

REVIEW OF THE STATUS AND POSITION OF THE JEWISH COMMUNITY IN BOSNIA AND HERZEGOVINA

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Abstract: *The main intention of the author of the work is to indicate the position and status of members of the Jewish community in post-Dayton Bosnia and Herzegovina. Of course, looking at the newly created situation is impossible without an insight into the historical conditions and circumstances in which Jews lived and worked in Bosnia and Herzegovina, which will determine their existence even in the modern age. In order to obtain relevant information, we conducted an interview with connoisseurs of circumstances and historical facts related to the Jewish community in BiH, in order to obtain adequate answers to some of the questions that include the determination of cultural conflicts by religious differences in BiH from the point of view of the Jewish people; the position and status of members of the Jewish community in post-Dayton Bosnia and Herzegovina; the quality and extent of social inclusion of members of the Jewish community in the socio-political life of Bosnia and Herzegovina; and the quality of relations and connections between members of the Jewish community and representatives of other religious groups in Bosnia and Herzegovina? We believe that with this information, we will draw attention to the current position of members of the Jewish community in our society, and demystify the decline in its numbers in our society.*

Keywords: *Jewish community, post-Dayton Bosnia and Herzegovina, social inclusion, religious differences.*

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Introduction

The interest in the status and position of members of the Jewish community in BiH stems from the fact that they are one of the oldest minority religious groups in our region. This is confirmed by the available documentation, on the basis of which it is known that the Jewish community in Bosnia and Herzegovina dates back to the 16th century.

It was about Sephardic Jews who were expelled from Spain by the royal edict of the Spanish King Ferdinand and Queen Isabella in 1492 (Kožemjakin, 2015) and went to different parts of the world in search of existence, and one of the routes led them to the then Ottoman Empire and Italy, from where they come to Dubrovnik, and finally to the areas of today's Bosnia and Herzegovina. The new land and the new government did not pose any obstacles for them in the organization of their lives, because Sultan Bayazit II enabled them to live freely and perform their religious rituals. The first written document that talks about the Jews in Sarajevo is a document in the sigil of the Sarajevo kadi from 1565. This marks the beginning of a new period for the former Bosnia and Herzegovina, as they become richer for a new religious and national community. The public life of the Jews as a non-Muslim community in the state of Sharia law in the Ottoman period can be called extremely non-political, because the relations of the Jewish community towards the outside, towards the political component of the public life of the state, government, and administration, were until the period of reforms in the Ottoman Empire in the 19th century. as an influential factor, absolutely excluded from that domain and reduced to obligations, i.e. payment of dues, taxes, which were related to this ethno-confessional, distinctly urban social middle stratum in the state of soldiers and rajas, changing over time both qualitatively and quantitatively (Brkljaća, 2019:93). On the basis of the Islamic principle called *dimma* or *zimma*, from a purely formal point of view, until the 19th century, Jews had the status of "protégés in a parallel world of rights and obligations." Within the community, as with other non-Muslim communities, there was the principle of self-responsibility - that they autonomously resolve their religious and some civil-legal matters (marriage, family, inheritance, obligations, etc.), while public life, that towards the outside, is , was an exclusively male world realized through the "stale" organization of guilds, i.e. business relationships predominantly in trade and trade, and less so in craftsmanship, and towards the state through tax obligations and certain court cases (Grandits; 2014).

The first official population census from the Turkish period of 1851/1852. showed that at that time there were 1,074 male Jews living in Sarajevo, and a total of 2,170 in all of Bosnia and Herzegovina, within its borders at the time. According to the census of Austria-Hungary from 1879, 3,426 Jews were registered in 1885. there were 5,805 Jews in 1895, 8,213 in 1895, and 8,219 in 1910. In the following decades, the number of Jews in BiH constantly increased.²

By the Second World War, according to the 1935/1936 census, Bosnia and Herzegovina had 14,500 registered members of the Jewish community, of which a little over 12,500 lived in Sarajevo, which then had about 80,000 inhabitants. Thus, Jews were represented by slightly less than 16% of the total city population, which made them the most numerous and the most active religious and minority community. After the Second World War, and the horror it brought to all nations, including the Jews in BiH, according to the 1961 population census, 381 members of the Jewish community lived in BiH. Within the Jewish community of Bosnia and Herzegovina, the Jewish municipality in Sarajevo is the most numerous. Today, it has a little less than 700 members, while other local communities in BiH count a few dozen Jews each. So there are about 40 members in Mostar, about 110 members in Tuzla, about 42 members in Zenica, about 86 members in Banja Luka and about 68 members in Dobo.

² <https://bedrudingusic.wordpress.com/2015/02/26/boris-kozemjakin-predsjednik-jevrejske-opstine-sarajevo-u-znaku-obiljezavanja-450-godisnjice-dolaska-jevreja-sefarda-u-bih/>

This is just one of the indicators that make Bosnia and Herzegovina a very complex society in terms of cultural differences, because in addition to Jews, 16 other national minorities of different religious orientations live on its territory.

That is why the Parliamentary Assembly of Bosnia and Herzegovina adopted the Law on the Protection of the Rights of Members of National Minorities in 2003. The Law states that BiH will protect the position, equality and rights of 17 national minorities living in Bosnia and Herzegovina: Albanians, Montenegrins, Czechs, Italians, Jews, Hungarians, Macedonians, Germans, Poles, Roma, Romanians, Russians, Ruthenians, Slovaks, Slovenes, Turks and Ukrainians. Improvement of the position of all minority communities, and national minorities are certainly minority communities, in a society such as that of Bosnia and Herzegovina, was established and framed in the Dayton Peace Agreement, that is, in the Constitution that is part of that agreement. The activism and actions of members of minority ethnic groups are conditioned by the benevolence of the majority, that is, the will of the constituent peoples, their representatives in all government bodies, at different levels.

1. Theoretical - methodological framework

Speaking and emphasizing the importance and influence that religion has in human society is extremely important. Back in 1893, the Congress of Religions was held in Chicago, where for the first time members of almost all major religions in the world and various divisions within the major religions were represented. The Assembly enabled all representatives of religions to present their doctrines, views and aspirations. The practical results of this Council were small, but the moral significance was extremely large and healthy, because numerous religious prejudices and misunderstandings were rejected (Jastrow, 1900). The fact is that the unity of religious beliefs is difficult to achieve, as long as there are different social, political and intellectual factors and conditions according to which societies function. Very often, religion was a basic tool used by various social factors to achieve their goals. Weber cites such an example explaining religion as a constitutive principle of action supported by certain social classes. It is precisely this association of religion with social classes that explains its success, but also limits its domain of importance. Economic limitations of different social classes (peasants, warriors, administrators, middle class, slaves, proletarians) as well as their social situation (negatively or positively privileged) were the subject of religious identification. The result is was a model of social stratification that linked the validity of religion with its achievements for different social classes (Milošević Šošo, 2020:21, according to Weber, 1923 [1981], p. 310).

In the modern understanding, racial, religious, ethnic diversity is very often the source of cultural conflicts. Edward Azar, who dealt with social conflicts in the modern age and who developed the theory of "long-term social conflicts", also talks about this. This type of conflict refers to hostilities between social groups that are based on deep racial, ethnic, religious and cultural hatred, and that last for a long time, with sporadic outbreaks of violence. Prolonged social conflicts are conditioned by the failure to fulfill basic needs, such as security, recognition, acceptance, fair access to political institutions and economic participation among social groups. Also, social groups can experience a schism due to different ethnic, religious, racial, cultural affiliations, and spaces with such events are known for continuous hostility and sporadic conflicts, because as a rule they are completed with the impossibility of satisfying the human need for security, recognition and non-realization of distributive of justice (Milosevic Šošo, 2020:50, according to Ramsbotham, 2008, p. 86–87).

The influence of religion on politics appears in different forms - some religious actors use their influence to propagate peace, democracy and liberal values, while others have a more violent view of politics, which is reflected in advocating specific measures that discriminate certain groups of citizens, or in advocating for violent actions. The intertwining of politics and religion and their mutual influence is one of the key issues for understanding contemporary religious parties and political

movements whose goal is to represent their own religious interests in both the social and political spheres of life (Ozzano, 2020). In the modern age, the need has simply arisen to study the way in which different world religions relate to these seemingly secular concepts, as well as the impact it has on the complete functioning of political life (Jevtić, 2009, p. 14–15). However, religion has long been ignored in the social, and especially in the political sciences. This is primarily due to the theory of secularization, which traces its roots back to the nineteenth and twentieth centuries, and which speaks of the declining importance of religion both for individuals and in society. The process of secularization was connected with the process of modernization - it was believed that the more a certain society participates in the process of modernization, the higher the degree of secularization in it will be. The Enlightenment and rationalism took center stage in European society, and religion was considered a concept of the past that would soon be completely overcome. One of the theorists of secularization was Peter Berger, who, after rejecting his original understanding of secularization, made a big move towards the theory of desecularization. Namely, at the end of the twentieth century, he noticed that the theory of secularization was no longer able to explain the empirical evidence he saw around the world, which led him to the view that religion not only does not lose its importance, but that the world today may even be and more religious than he had ever been (Berger, 2002, p. 480). He observed that religious movements did not disappear when they did not want to modernize, which was an earlier assumption of the theory of secularization, but that, on the contrary, they developed more and more and gained in numbers due to their refusal to accept modernization. Secularization, from a phenomenon that was previously considered the norm, according to Berger, has become an exception that is noticeable only among the international intellectual elite and in Western Europe (Berger, 2002, p. 487). Religion moved from the private sphere into the public sphere and began to influence parliaments, political campaigns and lobby groups (Toft, Philpott & Shah, 2011, p. 11).

Bearing in mind the above, we tried to find out what is the position of the Jewish community in Bosnia and Herzegovina, regarding all the changes that are taking place in the sphere of religious and political activity in Bosnia and Herzegovina. According to a 2012 Human Rights Watch report, constitutional provisions are reserved for representatives of the constituent nations (Serbs, Croats and Bosniaks) and give them the right to veto any law deemed to threaten the rights of their national groups. The state government left representatives of national minorities, such as Jews, invisible in politics. The European Court of Human Rights ruled that the constitution of Bosnia and Herzegovina violates the European Convention on Human Rights, because it discriminates against leading members of the Jewish and Roma communities in political life only because of their nationality. This is visible in the judgment of the European Court in the case *Sejdic I Finci against Bosnia and Herzegovina* in 2009, which was not followed even after the first general elections held in October 2010. If we go back in history, it is not out of place to mention that after the arrival of the Austro-Hungarian authorities in Sarajevo, a provisional Statute for the city was published, which in the management structure of this body provided for, in addition to five Muslims, six Orthodox, three Catholics and four Jews, [...] , and by appointing one-third of the councilors from among the rich, that is, "particularly respectable and deserving citizens of this city" on the proposal of the government commissioner, with a means test and certain years of age and residence in the city, active and passive voting rights were reduced, so that during the first elections in 1884, only 1,095 citizens had the opportunity to vote, of which 113 were Jews (among 534 Muslims, 194 Orthodox and 245 Catholics), although at that time Sarajevo had about 26,000 inhabitants and about 2,600 Jews. In the elections of 1902, after the expansion of the right to vote, which took into account the increase in the Catholic population in the city, based on the emperor's decree of 1897, 2,224 residents had the right to vote, of which 308 were Jews (837 Muslims, 745 Catholics and 279 Orthodox and 36 other faiths), while Sarajevo at that time had about 40,000 inhabitants and over 4,000 Jews (Brkljač, according to Kuševac, 2019: 98). After the implementation of the administrative reform of Topal Šerif Osman - Pasha from 18675, the city administration

of Sarajevo was constituted with councilors as prominent appointed representatives of the city's residents in proportion, in a way, to the numerical category of certain confessions in the city, on the basis of which Jews were an integral part of the management structure. During the period of the Kingdom of Yugoslavia, Jews led a series of political struggles for their rights in political action, because they tried to challenge the adopted decrees on the exclusion of the "non-national" element from the right to vote. That struggle was quite unsuccessful because within the Jewish community itself there were confrontations and parallel currents between Sephardim and Ashkenazim. Historians state that it was characteristic of Jews that in the context of political activity they always sided with those parties that were more numerous and therefore stronger on the political front

For the purposes of this work, in addition to consulting the official legal acts of Bosnia and Herzegovina and the available historical and scientific sources, we conducted an interview³ with Eliezer Pap, who is a Jewish, Bosnian writer, lawyer, professor of Hebrew literature at Ben-Gurion University, non-resident rabbi for Bosnia and Herzegovina and associate of the Center for Jewish Art and Culture Studies, Faculty of Philosophy, University of Belgrade.

Professor Papo gave very interesting and constructive answers to the questions that we mentioned in the introduction.

1. Professor Papo believes that the quality of ties and relations in the case of the Jewish community in Bosnia and Herzegovina has not been as it should be for a long time. It's about external, not internal, connections. The vast majority of members of the Jewish community are in mixed marriages, and not only for one generation, but for three or four generations. This means that cases of same-denominational marriages are very rare, because members of the Jewish community are in that sense mixed with members of all other ethno-confessional groups, and that is quite proportional to the number of those members in Bosnia and Herzegovina before the war in the 1990s.

2. Also, he believes that the high level of assimilation testifies to the reduction of the biological mass of the Jewish community in Bosnia and Herzegovina, which would be able to provide same-confessional marriages, but on the other hand, this indicates that there is no hatred towards others.

3. Regarding the political activism of Jews in BiH, prof. Papo points out that they traditionally do not

participate in political life and there is no political party that has prominent members of the Jewish community on the state list. In the first post-Dayton elections, the then president of the Jewish Municipality in Sarajevo, Ivica Čerešnješ, was the candidate of the Serbian party for the Presidency member from among the others, for the reason that the Serbian party was the only party that advocated the preservation of Yugoslavia. Since then, until now, there is no member from among the Jews who would be a candidate for a serious position in front of a party. Certain Jews, but not in front of the parties, held important positions such as Jakob Finci and Sven Alkajal, Ivana Levi, Jelena Rajak were ambassadors to Israel, and that is because Bosnia and Herzegovina has a specific key for selecting and sending ambassadors to Israel, because proposed by the Republic of Srpska, with the aim of preserving good relations with Israel, so whenever they had the opportunity, they sent a representative of the Jewish people as an ambassador to Israel.

4. Regarding the involvement of Jews in social life, it should be emphasized that they are the autochthonous population of Bosnia and Herzegovina, who have lived in these areas for more than 500 years, and that they are a highly urbanized population. First they inhabited larger urban centers such as Sarajevo and Travnik, and later smaller ones such as Vlasenica, Žepče, Doboj, Mostar,...And when the Ashkenazis came to BiH, with the Austro-Hungarian occupation, they did not bring with them the previous lifestyle of of the Jewish village, they already joined already existing communities, or created their own communities next to them. As a result, access to public life was also available to

³The interview with Professor Papo was conducted in August 2023 for the purposes of this work.

them, and they are responsible for the creation of the cultural scene. It somehow extends to this day, given that the director of the Sarajevo Film Festival is Joja Marjanović, who is a prominent member of the Jewish municipality of Sarajevo. During the Kingdom of Yugoslavia, their participation in social and cultural life was much greater, but with the establishment of the NDH, over 70% of Bosnian Jews perished, and the rest of them went to Israel or joined Nob and then the ruling elites.

5. Speaking about the concept of nation, identity, especially the religious one, we referred to the Eastern Question, which influenced the formation of awareness of the concept of nation, confession. As pointed out by Prof. Pope, the nation is equated with the confession. Confessional differences do not depend on how individuals perceive themselves, but how others see them. Confessional affiliation is a constant, and in a certain sense it is an advantage, and in another it is a source of conflict. Religion is something that should be a neutral category. Religious identities are complementary when they do not conflict, that is, non-complementary when the elites make them do so. In our society, most attitudes on this issue are not formed by insight and understanding, but by birth.

Summarizing what has been said, we can say that the Jewish community in BiH contributes to the centuries-old picture of the multicultural society of BiH. Also, the Jewish community is statistically in decline, which was partly contributed by marriages with members of other confessions in Bosnia and Herzegovina. It is a fact that representatives of the Jewish community in Bosnia and Herzegovina can be said to be more successful in the country's cultural life than in its political life. Persecution and martyrdom during the Second World War developed an empathetic relationship between the Jewish and Serbian people, which is also visible through the political activities of both sides.

Conclusion

Topics (questions) concerning the role of religion in society, interreligious relations and secularism are one of the essential and most vulnerable when it comes to the development of a democratic society in Bosnia and Herzegovina, in the pursuit of political, economic and cultural reform and reconciliation. It is a fact that religion, both throughout history and today, plays a big role in the spiritual and political life of Bosnia and Herzegovina. Religion can be said to be the central watershed between former Yugoslavian peoples and nations (Nagradić, 2014). Of course, in such a cultural milieu, it is impossible not to notice the correlation between religious and national identity. Unlike national minorities, which, as shown by the majority of previous research and theoretical discussions on this phenomenon, are protected and even socially favored in certain spheres of existence, this is not the case with religious minorities. In order to overcome such situations, it is necessary that all institutions and media act in the direction of unification and development of critical social awareness, because except in sporadic cases, they do not act sufficiently and openly in the promotion and protection of human rights.

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