*] Mosque in Zagreb on 18 August 1944 (Banac 1996, 141; Popovic 1995, 243), or proclaiming Bosnian Muslims as the "pearl of the Croatian nation" (Lampe 1996, 208) could not attract Muslim leadership in general. Here, it should be noted that Pavelić first proposed an Orthodox Church in the Preradović Hill to be demolished for the construction of the Mosque in its place, which can be regarded as an act to deteriorate the relationships between Muslims and Serbs in addition to other alleged attempts such as wearing the traditional Muslim clothes and fez during their armed attacks against Serbs. (Imamović 1990, 279)

Actually, there was not a unanimous attitude among the Islamic clergy towards the rising idea of the "Croatization" of the Bosnian Muslims, even among those who identified themselves with Croathood. For instance, Mehmed Spaho's brother Fehim, who was the leader of Yugoslav Muslims as the *Reisu-l-Ulema* from 1938 to 1942, was a self-identified "Croat" who played a leading role in the *Narodna Uzdanica*, the pro-Croat Muslim cultural association. <sup>5</sup> However, Malcolm asserts that,

"Fehim Spaho was also keen to preserve the special identity of the Muslims, which he felt was under threat. And so he issued instructions against mixed marriages and against these of non-Muslim names for children; he even advised Muslims not to enter Catholic churches, for fear of having to take off their fezes if they did so." (Malcolm 1996, 158).

Beside such divergent attitudes, the fundamental initiative in presenting Muslims' opposition towards the extreme nationalist leadership was the 1941 Resolutions of the Bosnian Ulama Organisation [*Udruženje İlmijje*] El-Hidaje, which was later going to be referred as "the most manly" act of the war in the whole of the Balkans." (Filandra and Karić 2004, 144)

<sup>4</sup> It can be observed symbolically on the decision to put the portrait of the "Poglavnik" (Führer), Ante Pavelić, on the front pages of some issues of the official journal of the-then Islamic Community (Islamske Vjerske Zajednice Nezavisne Države Hrvatske) See, for example, Glasnik 9 (8) and 9 (11), p. 1.

 $<sup>^{6}</sup>$  The rival association, Gajret, preserved its pro-Serb stance.

# Bosnian Ulama Society El-Hidaje and 1941 Resolutions

El-Hidaje was established during the Kingdom of Yugoslavia in Sarajevo in 1936. Its establishment was based on a meeting of the ulama regarding the problem of school textbooks, which "gave preferential treatment to Serbian history and the Serbian Orthodox religion." (Karić 2004, 422). In its Annual General Meeting held on 16 September 1936, el-Hidaje adopted eight points clarifying its mission on the "religious, cultural and economic advancement of all levels of Muslim society." (Karić 2004, 425-426)<sup>6</sup>

Accordingly, the periodical el-Hidaje started to be published in December 1936 under the editorship of Muhamed Pandža, succeeded by Mehmed Handžić from August 1937 to July 1944. In the editorial of El-Hidaje's first issue, the aforementioned aim was rephrased as "to uplift and advance Muslims and lead them into a better and happier future, so that as citizens of their great and free people's state they will be able to fulfill their duties both as Muslims and as citizens." (Prva riječ 1936-1937, 4)

Principally, El-Hidaje recognized the principle of nonintervention in politics under the leadership of Handžić. From the notes of Karić (2004, 426-427), we see that in its meeting held on 15 August 1940 El-Hidaje confirmed that "the involvement of politics and partisanship in the administration of the Islamic Religious Community has been to the great detriment of the ilmiyya," adding that "politicians exploit each moment and endeavor to instrumentalize the ilmiyya for their own purposes." This primarily marked a divergence in ulama's towards politics when we consider the then Reis ul ulema, Fehim Spaho's sympathy for the Yugoslav Muslim Organization. (Imamović 2008, 132).

Despite this principal distance to politics, El-Hidaje later supported the Independent State of Croatia (NDH) in 1941, guided by the aim to regain the freedom in religious practices and organizations lost in the 1st Yugoslavia rather then attracted by the idea of Croathood (Malcolm 1996, 185; Karić 2006, 291, 304). This was explicitly stated in the editorial of El-Hidaje periodical on 14 July 1941 with the title "El-Hidaje in the new circumstances," where Handžić clarified that policy change as follows:

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These principles were basically as follows: (1) holding lectures on "religious and moral tenets of Islam, either in mosques or in other "appropriate places", (2) "[f]or the purpose of improving the economic position of Muslims, to identify ways in which our economy can be strengthened to the greatest possible extent, and to arouse among Muslims the sentiment of mutual economic cooperation...," (3) "to identify ways of improving the material resources of the Islamic Religious Community..., (4) "to conduct a publicity campaign to encourage every alim to become a member of El-Hidaje and to join this great religious movement and in addition, for the preservation and advancement of their material interests, to join their professional organizations. By so doing, to raise the authority of the ilmijia class as the spiritual leadership of Muslims.," (5) "To found a youth religious section.," (6) "To ensure the closest possible cooperation with the secular intelligentsia in the general activities of cultural and educational advancement., (7) "To provide [imams, muallims and mudarrises] with all possible moral and material resources," (8) "To launch an organ of the society (a periodical) to be edited for publicity and religious moral purposes and to disseminate the ideas of the society, and at the same time to be the journal of the professional ilmijia organization." See, Enes Karić, Povijest Islamskog Misljenja u Bosni i Hercegovini, 423-424)

"During the twenty years of rule of Yugoslavia the Muslims have been thrust backwards in the religious and moral sense more than during the forty years of Austrian rule. This is because religion has been demeaned and degraded everywhere ... We hope that now such behaviour will cease, that everyone will honour and respect religion, whether his own or that of his brother of another faith." (Handžić 1940-1941, 221-223).

In general, it can be stated that the main motive of Bosnian Muslims was their hope to regain their religious freedom lost under Serb-dominated first Yugoslavia. Regarding Bosnian Muslim leaderships' position during the war, for instance, Donia (2006, 186) underlines two main objectives: "They first aimed to protect all Bosnian Muslims from violence and violations of their right to the free exercise of their religion. Secondly, they sought to secure some form of autonomy for Bosnia-Herzegovina under one or another external state sponsor." In consistence with this general policy, "Memorandum of the Governing Board of El-Hidaje on the religious and educational autonomy of Muslims in the Independent State of Croatia" was addressed to the Deputy Head of State and Minister of Religious Affairs and Education of NDH, Dr. Mile Budak in July 1941, which was followed by a proposed constitution of the Islamic Community sent to Pavelić on August, 7, which was not adopted by NDH. (Donia 2006, 186).

This support was withdrawn in synonymous with the rising Ustaša atrocities, mainly towards Serb and Jewish population. In the meantime, while a JMO delegation under the leadership of Džafer Kulenović<sup>8</sup> presented their loyalty to NDH and Pavelić's leadership in mid-August (Redžić 2005, 167), El-Hidaje adopted a fundamental document condemning Ustaša crimes.

Mehmed Handžić, a professor at the Gazi Husrev Beg Madrasa and the Islamic shari'a theological faculty, was the principal initiator of the adoption of El-Hidaje's Resolution during its assembly on 18 August 1941, issued against the expulsion of Serbs, Jews, Gypsies and other peoples and individuals forcibly expelled from Bosnia during that period. The Resolution of El-Hidaje, in the words of Filandra (1998, 184), emerged as the "architect" of the subsequent Resolutions in several towns of Bosnia.

Following the declaration of Prijedor Resolution on 23 September, Sarajevo Resolution was declared on 12 October 1941 with the approval of 108 prominent Bosnian Muslims, including Ahmed Burek, the then director of Gazi Husrev-Beg Medresa, Husein Đozo, member of the Supreme Council of el-Hidaje, and Fejzullah

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 $<sup>^{7}</sup>$  This was published in  $\emph{El-Hidaje}$  5(9-11), on 14 July 1941.

<sup>&</sup>lt;sup>8</sup> Kulenović was later appointed by Pavelić as Deputy Prime Minister in November 1941 and served the following three and a half years as an NHD governer. However, as Redžić (2005, 167) emphasizes, his position was not more than a symbolic one, which was generally reduced to "receiving complaints from Muslim religious, state and political officials, while Vjekoslav Vrančić, State Secretary, shaping and representing Ustaša policies towards Bosnia and Bosnian Muslims.

Hadžibajrić, the late sheikh of Sinanova Tekija of Sarajevo. These were followed by the adoption of the following resolutions in Mostar on 21 October, in Banja Luka on 12 November, in Bijeljina on 2 December, and in Tuzla on 11 December 1941.

The Resolution, prefaced by the arguments on the challenges of the war and war-time government's policy for the Bosnian Muslims, stated that the situation of Muslims was "very difficult," adding that "it would not be an exaggeration to say that in their history Muslims of this region have not experienced more difficult moments." (El-Hidaje, 1941c). By reminding that despite statements from the responsible elements, situation had not been improved but rather aggravated day by day, it was underlined that it will lead to the disappearance of Muslims in Bosnia if not timely prevented. (El-Hidaje, 1941c)

El-Hidaje particularly criticized the approach of the ruling bodies of NDH, arguing that "such moves from the sides of the individuals holding power rather incite fiercer reactions by the rebels, so by this way miserable and unprotected population to still more unmerited suffering." Furthermore, in the second clause of the Resolution, it was stated that "many Catholics deliberately cast responsibility on the Muslims for all wrongdoings and crimes which has been recently committed, and they represent all these events as a mutual settling of accounts between the Muslims and Orthodox." Although it was admitted that there are "people with Muslim names" among perpetrators committing several crimes/wrongdoings, culpability and responsibility could not be cast on Muslims, adding that Muslims previously dissociated themselves from these crimes. El-Hidaje particularly underlined in the fourth clause of its original Resolution adopted in its assembly on August 14 that these crimes could only be committed by "riff-raff and criminal types, who exist in every community." In the following statement, NDH's role was exclusively emphasized by underlying "[those Muslims] did not do these things of their own, until they had been given arms, uniforms, authorization and frequently even orders." However, el-Hidaje also pointed out some manipulations, namely how the authorities used Muslim names and Muslim fez during attacks, beside exploiting the aforementioned "ill-mannered individuals" within Muslim community.

Beside publicly condemning and excluding the ill-mannered individuals among themselves, El-Hidaje stated that "Muslims were neither prepared nor thought of any evil," adding that "Muslims in their history in Turkish period, while they were the sole rulers, tolerated all faiths without differentiation and did never do ill [zulum] to anyone. [Nor can the] Muslims can be presented today as the initiators of crime."

The Resolution was concluded by calls to "the responsible elements and all Muslim religious and political representatives." Under these seven additional articles,

el-Hidaje called for (1) virtual security of life, honor, property and faith for all citizens in the country irrespective of identity, (2) virtual protection of innocent people with strong military defense, (3) not to permit such actions to be committed in the future, (4) criminal elements to be detained by issuing legal responsibility and given the strictest punishment according to the law for all criminals and those who commended or provided opportunity for such crimes, irrespective of the faith they belong to, (5) the law to be applied only for regular authority and army, (6) all religious intolerance to be banned, and (7) material help to be provided for the innocent people who suffered in this disorder." (El-Hidaje, 1941c)

#### Resolution as an Initiative of Conflict Transformation

El-Hidaje initiated its Resolution at a time when the worst atrocities were committed by Ustašas mainly against Serbs, Jews, and Roma of Bosnia. Moreover, as the Resolution were explicity regarded by the Ustaša officials as a "declaration against Croat state and against ustaša movement," (Hadžijahić 1974, 20) the signatories were subjected to explicit threats by the official bodies. For instance, Ustaša Commissioner in Sarajevo, Jure Francetić threatened all the signatories would be taken into concentration camps. (Hadžijahić 1974, 21). The situation were further exacerbated on the ground by the Četniks' retaliatory attacks and crimes against Bosnian Muslims.

Beside this historical significance in terms of a humanitarian responsibility and committed action, El-Hidaje's Resolution also presents significant characteristics of a traditional conflict transformation initiative by the religious actors with its aim to restore the "order and harmony of the community." (Boege 2006, 7) Primarily, it rephrased the developments on the ground by eliminating the idea of collective responsibility. It labeled Muslims who participated in atrocities towards Serbs as as "ill-mannered," "riff-raff and criminal types." Irrespective of their faith, it called for legal measures only for those who committed such crimes within regular military bodies. Thus, by refuting the idea of collective guilt, the Resolution emerged as a call for restorative justice rather than a mere call for punitive justice. As clarified by Zartman (2000, 222), such initiatives generally focuses on "a compensation for loss" of the victim rather than "a restoration for offense."

With its aim to facilitate healing the wounds of the victims, the Resolution adopts a holistic approach in dealing with the conflict and its transformation. It does not emerge only as a call for political or judicial measures, it further includes social and cultural dimensions in its attempt to restore inter-communal relations. By emphasizing "cultural traditions" in a reconstructed image of the past, El-Hidaje employed a crucial

tool, which was framed by the prominent theorist of conflict resolution John Paul Lederach (1997) as fundamental resources for peacebuilding. Here, while reminding Muslims that they "tolerated all faiths irrespective of their faith and did never do ill to anyone", it called them "definitely to abstain from all wrongdoings," by referring to the spirit of their religious faith." (El-Hidaje, 1941a) It further emphasized that "any kind of intolerance or unequal treatment in terms of religious affiliation hurts public interest." (El-Hidaje, 1941b)

With these messages guided by the aforementioned fundamental of of conflict transformation, El-Hidaje primarily positioned itself as a strategic and key role between the top and grass-roots level as outlined by Lederach (1997, 38-43), while being exempted from their inherent disadvantages such as political calculations of the former as well as survival demands of the latter (Lederach 1997, 42). This strategic position enables this initiative to contribute "reducing prejudice as well as increasing community decision making." (Lederach 1997, 55)

Finally, when we consider the role of some clergy who gave their blessing to regular armies or paramilitary gangs on their way to war crimes during 1992-95 war, El-Hidaje's resolution issued five decades ago presents how religious actors can play a positive role in promoting peace and reconciliation as well as restoring justice by reframing the conflict at the symbolic level by developing dehumanized images of the warring parties.

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