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SOCIAL JUSTICE AND POVERTY IN MUSLIM WORLD PROCEEDINGS

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Waqfs in Disguise: The Reawakening of Social Activism in Albania by Muslim Organisations

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Abstract: The fall of communism in Albania in 1990 opened it to the world after almost 60 years of operating as a Stalinist hermit state. Religion had been banned in 1967 and all religious endowments were confiscated. This in particular affected the Muslims, as the largest religious community standing at 75% of the population. Within a short period of time an ecosystem had been destroyed that had taken 600 years to build under the Ottoman state. The fall of communism brought a hope that the Muslim community could establish itself and the organisations that had supported the Muslim population socially and economically.

This paper aims to look into several themes, firstly the different approaches Muslim organisations have taken to improve the lives of Muslims. The role of international organisations in supporting and building the local capacity of Muslim organisations. Secondly analysing the great impact that waqf (religious endowments) have historically played in maintaining social justice in the region and the consequent devastation that was caused to the social fabric when they were destroyed. Thirdly I will analyse how the weakness of state institutions combined with poverty and corruption mean that Muslim social organisation have an opportunity to step into a gap that is not yet filled by state or non-state actors.

This paper will look at the different organisations and study their mission statements critically and how they have alleviated poverty. I will also look at social media, which they are very active in, to analyse the impact these organisation have had. How does government policy accommodate Muslim organisations and mosques as centers of social activism. This will be extensively analysed, as a vast amount of property previously held by mosques was confiscated under communism and the government is yet to return it. I will also produce case studies of how mosques have attempted to become financially stable and socially active by re-creating waqfs.

Keywords: Social Activism, Waqfs, Muslim Organizations, Social Justice, Albania.

Introduction

Albania became independent from the Ottomans Empire in 1912. The separation forced the nascent state to re-evaluate what it stood for as an inheritor state of the Ottoman heritagewhich it could not easily eschew. The Islamic civilisation that Albania had been apart off and participated in could be seen at every level of society. The

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organising principle of society was based around Islam, which was a predominant factor around which the market, economic organisation, social interaction and the physical space were shaped by. Albanians had only known one political polity for 600 years, a khalifa run from Istanbul. They emerged from the Sultanate with the expectation and pressure both internally and externally to build a modern European state modelled on French laicism. For a deeply conservative and traditional society this was a breath-taking leap into the unknown and many questioned whether it was desirable. A fundamental change that would occur would be the manner in which the Islamic Community would have to transform the institutions that served as the foundation of the Muslims in Albania, in particular that of waqfs.

In the period between 1923 and 1929 decisive and dramatic reforms were pushed by the Albanian government which wanted to nationalise Islam in Albania and remove it from the public square. One of the methods that this was done is when the Director of the waqf administration, Salih Vucitern a close ally of the government seeking reforms, sought the total reorganisation of the Muslim Community in Albania. The government's nationalist reforms were failing because the religious authorities, with their waqfs resisted government reforms for a number of reasons. The reforms suggested by Salih Vucitern included the removal of regional madrasas, the closure of excess mosques and the centralisation of waqf with a great deal of confiscation of waqf property by the state (Clayer 2010: 60). The impact on the community was serious and long term. Without access to funding and serious educational activities the Muslim community become beholden to the state and its nation building process. The Muslim community's scholarship ability atrophied and the state found it easier to secularise the public space and further encroach into the space held by Islam for several hundred years. The impact this had socially, spiritually, economically and politically on the Muslim community was manifold, resulting in the rise of totalitarian communism post World War Two.

A Brief History of Waqf

Waqf is an important institution in the Islamic socio-economic system playing a key role throughout Islamic history. Waqf, in Arabic means hold, confinement of prohibition (Kahf 2000: 2) it is used in Islam to mean the holding of certain property and preserving it for the confined benefit of certain philanthropy and prohibiting any use or disposition of it outside the specific objective (Kahf 2000: 2). The definition denotes perpetuity, applying to non-perishable property, extracting a benefit without needing to consume the property itself. In addition there are *waqf* of books, shares, cattle, cash money and a variety of other instruments.

The idea of a *waqf* is in its broadest definition, an old one. Muslim scholars have argued that the Kabbah in Mecca is the first *waqf*, mentioned in the Qur'an (3:96) as being the first house of worship appointed for mankind. Additionally and in more recent times the philosophy of *waqf* exists in the United States and Britain as foundations in particular as charitable or religious ones.

The first religious *waqf* is the mosque of Quba in Medina, Saudi Arabia, set up on the arrival of the Prophet Muhammad. Real estate used in the confines of the mosque for providing revenues towards maintaining the mosque is under the category of a religious *waqf*. The other type of *waqf* is the philanthropic *waqf* (Kahf 2000: 2). This aims at supporting poor segments of society and other activities that are of need to people, this could range from public libraries, provisions for education, health services, care of the environment, lending to small businesses, building roads and so on. As can be seen the *waqf* can be a vehicle for a vast array of development projects that seeks to improve several areas social, spiritual and even contributing to advances in society.

The permanent nature of *waqf* resulted in increasing accumulation of *waqf* properties across the Muslim world. The role of *waqf* and their objectives played a considerable role in the social and political life of their communities. Contributing to the development of the city and villages, establishing social cohesion through social welfare (Ze'evi 2012: 27) were important elements that contribute to the general wellbeing and had a distributive element.

Tensions Between the Islamic Polity and Modernity

The nature of the modern nation state is one that seeks legitimacy through the centralisation of power, aims to be the principal provider for the distribution of welfare amongst other services and aims to put man at the heart of the state. At the heart of modernity and humanism lies the belief that supposes the "setting aside of God as the basis of morals and replaces Him with Conscience" (Shariati 1980: 22). This competes with the very philosophy underpinned by the Islamic *waqf* system which puts God at the centre of the endowment which is then placed at the service of the people.

Whereas the modern nation state aims to create homogeneity, amongst the masses, at the expense of pluralism the Islamic *waqf* and its underlying philosophy aims to accommodate the human as part of a broader mosaic. In many ways the emergence of the modern state is predicated on the central notion of the temporal at the expense of the celestial. This Euro-centric view of governance impacted the Ottoman Empire in the 19th century, which created for the first time the Ministry of Awqaf in November 28th, 1863 which remained in effect in several inheritor countries (Syria, Iraq, Lebanon, Palestine, Saudi Arabia and Turkey) (Hunt-Ahmed 2013: 100). The adoption of this law

was a movement toward the changing nature of the state which would have certain outcomes. The *waqf* system was centralised and slowly and systematically destroyed for several reasons.

The impact of independent religious education the impact it accorded to the scholars was considered a barrier by both colonial authorities and the post-independent states, which provided much grist to rebellions when the state acted outside the boundaries of normative Islam. The process of nationalisation, nationalism, centralisation, institutionalisation and modernity coupled with the invisible hand of the state caused the *waqf* system to decline in quality and its managerial standards left to wither. Additionally a lack of serious research in updating the system of *waqf* as an Islamic institution has prevented a proper understanding from emerging.

The services that the modern nation state sought to provide, were distributed and organised systematically to apply equally in all corners, regardless of local circumstances, which would be homogenised with a matter of time. The human element, the local knowledge, the local peculiarities and the instilment of community spirit that a *waqf* could provide in a local setting were instead replaced by cold logic of efficiency, the accumulation of capital by the state and generally seeking the trappings. The cost of homogeneity, imposed by modernity, is only now appearing with decline of the welfare state in much of the developed world.

Albania's Waqf –A New Beginning in Challenging Landscape

After the fall of communism, there was very little local knowledge, institutional capacity and capital to restart the Muslim Community. Foreign based Islamic NGOs were instrumental in bringing this intellectual capacity. Charities from the Arab world, Turkey and the United Kingdom have had the most lasting impact. What follows is an analysis of Muslim charities operating in Albania.

One of the first charities to enter Albania was Islamic Relief, a UK based charity with a broad international presence and it has been active in Albania since 1991. Its primary objectives are in offering support during Ramadan, Qurbani, orphan sponsorship, building roads, water systems to improve rural areas. Additionally they have been operating a community centre since 1994 providing vocational training and in 2006 open another training centre in the north of Albania (Islamic Relief). Furthermore they have also refurbished and aided in establishing a madrasa and other educational institutions working alongside a Turkish NGO named "Brotherhood Solidarity and Cultural Association". In analysing its work the charity has followed a model established by other Western charities, mainly composed of development and emergency aid. The strategy put forward by Islamic Relief is to offer the most basic services. Additional field work needs to be carried out to understand the impact of this particular Waqf set up by Islamic Relief in Albania and the impact it is having on the local community.

Whereas, two other charities operating in Albania are the UK based Ummah Welfare Trust and the Muslim Welfare Institute. Established in Albania in the early 1990s, they now assist the population by providing food hand-outs during Ramadan and helping orphans. Interestingly there is an emphasis in imparting Islamic education (Ummah Welfare Trust) this has been done by setting up Islamically orientated classes (Muslim Welfare Institute) which seek to educate children and renovating mosques (Muslim Welfare Institute). This can be compared to the more internationally acclaimed charity such as Islamic Relief that emphasise religious education less, owing to their broader international scope and different stakeholders. Interestingly the classes by Ummah Welfare Trust and the Muslim Welfare Institute are taught by locally trained Albanian teachers, this has culminated in the setting up by these organisations their first educational institution named "Hafiz Sabri Institute". The school aims to train local Albanians who then continue to work in various parts of Albania as Imams and teachers under the supervision of Muslim Welfare Institute (Muslim Welfare Institute). The most peculiar aspect of these charities is that they operate in Bangladesh, India and Albania. The transnational aspect of this particular network and the reason why it has chosen to work in a geographic area so clearly out of the ordinary is something that inevitably requires further research.

Similarly, the UK based charity Rahma Mercy, primarily focused in the Balkans. Their work is mainly focused on building mosques and providing emergency food parcels. Interestingly they have built an educational academy for the dissemination of religious knowledge combined with a broader educational curriculum. The setting up of this particular academy in the centre of Albania second largest city marked a bold departure from previous projects which mainly focused on the countryside. Additionally several shops have been built into the building to provide a source of income for the academy.

The above four UK based charities have been operating uninterrupted in Albania since it opened to the outside world in the early 1990s. Interestingly the experience of Arab charities has been different, a huge presence in the early 1990s with a steep decline between 1998 and in particular post 9/11. The Albanian government has viewed independent Arab charities with suspicion closing many down. The few charities that operate now are state affiliated.

The Albanian Qatar Foundation (AQF) was established in 2002 with the aim of being a bridge between Albania and the Arab world. Additionally the AQF proclaims that its aim is to assist people in need, personal educational development, offering social services and helping vulnerable women and children (Albanian Qatar Foundation). AQF mission is to help Albania in its path towards European integration while preserving the local traditions of the Albanians. Organisations funded from abroad, such as AQF, are primarily aiming to fill a void left by the state and it does this in a very

functional way offering food to families in need and supporting orphans (Albanian Qatar Foundation). Indeed the support offered to orphans has been one of the most significant projects that all charities have in common in particular because the state does not have a distinguished past when it came to looking after the orphans. Whereas local Muslim organisations have often shied away from taking orphans under their care, they are only just beginning to experience the difficult growth pangs in developing and stabilising their finances.

A recent development happened in the Albanian city of Fier in which the central mosque found itself unable to fund its activities for a host of reasons (Newspaper Shqiptarja). This resulted in some creative amelioration of the problem mainly using the land that the mosque held in a prime location to build shops and consequently rent them to merchants that practiced *halal* activities (Newspaper Shqiptarja). While this very basic waqf like structure emerges at a moment of dire need the project stands as a template in which mosques can make use of waqf as a method of supporting their activities.

Conclusion

The management of a *waqf* requires an eco-system that will take time to build and will require patient and diligent crafting of policy. Fundamentally this is one of the most serious issues facing *waqf* management in Albania. The judicial system does not operate in a way that would maximise the social benefits of *waqf* in Albania. Additionally the structures to understand and theorise best practice regarding *waqf* management do not exist. The judicial system in Albania, should disputes arise in a *waqf*, is unprepared and unlikely willing to adjudicate on matters that are based on following sharia principles.

Compounding these problems, there is also a lack of appreciation by many foreign based charities, of the complex nature of rebuilding Islam in Albania after several decades of being subjected to dogmatic totalitarian assault. So when Islamic Relief describes Albania as a "post conflict" society (Islamic Relief) it is unable to appreciate the true scale of the challenge that faces the Islamic community in Albania. By viewing the socio-economic problems through a post conflict lens the proscribed solution can appear short term and lacking a long term vision.

Many of these projects meet the immediate needs of the populations however to what extent does there exist a broader goal of empowering Muslims fostering social justice and awakening and strengthening their identity. Owing to the Albanian context many of these organisations aim to underplay the Islamic aspects instead seeking a more subtle nuanced approach how it chooses to portray itself in wider society.

Additionally during my research, I found that UK based charities and Turkish charities were more likely to curry favour with the state. The typical profiles of the charities that have come to Albania are status quo charities which are very accommodationist. Arab charities, on the other hand, have had a more fraught relationship with the state, owing to a variety of reasons.

Lastly the state of Muslim charities in Albania is still at a formative period, ideologically, financially and managerially. The depth of impact they are able to have is currently limited, without broader coordination between these charities the end result is a piecemeal approach that only ever meet the need of the community in the present without much thought for a long strategic vision of what the aim should be. The Albanian Muslim civil society needs to establish firstly a special register and office to record and supervise *waqf* management. This *waqf* office ought to be independent of the various state apparatuses and should in its own right be an independent organisation. Additionally it should be linked to a panel of Islamic judges that are able to arbitrate and adjudicate on matters relating to *waqf*. The consequences of working towards this basic policies are manifold and ultimately will insist upon the Muslim community to work on a more coherent framework by which organisations are run.

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