

BECOMING MIXED:
MIXED MARRIAGES OF BOSNIA-HERZEGOVINA
DURING THE LIFE AND DEATH OF YUGOSLAVIA

BY

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DISSERTATION

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ABSTRACT

This dissertation is a twentieth-century social history of the relationship between mixed marriage and national identity in Bosnia-Herzegovina. More precisely, it examines the ways in which different types of elites—political, religious and social—operating under different regimes—Austro-Hungarian, royal Yugoslav, Yugoslav Communist, and post-Yugoslav nationalist—used the idea of mixed marriage to articulate their conceptions of national identity. Starting in 1911 and ending in 1994, the dissertation illustrates how mixed marriage stirred anxieties even among those who professed to be immune to the seductive power of nationalism, including the Communists. It argues that the mixedness of marriages between members of different ethnic groups becomes socially relevant only at moments of ethnic polarization, reflecting the episodic nature of ethnicity itself. The episodic character of ethnicity is why the dissertation focuses on three moments in the twentieth-century life of Bosnia: the 1930s, the late 1960s, and the early 1990s.

Chapters 1 and 2 focus on the mixed marriage cases which came before the Sarajevo Supreme Shari'a Court during the 1930s. The decisions of the court in these cases are viewed within the larger context of a cultural civil war engulfing much of the Bosnian Islamic establishment during the interwar period. The hardening of the court's position vis-à-vis mixed marriage by the end of the decade is seen as a symptom of the more profound transformation of Bosnian Muslimness from a purely religious to a more secular, national, identity.

Chapter 3 puts to rest the widely accepted notion that the Yugoslav Communists actively encouraged mixed marriage as a trope for a Yugoslav identity. It argues that mixed marriage emerged in the thoughts of regime's ideologues only as an afterthought, and only after the regime had abandoned Yugoslavism and embraced nationalism. The Communists' embrace of

nationalism in the late 1960s resulted in a political and statistical neglect of mixed marriage which made their identities all the more vulnerable in the 1990s when the nationalists marked them as threats to the health of nations.

Finally, Chapter 4 is an exploration of how the breakup of Yugoslavia affected the identity of one family, my own. The unorthodox methodology employed in this chapter is essential in unearthing the subjectivity of those declared as mixed during Yugoslavia's violent death and in illustrating the overwhelming ability of nationalism to rope ordinary people into its smothering embrace.

Consulting a variety of archives—from Sharia court records, personal correspondence of clerics, to Communist party archives and author's personal diaries—and interpreting these via a variety of methodologies—from legal anthropology to autobiography and oral history—the dissertation aims to move the discussion of mixed marriage in the former Yugoslavia beyond the polarizing and, by now stale, debates of the 1990s. More specifically, it uses mixed marriage not to explain the breakup of Yugoslavia, argue for or against the Yugoslav project in general, or measure the ethnic distance between certain groups, but rather to explain how and why nationalism is able to exploit mixed marriages for its own ends, and how ordinary people experience this process. The last chapter in particular makes a case for the unapologetic use of autobiography in the study of history.

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My parents' extraordinary thirty-nine years long marriage is the mixed marriage behind this dissertation. Life asks that they nurture and love their children of every parent, but the demands life has exacted on my parents have been particularly burdensome. The sudden intrusion of nationalism into their lives in 1991—an illustration of which begins this dissertation—required that they undertake previously unimaginable feats in rescuing their children from the hell that was the Bosnia of the early 1990s: hiding in a TV stand, traveling around the entire former country under the cover of false identity papers and the eyes of suspicious border guards, pushing past the angry, trigger-happy soldiers, and finally, discarding their comfortable pasts for the factory-work of Midwest America. In addition, my brother's encouragement over many pints of beer during my writing made this dissertation finally come to completion. His lovely wife Vesna's tasty dishes and a warm heart always reminded me why Louisville is my home away from home.

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INTRODUCTION

In the summer of 1991, my parents, my brother, and I took what proved to be our last Yugoslav summer vacation to the Croatian coast. It was a very strange summer. For the first time, my parents had talked about not going, something that would have been unthinkable just a year before as the ten-day long vacation was an old family tradition. The summer was also strange because the small coastal town where we stayed looked eerie: the empty promenades along the shore, the stale bread in a vacant hotel, and the despondence of the waiters that was worse than their customary rudeness. Finally, the summer was strange because while at the beach, my father began wearing a band-aid above his left knee. Not being aware of any injury he could have sustained, I kept asking him where he had cut himself. Visibly irritated by my harassment, he would shrug off the question always telling me that “it’s nothing, just a small wound.” It was only after we returned to Mostar that I learned that the war had broken out in Slavonia (northern Croatia) and was spreading to the coast. And it was around this time that I realized that the “wound” my father had talked about was his tattoo he had gotten some twenty years earlier after getting out of the military. The tattoo, slightly above his left knee, depicted a Christian cross and a Muslim crescent and star held together by a big lock. It would be several months later, as the war ripped through our own neighborhood, that it became clear to me that the reason why my father had abruptly decided to hide the tattoo on that deserted beach was because it revealed that my parents were “mixed.” What had been my father’s personal memory of camaraderie with his army buddies suddenly became our family’s scarlet letter. My father may have feared that in the eerie silence of the coastal town, the tattoo shouted Josip Broz Tito’s mantra of “brotherhood and unity”—which was disappearing in the rubble just a few hundred miles north of the coast—and assigned to my parents the nouns I had only read about in my

history textbooks, Muslim and Croat. The summer of 1991 was the moment my parents became mixed.

What was the constellation of social and cultural forces that led to this moment and forced my father to cover up his tattoo? The band aid may have been a temporary relief, but what was the long-term effect of this moment on the identity of my suddenly “mixed” family? And did my father’s act of getting the tattoo in the late 1960s imply his awareness that his recently began relationship with my mother was a “mixed” one, was it simply an act of youthful rebellion, or both? If the latter, what do his actions on that beach tell us about the interaction between larger social forces and individual identity? Although the opening anecdote is a personal one the questions it raises could be projected back into Yugoslavia’s history in exploring the process through which mixed marriages have become designated as a social problem and the strategies individuals have adopted in navigating the sudden intrusion of ethnicity into their everyday life. This dissertation is about the process of becoming mixed.

Studies of Mixed Marriage

The literature on mixed marriage has for the most part been dominated by sociologists who have studied structural factors in determining the patterns of mixed marriage and its varied meanings for the societies in which they occur. They have studied the psychological “social distance” between diverse social groups,¹ group’s size², its proportion to other groups in an area³, the changing generational attitudes⁴, the socio-economic differences between groups⁵, or a

¹ E.S. Bogardus, “Measurement of Personal-Group Relations,” *Sociometry* 10 (1947): 306-311.

² Romanzo Adams, *Interracial Marriage in Hawaii*. (New York: The Macmillan Company, 1937). Adams argued that the group’s size and prevalence of intermarriage are inversely related: the greater the group is within a society lower its rate of exogamy.

³ Milton Barron. *The Blending American*. (Chicago: Quadrangle Books, 1972). Barron refined Adams’ argument insisting that it was not the group’s general number within a country but rather its representativeness, percentage-wise, within the society, that impacts its outmarriage patterns.

⁴ This approach has been especially prominent in literature on interracial and interreligious marriage in the United States where there is a general agreement that there is a growing tolerance towards these marriages with each

group's heterogeneity⁶, all as indicators of patterns of mixed marriage in a given society. Their different methodologies notwithstanding, all of the studies of mixed marriage have a shared assumption that intermarriage reveals how successful a society is in integrating its diverse social groups into a coherent, stable, and peaceful coexistence. Anthropological literature has largely been in agreement with this conclusion suggesting that in societies with smaller groups intermarriage is essential for long-term stability.⁷ Applying this approach to the study of conflict entails sharing the assumption that "the existence of mixed marriages between the members of groups in a society is generally expected to reduce the probability of violent conflicts among those groups..."⁸

This assumption has dominated the discussion of mixed marriages in the former Yugoslavia, a topic that became a contentious area of research as the country was crumbling amidst a brutal civil war in the early 1990s. Reporting on the increasingly vicious Bosnian war, many Western journalists nostalgically imagined the pre-war Bosnia as a place where marriage between the now warring ethnic groups had been commonly accepted as a mundane part of "a multiethnic, multireligious society as symbolized by the mingled minarets and church steeples of Sarajevo."⁹ Major newspaper stories, covering mixed marriage couples being torn apart by the war, epitomized the general Western bewilderment as to how a seemingly stable multiethnic

successive generation. James A. McRae, "Changes in Religious Communalism Desired by Protestants and Catholics." *Social Forces* 61 (1983): 709-30. Paul Spickard, *Mixed Blood: Intermarriage and Ethnic Identity in Twentieth Century America*. (Madison: University of Wisconsin Press, 1989).

⁵ Robert K. Merton, *Social Theory and Social Structure: Toward the Codification of Theory and Research*. (Glenncoe, Ill: Free Press, 1949).

⁶ Blau, Peter M., Terry C. Blum and Joseph E. Schwartz, 1982. "Heterogeneity and Intermarriage." *American Sociological Review* 47: 45-62

⁷ Pierre L. Van de Berghe. *Human Family Systems: An Evolutionary View*. (New York: Elsevier, 1979). Claude Levi Strauss. *The Elementary Structures of Kinship*. (Boston: Beacon Press, 1969).

⁸ Jeoren Smits, "Ethnic Intermarriage and Social Cohesion: What Can we Learn from Yugoslavia." *Social Indicators Research* (2010), 96: 417-432, 418.

⁹ Roger Cohen, "Bosnians Fear a Rising Islamic Authoritarianism." *The New York Times*, 10 October 1994.

European country could disappear so suddenly and so violently.¹⁰ It was not long before prominent historians of the region joined in the nostalgic invocations of Bosnia's pre-war tradition of multiethnic tolerance, as illustrated by the title of John Fine and Robert Donia's popular history of the country *Bosnia Herzegovina: A Tradition Betrayed* in which the two historians argued that the high percentage of urban mixed marriages, hovering around forty percent, reflected the success of the Communist-led modernization and the general weakening of ethnic identities.¹¹ Inadvertently highlighting the lack of empirical evidence in the matter, Noel Malcolm put the number of such marriages at thirty percent, but echoed the argument that mixed marriage reflected the growing "Westernization" of the Bosnian society prior to the war.¹² As the Bosnian war ended with the Dayton Peace Accords in late 1995, some analysts pointed to the existence of some 2 million mixed marriages in the former Yugoslavia, repeating the figure of 30-40% for Bosnia-Herzegovina, as evidence that the country's postwar future was not so bleak.¹³ The overall effect of these studies was the impression that the wars in Yugoslavia were a tragic anomaly in that they did not reflect any popular ethnic hatreds, a conclusion that was largely a response to the then dominant mainstream view of the wars as the culmination of ancient ethnic hatreds between Bosnia's communities.¹⁴

¹⁰ Tyler Marshall, "Thousands of Mixed Families Caught in Yugoslavia's Bitter Ethnic Divide," *Los Angeles Times*, 21 July 1991; "War Takes Toll on Serbo-Croatian Couples" *Washington Post*, 4 August 1991; as cited in Nikolai Botev, "Where East Meets West: Ethnic Inter-marriage in the Former Yugoslavia, 1962-1989." *American Sociological Review*, Vol. 59, No. 3 (June 1994), 461-480: 461.

¹¹ Robert J. Donia and John V. A. Fine. *Bosnia and Herzegovina: A Tradition Betrayed*. (New York: Columbia University Press, 1995).

¹² Noel Malcolm, *Bosnia: A Short History*. (New York: New York University Press, 1994), 222.

¹³ Jane Sharp and Michael Clarke, *Making Dayton Work: The Future of the Bosnian Peace Process*. (London: Centre for Defence Studies, 1996).

¹⁴ The ancient ethnic hatreds explanation of the wars was so widespread that it is hard to determine where it officially originated, but the work that was most often cited as evidence for the view was Robert Kaplan's *Balkan Ghosts* (New York: St. Martin's Press, 1993), detailing the journalist's travels through the region and perpetuating many of the Balkan stereotypes. Western politicians who were involved in solving the crisis further perpetuated this view. A version of this argument was also echoed by the EU's co-chairman of the Conference for the Former Yugoslavia Lord David Owen who during his visit to the shell-shocked Sarajevo at the end of 1992, said: "Don't,

However, the first in-depth demographic study of mixed marriage in the former Yugoslavia convincingly countered the argument that mixed marriages had been steadily increasing prior to the wars. Nikolai Botev's statistical, census-based analysis of mixed marriages in the country, between 1962 and 1989, showed that contrary to popular perception, the rate of interethnic marriage in the country remained relatively steady, hovering around twelve to thirteen percent, a number that was modest given the ethnic heterogeneity of Yugoslavia. Using log-linear models Botev mapped the prevalence of mixed marriage across the Yugoslav republics, incorporating the size, sex ratio, and residence of each ethnic group to determine the prevalence of mixed marriage. His figures for Bosnia-Herzegovina were quite at odds with the picture painted by the boosters of Bosnia's multiethnic history: despite having an ethnic composition that was more heterogeneous than most of the country, the republic had a lower rate of intermarriage, around eleven percent, than it appeared at the federal level. In fact, Bosnia's two major ethnic groups, the Serbs and the Croats, were less likely to intermarry within the republic than they were if they were living outside of it although at the federal level they were more open than the rest of the nationalities. Although the majority Muslims were more likely to intermarry within Bosnia than outside of it their rates of endogamy were still relatively high. According to Botev, the only place where mixed marriage had been on the rise prior to the wars was also the place where the rate of intermarriage had been the highest throughout the period, between twenty-two to twenty-eight percent: Vojvodina, a region with an exceptionally heterogeneous ethnic composition where many groups were minorities making exogamy more expected. While admitting some fallacies of his model—such as, using the census data only

don't, don't live under this dream that the West is going to come and sort this problem out." (Ian Traynor, "Trying the tyrant we helped to create," *The Guardian*, 16 January 2002).

starting in 1962 after the nationality categories had stabilized,¹⁵ not zooming in his analysis onto Bosnian cities where he admits “the intermarriage among these groups has been more prevalent,” and excluding “Yugoslavs” because the category “is fluid and heterogeneous”—Botev makes a claim that is essentially the repudiation of the “Bosnia the good” argument: “These findings once again emphasize the importance of the differences in the cultural traditions within the Yugoslav society and underscore the inherent fragility of the former Yugoslavia as a federal state.”¹⁶ Just as the boosters of Bosnia the good argument used mixed marriage as a template to project their nostalgic visions of a multiethnic paradise, Botev used it to explain how the country “managed to disintegrate so quickly and so convulsively.”¹⁷

Recently, demographers have further refined Botev’s analysis, but with essentially the same conclusion: rather than being evidence of an emerging Yugoslav nation, the mixed marriage patterns in the former Yugoslavia were a harbinger of its violent disintegration. Inspired by the social cohesion theory—which argues that the probability of a violent conflict between groups is lower the higher the rate of intermarriage between them—Jeroen Smits has investigated the correlation between the prevalence of intermarriage with the Serbs and the violent conflicts of the 1990s most of which involved the members of this nationality. Integrating the data on the marriages concluded in 1962, 1971, 1980, 1981 and 1989 into log linear and more sophisticated models, to check for the variance in group size, Smits showed that the instance of intermarriage with the Serbs was rather low amongst most of the groups, but particularly the Slovenes, the Muslims, and the Albanians, the groups which, in addition to the

¹⁵ The first two censuses in Yugoslavia reflected the Communist regime’s struggle to decide whether or not to treat the Bosnian Muslims as a religious minority or a national group: in the first postwar census in 1948 they could declare themselves only as Serbs, Croats, or undeclared, in 1953, the category of “Yugoslav-undeclared” was introduced but in the 1961 census they could declare themselves “Muslim in the ethnic census,” and only in 1971 was Muslim introduced as a national category without any caveats.

¹⁶ Botev, 475, 467, 476, respectively.

¹⁷ Ibid., 462.

Croats, were most heavily engaged in fighting the Serbs during the wars. For example, given the troubled history of the Albanian-Serb relations in Kosovo, Smits' findings were particularly revealing: the rate of Albanian intermarriage with the Serbs decreased from 1962 to 1989, plummeting to 0.4% on the eve of Yugoslavia's disintegration.¹⁸ Similarly, in 1981, only 1 in 90 Muslims married a Serb and in 1989, this number was 1 in 70 for the Slovenes. The groups with the highest incidence of intermarriage with the Serbs were the Montenegrins, a nation with deeply intimate relations with Serbia, and the Hungarians who were a small minority and were integrated into a post-Yugoslav Serbia with relatively little controversy. Although Smits' model found that the social distance¹⁹ between the Croats and the Serbs was shorter than their rates of intermarriage suggested his conclusions generally supported the social cohesion theory which sees the lack of intermarriage between groups as one indicator of a potential for violence between them. As Smits argued, this point is very much confirmed by the recent intermarriage studies in Turkey, where the conflict between the Kurds and the Turks was reflected in their low intermarriage rate of 8%²⁰, and Latvia, where the high rate of intermarriage between the minority Russians and the majority Latvians (16%) could be seen as indicative of that country's peaceful separation from the Soviet Union²¹. In the context of these findings the disintegration of Yugoslavia was neither surprising nor unpredictable, but in fact almost inevitable.

Although exceptionally useful in finally providing some empirical evidence for the discussion of mixed marriage in the former Yugoslavia, these statistical studies have a tendency to cloak authors' own biases with scientific authority, distorting the complicated reality behind

¹⁸ Smits, 425.

¹⁹ Social distance between groups generally refers to the "degree of negative or positive social contact" (Smits, 430).

²⁰ A. Gündüz-Hoşgör and Jeroen Smits, "Intermarriage between Turks and Kurds in Contemporary Turkey." *European Sociological Review*, 18, 417-432

²¹ C. Monden and Jeroen Smits. "Ethnic Intermarriage in Times of Social Change: the Case of Latvia. *Demography* 42 (2), 323-345. Both works are cited in Smits, "Ethnic Intermarriage and Social Cohesion," 429.

Yugoslavia's death. This is evident in Botev's conclusion that his findings show the extent of the separation between the three different cultural traditions of the region: the "Western tradition," encompassing the Catholic Croats and Slovenes, who were under the Austro-Hungarian rule, "an endemic Balkan cultural tradition," which includes the Orthodox Serbs, Montenegrins, and Macedonians, who lived for centuries under the Ottoman occupation, and the "Middle Eastern cultural tradition," including most of Yugoslavia's Muslims.²² Botev's classification of different "cultures" seems quite arbitrary since it is based solely on the type of a foreign rule the groups endured and the religion they had adopted. Botev never explains how the differences in religion and imperial legacies of the different ethnic groups rise to the level of "cultures," particularly given the ample ethnographic and historical evidence of religious syncretism, linguistic kinship, shared cultural values, and the multiplicity of regional identities amongst the many ethnic groups of the Balkans. For example, in Bosnia-Herzegovina—where Botev's classification would place three different cultural traditions within the area of 19,000 square miles—the three major ethno-religious communities (Serbs, Croats, and Muslims) have shared the same language, been largely united in one political unit since the Ottoman occupation in 1463, have exhibited a high degree of inter-communal coexistence,²³ and have on occasion espoused regional identities. With his concept of "antagonistic tolerance" Robert Hayden usefully reminds us that peaceful coexistence between ethnic groups does not necessarily indicate "an active embrace of the Other," or an existence of a multicultural utopia, but rather a

²² Botev, 462.

²³ In her exceptionally meticulous ethnographic study of a central Bosnian village, Toni Bringa shows that although the village's Muslims and Croats maintain a clear inter-ethnic line of division their close interaction has generated numerous shared identities, including that of their village (when dealing with a neighboring villagers) or that of a villager (when dealing with city dwellers). Bringa finds a solid line dividing the two communities, but "with overlapping social environments." Toni Bringa, *Being Muslim the Bosnian Way: Identity and Community in a Central Bosnian Village*, (Princeton, NJ: Princeton University Press, 83). For instances of religious divisions, but also cooperation, see William G. Lockwood. *European Muslims: Economy and Ethnicity in Western Bosnia*. (New York: Academic Press, 1975).

modus vivendi the groups had established in the absence of conditions that would have allowed one to achieve dominance over the other.²⁴ But, it is one thing to argue for the existence of socially salient and occasionally violent inter-ethnic divisions in a society, but quite another to suggest that these divisions are evidence of different cultures. Botev's inclusion of the Macedonians within the (never explained) "endemic Balkan" cultural tradition only on the basis of their common Eastern Orthodox faith ignores the decades' long struggle of the Macedonian nationalists for the recognition of a separate national identity. His decision to lump the Bosnian Muslims along with the other Islamic groups in Yugoslavia, including the Albanians and the Turks, despite their different languages, histories, and national identities, is equally confounding. Thus, Botev shows the tendency to transfer the unambiguous statistical data into historical and cultural observations which are not supported by empirical evidence.

This hasty observation leads Botev to suggest that Yugoslavia disintegrated "quickly" and "convulsively."²⁵ While the latter adverb is certainly appropriate given the brutal wars which tore the country apart, to conclude that Yugoslavia disappeared quickly is to ignore the copious amount of literature which has shown the country's torturous and slow political disintegration. The general consensus amongst the scholars of Yugoslavia is that the federation began its descent in the mid-to-late 1960s when the political and economic liberalization and decentralization empowered the republics, leading to the Constitution of 1974 which effectively prevented the federal government from exercising its authority over the republics.²⁶ Others have attributed the disintegration to the Communist regime's experiment with self-management,

²⁴ Robert M. Hayden, "Antagonistic Tolerance: Competitive Sharing of Religious Sites in South Asia and the Balkans." *Current Anthropology*, Volume 43, Number 2, April 2002: 219.

²⁵ Botev., 462.

²⁶ Robert M. Hayden, *The Blueprints for a House Divided: The Constitutional Logic of the Yugoslav Conflicts*. Ann Arbor: University of Michigan Press, 2000; Dejan Djokic, ed. *Yugoslavism: Histories of a Failed Idea, 1918-1992*. (University of Wisconsin Press, 2003); John R. Lampe, *Yugoslavia as History: Twice there was a country*. (Cambridge: Cambridge University Press, 1996).

starting as early as the 1950s, arguing that while it decentralized economic decision-making it also empowered local elites who had no interest in working with the other republics or with the federal government.²⁷ Finally, completely missing from Botev's analysis is the confluence of geopolitical factors in the post-Cold War Europe which denigrated Yugoslavia's status in the eyes of the West, leading many countries to adopt a more contradictory and at times destructive economic policy towards the country.²⁸ Thus, one has to be careful in reading the mixed marriage statistics into Yugoslavia's death as Botev does, ultimately concluding that "there is no mystery to that country's disintegration."²⁹

Another erroneous observation Botev draws from his statistical study is the argument that the Communist regime actively encouraged mixed marriage, an assumption shared by many other similar studies. Botev argues that following World War II Tito's regime granted the nominal rights of self-determination to Yugoslavia's ethnic communities, but stressed a Yugoslav socialist culture that would eventually supersede the parochial ethnic identities. Botev argues that the Communists condemned nationalism as a "bourgeois prejudice," and strove to assimilate minorities into majority cultures in creating a socialist, Yugoslav identity. He pits the "efforts to create a uniform society" against the more localized struggle of various groups to preserve their ethnic identities.³⁰ Le Goff and Giudici have gone a step further by claiming that because children from mixed marriage were supposed to grow up in a multiethnic environment "[m]ixed marriages were then strongly encouraged by authorities of former Yugoslavia."³¹

Echoing Botev, Jeoren Smits also argues that during Communism in Yugoslavia, the "impression

²⁷ John B. Allcock. *Explaining Yugoslavia*. (New York: Columbia University Press, 2000).

²⁸ Susan L. Woodward. *Balkan Tragedy: Chaos and Dissolution After the Cold War*. (Washington, D.C.: Brookings Institution, 1995).

²⁹ Botev., 477.

³⁰ Botev, 462-463.

³¹ Jean Marie Le Goff and Francesco Giudici, "Transitions to Marriage in Former Yugoslavia: Interethnic Differences Across Cohorts." Paper presented at the Traces-Scopes conference titled "Facing massive violence and social change: Collective experiences in Former Yugoslavia," Lausanne, February 2009: 2.

was raised that intermarriage was a rather common phenomenon in this country, and that the number of mixed marriages was increasing.”³² Following this assumption, the low rate of mixed marriage becomes a symbol of the failure of the Yugoslav project in general.

As Chapter III will argue, the argument that the Communists actively encouraged mixed marriage as some sort of a trope for a socialist Yugoslav identity is based more on the ideological debates of the 1990s—caused by the rush to explain the country’s disintegration—than any substantial empirical evidence. It is true that in the mid-1950s the regime’s chief theoretician Edvard Kardelj criticized nationalism as “one of those reactionary ideological factors which draws people backwards” and hoped for the emergence of a Yugoslav socialist consciousness, *jugoslovenstvo*.³³ But as Paul Shoup points out, Kardelj also acknowledged the historical continuity and importance of the nation in the development of economic relations. The question of whether nations would emerge at the level of the republics or if the separate nations would melt into one Yugoslav socialist consciousness Kardelj left unanswered.³⁴ The hesitancy could be attributed to Communists’ almost obsessive efforts to distinguish themselves from the discredited integral Yugoslavism of the interwar period, which had become inextricably associated with Greater Serbian monarchic hegemony, that were in large part the reason behind the Communists’ success in gaining popular support during and after World War II. Thus, the Communist slogan of “brotherhood and unity” between Yugoslavia’s nations always had to be carefully balanced by the emphasis on the equality of nations and their inalienable rights to national self-determination, the latter being enshrined in the country’s federal system.³⁵ By the early 1960s the efforts at creating a Yugoslav socialist consciousness were abandoned altogether

³² Smits, 418.

³³ Kardelj, *On the Slovene National Question*, as quoted in Paul Shoup. *Communism and the Yugoslav National Question*. (New York: Columbia University Press, 1968), 205.

³⁴ Ibidem.

³⁵ Ibid., 123.

as the 1963 Constitution transferred more powers to the republics, turning the country into what Ramet has called an “international balance of power system” with republics operating almost as independent states.³⁶ The devolution of political power led to the first public revival of nationalism since World War II, even spearheaded by the Communists, most evident in the Croatian Spring movement and the recognition of the Bosnian Muslim nationhood in 1968. Not only did the regime not encourage mixed marriage, but around this time high-level Communist officials, such as the head of the Bosnian Communist Party Hamdija Pozderac, mocked the idea that mixed marriages could lead to Yugoslav consciousness. Arguing that national identity was a social and not a biological category, Pozderac insisted that “even though there [were] numerous mixed marriages in our country this [did] not create any Yugoslav nation.”³⁷ That the only literature the demographers such as Botev and Smits cite to support their claim that the Communists encouraged mixed marriage are the studies of Soviet demographers from the early 1980s (Bromlei and Kashuba)³⁸, an American analyst’s book on the Western intervention in the Bosnian war from 1995 (Rieff)³⁹ and a single study by a Yugoslav sociologist from 1986 (Petrović)⁴⁰, written already at the height of the Yugoslav crisis and six years after Tito’s death, shows the dearth of empirical evidence for their assumption. I propose to approach the issue of mixed marriage somewhat differently and the best way to illustrate this approach is to start with a story.

³⁶ Pedro Ramet, *Nationalism and Federalism in Yugoslavia, 1963-1983*. (Bloomington: Indiana University Press, 1984).

³⁷ *Sloboda*, 22 March 1971, Year XXVII, No. 13: 3 as quoted in Hannes Grandits, “Ambivalentnosti u Socijalistockoj Nacionalnoj Politici Bosne i Hercegovine u kasnim 1960-im i u 1970-im: Perspektive odozgo i odozdo.” In *Rasprave o Nacionalnom Identitu Bošnjaka*. Zbornik radova. (Sarajevo: Institut za istoriju, 2009), 15-38: 33.

³⁸ Y. Bromlei and M. Kashuba. *Brak i semia u narodov Yugoslavii*. (Moskou: Nauka, 1982)

³⁹ David Rieff. *Slaughterhouse*. (New York: Simon and Schuster, 1995).

⁴⁰ Ruža Petrović, “Ethnically Mixed Marriages in Yugoslavia.” *Sociologija* 28, 229-239 in Botev, 461.

Mixed Marriage Before Yugoslavia: The Romance of Andromaha and Sabit

Judging by the information contained in her employment file, Andromaha Morait was an exceptional woman. Born in 1886 in the Macedonian town of Veleš at a time of staggering illiteracy, particularly among women, by the age of twenty-two Andromaha was fluent in Greek and Serbian, and proficient in French, German and Romanian. By May of 1907, her official residency was in Sarajevo where she graduated from a women's high school. While most Bosnian parents resisted sending their daughters even to elementary school, following her graduation from the women's high school she went to Zagreb where she attended a teacher's school for women. After finishing the Zagreb school and passing the teacher's exam, the Austro-Hungarian authorities in Bosnia appointed her an assistant teacher at an elementary school in the small Herzegovinian town of Bileća. According to yearly evaluations of her work in Bileća, Andromaha was "conscientious and very competent"⁴¹ in her teaching, but because of her "gentle physique"⁴² she could not keep her male students in line so she was transferred to an all-girls' classroom. The only critical observation came in the evaluation for the 1909-10 school year during which, according to the official, she was "not very inspired."⁴³ The lack of inspiration may have been due to her preparations for the teacher's exam which she passed in 1910 in Sarajevo. This allowed her to obtain permanent employment, but this time in a place even smaller than Bileća, a central Bosnian village of Donji Vakuf. Not even a year after she arrived in the village, she had fallen in love with the principal of the elementary school, Sabit Talić.

Andromaha Morait and Sabit Talić were an unlikely couple. She was a gentle woman who had trouble controlling her male students. He was a man who was described by school

⁴¹ "Muslim-Grkinja" file. "Osobnik Andromahe Talić," 2. Arhiv Bosne i Hercegovine. (ABiH)

⁴² Ibidem.

⁴³ Ibid., 3.

officials as “pretentious, insubordinate, and quarrelsome, and...very crude.”⁴⁴ But like Andromaha, Sabit was unusual when compared to his contemporaries because instead of attending the Islamic religious school (*mekteb*), like most Muslim boys, he attended a *ruždije*, a multi-confessional school which offered basic algebra and writing and was a legacy of the Ottoman attempt to expand the exclusively religious bent of the traditional *mektebs*. Like Andromaha, he graduated from the Sarajevo teaching school when he was appointed an assistant teacher at an elementary school in the Herzegovinian town of Stolac. But before he could be appointed to a permanent post he had to pass the teacher’s exam in Sarajevo, which he did with a D average at the end of 1902. Despite some difficulty in passing the exam, he was appointed the principal of an elementary school in another Herzegovinian town where state officials observed “with pleasure, [his] success at that school.”⁴⁵ It is not clear if he initiated the transfer, but in January 1911 he was appointed the principal of the elementary school in his hometown of Donji Vakuf. Andromaha had already been teaching there for more than three months.

Andromaha and Sabit were an unlikely couple in another way: she was an Eastern Orthodox and he was a Muslim, a romance which in the words of a government official, was “the first such case amongst the teachers of Bosnia and Herzegovina.” Their marriage plans triggered a nine-month legal saga involving local and state authorities, the Eastern Orthodox Archbishopric of Sarajevo, the district and the Supreme Shari’a court. During the time it took for them to obtain a license and finally get married at the local Shari’a court, Andromaha would give birth to two children—Emina and Enver. Because it was unusual enough to draw in all these social actors, the romance between Andromaha and Sabit offers a particularly poignant preface to our twentieth century history of mixed marriage in Bosnia-Herzegovina.

⁴⁴ “Musliman-Grkinja” file. “Osobnik Sabit Talića,” 10.7.1922, 9. ABiH.

⁴⁵ Ibid., 8 April, 1905.

When the Bugojno county government received Sabit Talić's application for a marriage license on 19 December 1911, it had a reason to worry given the history of mixed marriage in Bosnia since the Austro-Hungarian occupation in 1878. The explosive nature of mixed marriage conversions became evident in two cases that gripped the Herzegovinian countryside, and later the entire country, during the last two decades of the 19th century. In 1881, a small village near Mostar was rocked by the news that a young Muslim woman by the name of Saja Čokić fled her father's home, converted to Catholicism and married her Catholic boyfriend. A local mufti organized a delegation, led by the girl's outraged father, to the local Austro-Hungarian officials, demanding that the girl be returned home and conversion immediately annulled since she was a minor. The mufti further argued that the whole operation had been concocted by the local Catholic priest and the girl's Catholic in-laws. The authorities were worried enough to summon the newlyweds to court where Saja defended her decision to convert to Catholicism, insisting that she had done so out of her own free will, and most remarkably, that she was not fifteen, as her father had claimed, but twenty-two. It is not clear how, but the court eventually arrived at the "medical opinion" that the girl was indeed an adult and closed the case. The father, however, continued to press the case at the district Shari'a court, which even arrested Saja for a brief period of time, but was then forced by state officials to release her. Although the saga may have been traumatic for the girl—particularly given the possibility that she had to undergo a medical exam to determine her age—the controversy remained largely confined to the Mostar region and eventually petered out amidst a peasant rebellion which erupted in January 1882.⁴⁶

Following this incident, the Austro-Hungarian authorities attempted to prevent another outbreak of communal unrest by more tightly regulating conversions, but another conversion

⁴⁶ Robert J. Donia, *Islam under the Double Eagle: The Muslims of Bosnia and Hercegovina, 1878-1914*. (New York: Columbia University Press, 1981), 93-98

scandal erupted at the very turn of the century, threatening the very stability of the regime. Because many conversions were followed by accusations by representatives of all communities that the clergy of the opposing community had been actively involved in “stealing” the convert, the authorities engaged in extensive negotiations with the religious representatives of all communities in drafting a conversion law. The conversion statute of 1891 allowed for all concerning parties to have unfettered access to the convert and mandated a waiting period for the conversion to take effect.⁴⁷ Eight years later, when the news of Fata Omanović’s disappearance spread through another Muslim village in Herzegovina, the Mostar mufti gathered a delegation of over 1000 Muslims and marched on the local government offices, demanding government intervention. The accusations were familiar enough: the unsuspecting Muslim girl had been kidnapped under the cover of the night by a group of nuns, ferried to a monastery, converted, and married off to a Habsburg officer, all under the watchful eye of the Sarajevo Archbishop Stadler. The authorities attempted to quell the unrest by arresting and exiling some of the Muslim leaders, but the effort backfired and within a year what had been a village based protest over the fate of a young woman escalated into a Bosnia-wide Muslim movement for religious autonomy. The Fata Omanović affair sparked numerous delegations and petitions both to Pest and Vienna, forcing the regime to eventually issue the Autonomy Statute in 1910, granting the Muslim community a wide-ranging autonomy in the management of its religious, educational, and business affairs.⁴⁸ Fata eventually resurfaced almost forty-years later under the name of Darinka Prijatelj, a Slovenian living in Maribor, when she gave a newspaper interview in which she revealed that

⁴⁷ Robert J. Donia. *Sarajevo: A Biography*. (Ann Arbor: University of Michigan Press, 2006), 99.

⁴⁸ The most thorough summary of the affair can be found in Donia, *Islam under the Double-Eagle*, 97-113.

she had left her village voluntarily with the help of nuns, worked at a Split monastery until 1910 when she married a Slovenian officer, converted, and moved to Maribor.⁴⁹

Given that Sabit's petition came a little over a year after the Autonomy Statute, it is not surprising that despite the urgent nature of Sabit's plea, some Austro-Hungarian officials expressed consternation at the possibility of this mixed marriage. In his marriage license petition to the Bugojno county government Sabit made it clear that Andromaha had become pregnant and he begged for a quick approval of marriage so that he could "save the honor of my fiancée, my school, and the entire teaching corps."⁵⁰ In his own letter to the Sarajevo Regional Government, in which he urged a quick approval of Sabit's marriage license, an Austro-Hungarian county government official still worried about the effect the marriage would have on the locals in Donji Vakuf:

Finally, it is important to note that considering the unusual nature of such marriages, it would not be appropriate to keep these teachers in Donji Vakuf or any other small place, so the Regional Government is asked to transfer them from Donji Vakuf to Sarajevo where this will not be as noticeable as in smaller places.⁵¹

If there was any question of what might have happened if the couple was not transferred, the official clarified it a month later when he wrote to the Sarajevo government once again repeating his insistence that Andromaha and Sabit be transferred to Sarajevo because "in every other small place, this couple would be too noticeable and this could provoke different kinds of attacks."⁵² When eight months later the marriage license or any response had not arrived from Sarajevo, the same official wrote yet another similarly alarming letter, this one marked

⁴⁹ "Razgovor R. Kadića s Darinkom Prijatelj. Fata Omanović—djevojčice čiji je slučaj zatalasao Herceg-Bosnu otkriva svoju dramatsku tajnu." *Jugoslovenski list*, 21 VIII. 1940, p. 6. As cited in Zoran Grijak, "Predstavka Episkopata Vrhbosanske Metropolije iz 1903. godine u svjetlu austrougarske vjerske politike u Bosni i Hercegovini." *Croatica christiana periodica (CCP)* 62 (2008): 78.

⁵⁰ "Musliman-Grkinja" File, Okružna oblast Travnik-Zemaljska Vlada, Sarajevo, Br. 1315, 19.12.1911, 1, ABiH.

⁵¹ "Musliman-Grkinja" File, Okružni predstojnik-Zemaljska Vlada, Sarajevo, Br. 6670, 25.12.1911, ABiH.

⁵² 2967.

confidential, in which he informed the government that Sabit and Andromaha had moved in together and that “this, our people do not approve of, but take exception to.”⁵³ Whether or not the locals were opposed to this arrangement because it was a mixed relationship or because they were living out of wedlock is unclear, but the official was equally concerned for the couple’s well being and asked once again that they be moved to a larger place, most ideally to Sarajevo.

In addition to his county government, Sabit also petitioned his local Shari’a court for a marriage license, revealing his confusion over who had jurisdiction over mixed marriage. In his statement to the Shari’a court, which he made one day after filing his petition to the government, Sabit told a different story of his romance from the one he had told the government official in that in the later version he silenced the out-of-wedlock pregnancy and spoke of a long platonic friendship which had only gradually become sexual. Describing Andromaha as “one of the best and the most reputable women especially in her moral life,”⁵⁴ he insisted that he had taken her under his wing out of his professional duty as the school principal. But serving as her protector had also been his “patriotic duty...because her father had entrusted [him] with it as a friend.”⁵⁵ While in his statement to the government he had admitted that the relationship had been intimate “for quite some time,” he told the Shari’a judge that after meeting Andromaha “love relations” had been far from his mind. But because she had come to confide in him and had become so loyal that he eventually grew to “love her above anything else.”⁵⁶ He asked the court to officiate a Shari’a marriage, allowing Andromaha to stay in her Eastern Orthodox faith, but stipulating that all of their future children be raised in accordance with Islam. Sabit’s confusion over who

⁵³ “Musliman-Grkinja” File. Okružni Predstojnik-Zemaljskoj Vladi, Sarajevo, Br. 161, 15.8.1912, ABiH.

⁵⁴ “Musliman-Grkinja” File. Molba Kotarskom Šerijatskom sudu u Bugojnu. 20. 12. 1911, 1, ABiH.

⁵⁵ Ibid., 2.

⁵⁶ Ibidem.

had the authority to grant a mixed marriage license could be forgiven since it was widespread even at higher levels.

The jurisdictional ambiguity vis-à-vis mixed marriage stemmed from Austro-Hungarian legislation, declared soon after the empire's occupation of Bosnia, which reaffirmed the reach of Shari'a over marriages in which both spouses were Muslim, but was silent on the issue of mixed marriages.⁵⁷ The county official who forwarded Sabit's statement to the Sarajevo Regional Government urged his superiors to grant him the license since "marriage laws do not forbid these kinds of marriages."⁵⁸ Acknowledging that this was the first mixed marriage amongst the teachers of Bosnia-Herzegovina, the official anticipated the petition would encounter resistance and urged the government not to "create any obstacles," and to issue the permission as soon as possible. The district Shari'a judge in Bugojno, where Sabit had submitted his petition, was equally hesitant in how to proceed and asked the Supreme Shari'a court in Sarajevo for advice on "whether and how this court would solemnize this marriage."⁵⁹ But even the highest Shari'a court in the land was uncertain on how to proceed and forwarded Sabit's application to the Regional Government in Sarajevo, assuming that the marriage fell under state jurisdiction.

The Regional Government tried to expedite Sabit's petition by clearing up the jurisdictional confusion, but to no avail. It seems that besides Sabit's case, the central government in Sarajevo had received other mixed marriage requests from the Supreme Shari'a court because when it finally did respond in late January 1912, it referenced three other mixed marriage cases. Responding to these inquiries, the Regional Government was unequivocal in its insistence that it had no jurisdiction whatsoever in the matter of mixed marriages:

⁵⁷ Fikret Karčić. *Šerijatski sudovi u Jugoslaviji 1918-1941*. (Sarajevo: Fakultet Islamskih Nauka, 2005), 23.

⁵⁸ Okružna oblast Travnik-Zemaljska Vlada, Sarajevo, Br. 1315, 2.

⁵⁹ "Musliman-Grkinja" File, Kotarski Šerijatski Sud, Bugojno-Vrhovni Šerijatski Sud, Sarajevo, Br. 1968, 20.12.1911, 1, ABiH.

“Solemnization of marriages in general has been done by the confessional communities in accordance with their particular marriage laws, so the regional government does not meddle in this.”⁶⁰ It urged the Shari’a court to consider every case individually and notify individuals of proper procedures needed for a marriage to be solemnized in accordance with Shari’a. In the letter, the Regional Government also indirectly admitted that it had been responsible for the legal confusion as it repealed its Directive No. 156194/III from 25 October 1907, which had “stated that solemnization of mixed marriages does not come under the jurisdiction of Shari’a courts.”⁶¹ The unambiguous position of the Regional Government notwithstanding, the confusion persisted with a county official pleading with the government as late as August of 1912—some seven months after the legal obstacle had been supposedly removed—“to repeal the order which bans the solemnization of mixed marriages”⁶² and finally approve Sabit’s marriage license.

Another reason for the delay, in addition to the legal confusion, was the predictable hostility of religious authorities to the marriage. That the local Shari’a court immediately forwarded his petition to the Supreme Shari’a court, asking for guidance, was understandable in light of the jurisdictional limits of the Shari’a over such marriages, but also the state enforcement of such limits. In May 1909, state authorities had hauled a district Shari’a judge in front of a disciplinary court for officiating over a mixed marriage by which he had violated the Article 10 of the 1883 Directive, limiting the reach of the Shari’a only over marriages in which both spouses were Muslim.⁶³ But, even seven months after the Regional Government had rescinded the ban on Shari’a judges officiating mixed marriages, the district Shari’a court in Bugojno was still refusing to solemnize the marriage. Thus, on 6 August 1912, an Austro-Hungarian

⁶⁰ “Musliman-Grkinja” File, Zemaljska Vlada, Sarajevo-Vrhovnom Šerijatskom Sudu, Sarajevo, Br. 589, 23.1.1912, ABiH.

⁶¹ Ibid., 73.

⁶² “Musliman-Grkinja” File, Okružni Predstojnik, Bugojno-Zemaljska Vlada, Sarajevo, Br. 1166, 15.8.1912

⁶³ Okružni Sud, Bihać, Br. 516, 8.5.1909, ABiH.

municipal official from Bugojno wrote to his superior, the county official of Travnik, in which he notified him that “[t]he marriage between the school principal Talić and teacher Andromaha has not been concluded because the local Shari’a court refuses to officiate it without the approval of the Supreme Shari’a court...”⁶⁴ The Travnik official forwarded the note—along with the confidential letter in which he asked the couple be transferred to a larger town for their own safety (discussed above)—to the Regional Government, asking them to notify the Bugojno court that the order banning Shari’a jurisdiction over mixed marriages had been revoked and that they could proceed with officiating Sabit’s marriage.⁶⁵ It remains unclear, however, if the delay was due to the purposeful foot dragging on the part of the Bugojno Shari’a court or even the Supreme Shari’a court or if it was simply a matter of bureaucratic lethargy.

In the response of Orthodox Church officials to the marriage plans of Sabit and Andromaha, hesitancy gave way to hostility. A letter of the Regional Government to Orthodox Archbishopric makes it clear that the Sarajevo based Orthodox court had written to the state authorities on 19 December 1911 regarding Sabit’s petition and had asked that the petition be denied. The government informed the church that Shari’a courts in Bosnia straddled the boundary between the state and mosque since they were both, a part of the state judicial system, but were also responsible for adjudicating matters pertaining to the family matters of the country’s Muslims, including marriage. In ruling on state matters they were bound by state law, but in religious matters—and marriage was one of these—they were authorized by the *Reis-ul-ulema*, the head of Bosnia’s Muslim community. The letter concluded by explicitly rejecting the church’s request: “Because of all of this, in the case the aforementioned individuals [Andromaha and Sabit] petitioned the relevant shari’a court, the regional government could not

⁶⁴ “Musliman-Grkinja,” File, Okružni Predstojnik, Bugojno-Zemaljskoj Vladi, Sarajevo, Br. 1173, 16.8.1912, ABiH.

⁶⁵ Ibidem.

block this.”⁶⁶ The Archbishopric followed up on 1 September 1912 with another letter to the Regional Government, asking them to confirm if Andromaha had yet concluded a Shari’a sanctioned marriage with Sabit. In a delayed response, the government notified the church official that indeed, on 12 September 1912, Andromaha and Sabit had wed in the district Shari’a court in Bugojno.⁶⁷

Despite the anxiety of the state official over the mixed marriage, the legal confusion, and the hostility of the religious authorities, there is little evidence that the villagers of Donji Vakuf were in as much of an uproar as the elites. The same county official who worried about the safety of the couple seemed to admit as much: “It would be best if this couple was moved to Sarajevo, and if this would not be possible right away, they should remain in Donji Vakuf where this [their romance] is a known fact amongst the locals, and they have so far been *indifferent* towards this.”⁶⁸ The fact that they were not transferred out of the village until May 1915, more than two years after their wedding, and even then were assigned to a school in another small and religiously mixed village, Pećigrad, shows that their safety was not as threatened as the county official had feared.

Although it is clear that villagers’ concerns did not parrot those of the elites, it would be too rash to conclude that they were indifferent. For example, just a few days after Andromaha had given birth to her first son, Enver, fifteen parents of her Orthodox students wrote a letter to the county government, asking for Andromaha’s replacement:

⁶⁶ “Musliman-Grkinja” File, Zemaljska Vlada, Sarajevo-Eparhijski crkveni sud pravoslavne mitropolije dobro-bosanske, Br. 1547, 19.12.1911

⁶⁷ Eparhijski crkveni sud u Sarajevo-Zemaljska Vlada, Sarajevo, Br. 902, 1.9.1912; and Zemljska Vlada-Eparhijski crkveni sud, 24.9.1912.

⁶⁸ Okružni predstojnik-Zemaljska Vlada, Sarajevo, Br. 6670, 25.12.1911, ABiH. (emphasis mine)

To the Honorable County Government,

By now you must be aware that the female teacher in our elementary school Andromaha Morait has become pregnant...and we hear that she has already given birth.

Because of this, we have been forced not to send our children to school anymore for male teachers to teach them because we don't send our children to school just for the sake of school, but also because of handiwork. If the honorable government promises us that a new female teacher will arrive, then fine.

Now there is no one to go with our children to the Holy Church and in the last 15 days no one has come to them. We hope the honorable government will fulfill our justifiable demands...

Donji Vakuf, 2/1/1912.⁶⁹

The statement makes it clear that the villagers were concerned with the more practical task of finding a female replacement for Andromaha, who could teach their daughters how to do handiwork, rather than the woman's out of wedlock pregnancy with a Muslim man. The two issues the letter identifies—the dearth of female teachers and the popularity of handiwork classes—point to the larger context of the Austro-Hungarian attempts to introduce obligatory public education in Bosnia-Herzegovina. The introduction of handiwork classes in state schools—established soon after the occupation in 1878—was meant to break the resistance of conservative parents to sending their daughters to schools. In some Muslim schools the government provided sewing materials and took orders from parents as to what their daughters would make. At the end of the school year, these products— usually rugs, pillows, wrapping cloth—would be exhibited at local and sometimes European-wide competitions: at the 1896 Budapest exhibition three female Muslim students from Sarajevo had their handiwork products exhibited. Handiwork classes were particularly popular at Orthodox schools where they were the

⁶⁹ “Musliman-Grkinja” File, Slavnoj Kotarskoj Ispostavi u Mjestu, 2.1.1912, ABiH.

main subject in the 1860s.⁷⁰ Andromaha's maternity leave meant a suspension of the handiwork classes for the female students of the Donji Vakuf school, prompting the parents' petition.

It is the last paragraph of the letter, however, that suggests a different subtext to the parents' demand and reveals a more ideological motivation behind the petition. The literature on the Austro-Hungarian educational reforms makes it clear that the empire's efforts to secularize education in Bosnia encountered a determined resistance by the population which had been used to educating their (male) children in religious schools, if at all. Upon their occupation of the province, the Austro-Hungarians found an educational system, if it could be described as such, fragmented along the confessional lines: Orthodox children went to schools funded by the Orthodox church, Catholic children attended schools run by Franciscan monks (and later nuns), and Muslim children went to *mektebs*. Teaching plans in these schools consisted of religious subjects and relied on ineffective memorization and repetition. The Ottoman attempt to introduce a more secular curriculum had been halfhearted, had come too late, and had been met with a lukewarm response by the populace who continued to send their children to religious schools.⁷¹ Introducing a secular, public education system thus became a part and parcel of the larger Austro-Hungarian campaign to, in the words of Bob Donia, spur "a cultural revival that would end the backwardness and particularism that they believed bedeviled Bosnia's peoples."⁷²

Of course, in addition to this paternalistic attitude, the establishment of state schools, like the one where Andromaha and Sabit worked, was a strategic decision devised to weaken the influence of the Croat and Serb national activists who had been using Bosnia's confessional

⁷⁰ Hajrudin Ćurić, *Muslimansko školstvo u Bosni i Hercegovini do 1918*. (Sarajevo: Veselin Masleša, 1983): 252-253; Mitar Papić, *Hrvatsko školstvo u Bosni i Hercegovini do 1918*. (Sarajevo: Veselin Masleša, 1982).

⁷¹ Ćurić, 137.

⁷² Robert Donia, "The Proximate Colony: Bosnia-Herzegovina under Austro-Hungarian Rule," 1 In Ruthner, Clemens/Reynolds, Diana/Reber, Ursula/Detrez, Raymond, eds. *Wechselwirkungen*. The Political, Social and Cultural Impact of the Austro-Hungarian Occupation on Bosnia-Herzegovina, 1878-1918. (New York: Peter Lang 2008).

schools to turn Catholic and Orthodox students into conscious Croats and Serbs, respectively. Thus, state schools figured prominently in the campaign of Benjamin von Kallay—the energetic Austro-Hungarian Minister of Finance, an amateur historian, and the *de facto* ruler of Bosnia until his death in 1903—to create an overarching and multiconfessional identity of *Bošnjašvo* (*Bosnianness*) and weaken the influence of Croatia and particularly, Serbia. In addition to introducing a curriculum that emphasized the history of Bosnia-Herzegovina as an organic whole, banning the use of “Croat” and “Serb” adjectives, and preventing the flow of nationalist literature from the surrounding states, Kallay’s campaign also included the establishment of the Bosnian Regional Museum in Sarajevo (*Zemaljski muzej*)—which became an important research institution that published works in anthropology, archeology, and history of BiH—and the publication of the journal *Bošnjak*, which was meant to articulate an ideological justification for the new identity.

Concomitant to the failure of the new identity to take root, save a few intellectuals, was the resistance of parents to sending their children to public schools: for example, in the Herzegovinian town of Trebinje a gendarmerie officer had to forcibly take thirty Orthodox and Muslim children to the newly opened state school.⁷³ But even parents who did acquiesce to the state school system, like the parents of Andromaha’s students, demanded the government ensure that teachers accompany their children to religious services, forcing the government to pass a law in May 1912 which required that teachers do just that during religious holidays.⁷⁴

In addition to forcing him to have two children out of wedlock—while he waited for his marriage license—his mixed marriage also may have been the factor behind the state’s surveillance of Sabit at the height of World War I. On 17 July 1915, a school inspector in the

⁷³ Papić, 105.

⁷⁴ Ćurić, 281.

Bosnian town of Bihać wrote that the Regional Government had reported that Sabit had been a “Serbophile” while in Livno and Donji Vakuf. Consequently, the local authorities were asked to “police [him] and report the observations.”⁷⁵ It is important to note that this accusation came not from the locals, but the Austro-Hungarian Regional Government which at that time was engaged in a brutal war against Serbia. The government’s request that Sabit be placed under surveillance was nothing unusual given the fact that the Austro-Hungarian regime in Bosnia-Herzegovina had, even before World War I, established an elaborate network of surveillance of all important citizens in order to pre-empt any possible resistance to the occupation.⁷⁶

It is also possible that Sabit’s run in with the authorities stemmed from his notorious temper which had gotten him in trouble with school officials and the locals before and after the war. As early as 1907, a school official in Livno—where Sabit taught before he was transferred to Donji Vakuf—remarked that he “gets easily upset so his work with children is not that calm.”⁷⁷ Even though there are no specific remarks made in his file during his tenure in Donji Vakuf, by the time he was transferred to Peći-Grad in 1915 his temper had reportedly gotten him into conflict with the locals:

In the last few years, his nervousness has been less noticeable in school, but has become more frequent in his life outside of school. [Sabit] gets very upset over the smallest matter so he has had small quarrels with the citizenry and the officials, but they have all been sorted out fairly quickly. Due to this irritability, Sabit has recently lived quietly...⁷⁸

Sabit’s efforts at self-improvement, however, did not seem to be successful. Once again, it is not clear if his problems were related to Andromaha’s ethnicity, but it is clear that after the couple had been transferred to yet another town in 1919, Sabit’s reputation “particularly amongst

⁷⁵ “Musliman-Grkinja” File, Osobnik Sabit Talića, Antun Odić, Bihać, 17.7.1915, ABiH.

⁷⁶ Donia, “The Proximate Colony,” 3.

⁷⁷ “Musliman-Grkinja” File, Osobnik Sabit Talića, Janović, Travnik, 19.4.1907, ABiH.

⁷⁸ Ibid., Miličević, Travnik, 30.5.1915.

the Muslims” had suffered due to his “provocative attitude,” according to a school official. In his evaluation for the 1921-22 school year, Sabit was described by the same school official as “very pretentious, insubordinate, and quarrelsome, and can be very crude.”⁷⁹ In the last evaluation of his work, written on 16 June 1923, the inspector noted that while Sabit had achieved good results in his teaching, he had the tendency to “provoke” and “quarrel, particularly with more reputable persons.”⁸⁰ He died one month later. He was forty-four years old.

After the death of her husband, Andromaha also ran afoul of the school authorities. Soon after Sabit’s death, she was transferred to the city of Tuzla, the first time she had a chance to teach at a larger school and live in a city. However, in 1926 school officials abruptly tried to transfer her to the small village of Skutovac and Andromaha refused, asking for an early retirement. According to a school official, the reason for the transfer order was that Andromaha had begun a relationship with a married military officer who had abandoned his own wife and converted to Islam so that he could marry Andromaha. Reportedly, Andromaha refused to transfer and instead, provided a doctor’s note in asking for an early retirement which was granted in January 1927.⁸¹ It is not clear if she ever married the officer.

Historicizing Mixedness

Although the dissertation is a history of mixed marriage during the life and death of Yugoslavia, the story of Andromaha and Sabit, like all good microhistories, allows us to begin a discussion of a phenomenon as complex as that of mixed marriage by illuminating patterns in the *longue durée*. First, the legal confusion, surrounding the couple’s marriage, exemplified the jurisdictional competition over mixed marriage that persisted until after World War II when the Communists secularized marriage. Secondly, the predictable hostility of the religious

⁷⁹ Ibid., 23.6.1920

⁸⁰ Ibid., Janjičić, Travnik, 16.6.1923.

⁸¹ Osobnik Andromahe Talić, Tuzla, 18.2.1927.

institutions to mixed marriage would only grow more vociferous with the creation of first Yugoslavia, when religious monopoly over the institution made mixed marriage extremely difficult or impossible, especially for the Muslims in the late 1930s and the early 1940s. While the anti-religious offensive of the Communists in the first few years following World War II made this hostility less visible, it is clear that many religious figures continued to criticize and condemn the practice behind the scenes. Thirdly, the anxiety of the Austro-Hungarian officials regarding Andromaha and Sabit's romance would be echoed by all the other twentieth century regimes, including the Communists. The same fear that motivated an Austro-Hungarian official to write to his superiors and ask that the couple be moved to a bigger town for their own safety was the same anxiety that kept the first Yugoslav government from secularizing marriage, instead opting to enshrine the religious monopoly over the institution into the country's Constitution. Although the fear that mixed marriage might antagonize the populace may have been far from the minds of the Communists who secularized the institution in the early postwar years, the decline of their self-confidence by the late 1960s was accompanied by the reappearance of the anxiety vis-à-vis mixed marriage, but this time by the country's leading Marxists who worried the practice fettered the healthy development of nations. The secularization of the fear over mixed marriage is the most surprising trend that this study has identified.

The discussion of villagers' reactions to Andromaha and Sabit's marriage introduces the second concern of this study: to explore the engagement of non-elites with mixed marriage. In other words, besides illuminating the consternation of social and political forces that make mixed marriage visible, the dissertation gauges the popular reactions to the sudden politicization of this category. To put it more concretely, investigating whether or not the Donji Vakuf villagers were

truly indifferent to the marriage, as the official described them, can help deciphering popular attitudes towards national identity and contribute to the studies of national indifference. These studies, which have been mostly focused on the late nineteenth and early twentieth century Central and Eastern Europe, have argued that despite the ubiquity of nation-state in post-WWI Europe certain segments of populations have through various forms of national indifference—intermarriage, bilingualism, national ambivalence—resisted their inclusion into the nation, frustrating nationalist activists and forcing them to better define the boundaries of national communities.

The most representative scholar in the field, Tara Zahra, has studied the German and Czech nation-building in the Bohemia during the early twentieth century by focusing on the struggle for the souls of bilingual children as Czech and German activists competed to erase any sign of bilingualism or national ambivalence. Zahra argues that parents navigated these demands pragmatically often remaining on the sidelines in maximizing their own status and in the process illuminated a pattern of national indifference that has been overlooked in the studies of nationalism.⁸² In her most recent work, Zahra has gone even further and called for national indifference to be used as a category of analysis, arguing that “[i]ndifference was important to the development of modern nationalism, not only because nationalists reacted so strongly to it, but because it compelled nationalist movements to define the boundaries of the national community more precisely.”⁸³ By focusing more precisely on the individuals who remained on the sidelines of national communities we can expose what Zahra terms “the outer limits of

⁸² Tara Zahra, *Kidnapped Souls: National Indifference and the Battle for Children in the Bohemian Lands, 1900-1948*. (Ithaca: Cornell University Press, 2008).

⁸³ Tara Zahra, “Imagined Noncommunities: National Indifference as a Category of Analysis.” *Slavic Review*, Spring 2010: 108.

nationalizing projects.”⁸⁴ That national indifference was the precise term used by the Austro-Hungarian official to describe the villagers’ reaction to Andromaha and Sabit’s marriage and that this term was used repeatedly by the Islamic elites of both, the 1930s and the early 1990s to describe mixed marriage Muslims, seems to warrant Zahra’s argument about the resistance, active or inadvertent, of ordinary people to national projects.

But the case of Andromaha and Sabit, and the others discussed in the following pages, tell a cautionary tale about Zahra’s methodology of adopting the *ascriptive* category of national indifference as the *description* of how these individuals truly felt at the time. As the discussion above showed, the sources are equivocal as to the precise feelings of the villagers vis-à-vis the couple as they can be interpreted to show their preoccupation with more mundane things, but do not exclude other alternative interpretations: the parents’ petition for Adromaha’s replacement with someone who could chaperon their children to school reveals their suspicion of the woman’s Orthodox credentials; Sabit was branded a “Serbophile” by the Austro-Hungarian state due to his marriage to an Orthodox woman; his run-ins with the local Muslims in Travnik were related to his Serbian sympathies. The ambivalence of sources regarding the feelings of ordinary people suggests a larger problem with Zahra’s insistence that national indifference be used as a category of analysis. Alex Toshkov has described this problem when he pointed out that Zahra’s own subjects speak in the language of the nation, as illustrated by her example of the 300,000 Czechs who became Germans during the occupation. In the words of Toshkov, the example “is illustrative of an acute awareness of identity politics as well as a mastery of the role of being a national subject; that is the exact opposite of indifference to nationalism.”⁸⁵ As this dissertation will show, the ideological rigidity of the elites certainly breaks down when translated amongst

⁸⁴ Ibid., 114.

⁸⁵ Alex Toshkov, “The Phantom Subject of ‘National Indifference’ (Response to Tara Zahra, “Imagined Noncommunities: National Indifference as a Category of Analysis,” *Slavic Review* 69, No. 1, Spring 2010: 94).

the more pragmatic non-elites who nevertheless actively engage with the national projects whether through resisting, acquiescing, or gaming the system.

Although Zahra warns against “romanticiz[ing] or pathologiz[ing] nationally indifferent populations,”⁸⁶ portraying the non-elites as simply responding to nationalism can have this very same effect. In other words, pitting ordinary Bosnians against the overzealous nationalist elites obscures the complicated collaboration between the two and could potentially lead to the oversimplified view of mixed marriage as a form of anti-nationalist resistance, which has been so often repeated by journalists, sociologists, and even historians.⁸⁷ As the following discussion will show, at times of ethnic polarization non-elites were almost as equally animated by concerns over indifference of their coreligionists as the elites. For example, during the late 1930s Muslims from all over Yugoslavia wrote to their religious leader, Grand Mufti (*Reis-ul-ulema*), reexamining their own religious discipline, excoriating themselves for not being worthy of Islam, questioning their children’s friendship with Christians, and begging to be allowed to live in majority-Muslim areas of Bosnia. A woman’s disgust with her son’s marriage to a Serb woman, and his consequent conversion to Eastern Orthodoxy, led her to petition local Islamic authorities for his excommunication. Similarly, many mixed marriage couples who lived through the Bosnian wars of the 1990s adopted a biological understanding of ethnicity which echoed the views espoused by the very nationalist elites who had branded them abnormal. More ominously, many war criminals currently awaiting trial at the Hague have a spouse of different ethnicity and some survivors of the Srebrenica genocide have spoken about men in mixed marriages

⁸⁶ Ibid., 114.

⁸⁷ Zahra herself has pointed to intermarriage as a form of national indifference. (Zahra, “Imagined NonCommunities,” 98).

murdering their spouses to prove their loyalty to the national cause.⁸⁸ In other words, rather than being only a product of nationalists' "own paranoia,"⁸⁹ as Zahra puts it, demands for national discipline can also come from the grassroots, prompting the elite to respond.

These caveats notwithstanding, Zahra's argument that "national indifference appears most clearly in the archives at the moment that nationalists mobilized to extinguish it,"⁹⁰ is the one that informs this dissertation's focus on the specific moments in Yugoslavia's history when mixed marriage became marked by different social actors. The episodic character of mixedness has also been noted by the anthropologist Rogers Brubaker who in his discussion of mixed marriages between the Hungarians and the Romanians in the Transylvanian city of Cluj, argues that while these marriages are nominally mixed, in that the spouses belong to different ethnic categories, they are experientially mixed only at certain moments in the couples' lives as when they have to decide on their children's names, whether to send them to Romanian or Hungarian schools, discuss the current polarized political situation in the city, or plan their wedding ceremonies.⁹¹ Although the Transylvanian case is certainly different from the Bosnian one, Brubaker's emphasis on a "relational, processual, and dynamic understanding of ethnicity and nation"⁹² is useful because he observes the everyday life of the couples and allows for ethnic identity to emerge spontaneously from the interaction between the spouses rather than at the insistence of the researcher. Although his emphasis on the episodic nature of ethnicity is not new, Brubaker's focus on the process by which the ethnic episodes occur moves us beyond the purely structuralist approach of earlier nationalism studies.

⁸⁸ Selma Leydesdorff, *Surviving the Bosnian Genocide: The Women of Srebrenica Speak*. trans. Kay Richardson. (Bloomington: Indiana University Press, 2011).

⁸⁹ Zahra, 118.

⁹⁰ Ibid., 105.

⁹¹ Rogers Brubaker, Margit Feischmidt, Jon Fox, Liana Grancea. *Nationalist Politics and Everyday Ethnicity in a Transylvanian Town*. (Princeton: Princeton University Press, 2006), 301-313.

⁹² Ibid., 10.

It could be argued that the early pioneer of the structural approach to nationalism was the sociologist Fredrik Barth who in as early as 1969 argued that ethnic categories “may be of great relevance to behavior, but they need not be; they may pervade all social life or they may be relevant only in limited sectors of activity.”⁹³ In his own study of ethnic conflict, Donald Horowitz has ascribed the flaws in our understanding of ethnicity to “the episodic character of ethnic conflict itself.” According to Horowitz, scholars of ethnicity inevitably play catch up in explaining violent conflict because “[i]t comes and goes, suddenly shattering periods of apparent tranquility.”⁹⁴ Explaining the reason why ethnicity is deadly only intermittently, Robert Hayden’s model of antagonistic tolerance argues that ethnicity turns into violence once equilibrium between ethnic groups is shaken.⁹⁵ However, these studies have largely focused on the constellation of forces which maintain the inter-ethnic boundary, or the “social organization of culture difference,” as Barth puts it, without paying much attention to the content of this difference. In the words of Robert Hayden “[a] basic premise of any structuralism is that the content of set items that are distinguished from each other is less important than the distinction itself.”⁹⁶ Brubaker’s research acknowledges the stability of ethnic differences, the social forces maintaining these differences—such as, the historical legacies in Transylvania, Ceausescu’s policies, the demographics, the electoral politics of Cluj—but also refocuses the spotlight on the process through which these differences become salient in everyday life and the particular shape they take. This dissertation applies this approach historically in that it focuses on the periods in Yugoslavia’s history during which mixed marriages became experientially mixed for both elites

⁹³ Fredrik Barth, ed. *Ethnic Groups and Boundaries: The Social Organization of Culture Difference*. (Long Grove, Illinois: Waveland Press, 2nd edition, 1998), 14.

⁹⁴ Donald L. Horowitz. *Ethnic Groups in Conflict*. (Berkeley: University of California Press, 1985), 13.

⁹⁵ Personal communication, email. August 15, 2009.

⁹⁶ Hayden, “Antagonistic Tolerance,” 207.

and non-elites, but also teases out the specific routes ethnicity takes in emerging as the dominant form of identity.

This dissertation argues that there are three moments in Yugoslavia's history—the 1930s, the late 1960s, and the early 1990s—when mixed marriage became defined as a social problem that had to be prevented, quantified, and quarantined, respectively. This argument does not assume that in the other periods not discussed here mixed marriage was universally accepted, but that the politicization of the practice was particularly acute at these precise moments due to a variety of factors. I investigate the political, social, and cultural factors that lead to the politicization of mixedness in each of these periods and I illuminate the consequences it had for the everyday life of non-elites.

The first part of the dissertation focuses on the 1930s when mixed marriage became a battleground for competing definitions of the Bosnian Muslim identity. Finding themselves under a secular dictatorship, the institutionally fragmented Islamic elites groped for a consensus on how to employ the Shari'a in disciplining those they perceived as being religiously indifferent, particularly those who intermarried. Whether they advocated a more intrusive reach of the Shari'a (traditionalists) or strove to integrate the Muslims more seamlessly into Yugoslavia (modernizers) they all articulated an increasingly secular understanding of Muslim identity. I argue that the inherent flexibility of the Shari'a and its ambiguous interaction with the secular state law allowed for both camps to creatively tinker with it in carving out their visions of Muslim identity. Thus, I aim to move beyond the purely structuralist approach to interethnic relations by exploring not only the actors who maintain the inter-ethnic boundary, but also "the cultural stuff that it encloses,"⁹⁷ to borrow Fredrik Barth's phrase.

⁹⁷ Barth, 15.

In the second part of the dissertation, I focus on both, the late 1960s, in order to answer the question of why the Communists renewed the anxiety over mixed marriage, and the early 1990s, in tracing the delayed effects of this anxiety on the identity of a single mixed family, my own. The main theoretical thrust of this part is to discount the argument that mixed marriage was a trope the Communist regime actively used in promoting a Yugoslav identity by showing that by the 1960s, the regime's ambivalence on the national question had given way to the retreat from one of the central promises of socialism, the creation of an overarching and less divisive identity. The lowering of socialist expectations turned mixed marriage from a mere afterthought to a *problem* which could potentially harm the state. The ideological neglect of mixed marriages meant that once the state collapsed in the early 1990s mixed families, as they were without any institutional support, were forced to engage in what I term identity acrobatics—a frantic telling of stories through which they rummaged through their own pasts, and assembled new identities. The fact that the storytelling was done exclusively on nationalist terms adds another caveat to Zahra's insistence that ordinary people can remain anational in the face of nationalism's escalating demands and echoes Toshkov's observation that ordinary people "[i]n Bourdieuan terms, ...operate exclusively within the 'Field' of the Nation."⁹⁸

Chapter Summaries

Chapter I argues that during the first half of the 1930s the Bosnian Islamic clergy seized on mixed marriage as a symptom of religious indifference, turning the issue into a battleground of a larger war to define Muslim identity in a secular state. I contend that the concerns over mixed marriage were inextricably bound up with the ambiguous and often precarious status of the Bosnian Muslims in the young state. In particular, I look at the response to this campaign by the Sarajevo Supreme Shari'a Court headed by the reformist judge Abdulah Bušatlić in arguing

⁹⁸ Toshkov.

that the court's resistance to policing mixed marriages, even when these explicitly contravened Shari'a marriage rules, was rooted in the reformist impulse to integrate the Muslims more smoothly into the Yugoslav homeland. In arguing that this was an instance when perceived religious indifference was used as an occasion to make a nation (Yugoslavia) more coherent, I add a caveat to the studies of national indifference which have seen the latter as an obstacle to nation-building projects. Finally, I also contend that although the traditionalists and conservatives may have disagreed over the need to police mixed marriage both camps articulated a secular understanding of Muslim identity.

Chapter II argues that Grand Mufti's ban on mixed marriage in 1938 revealed the spiraling disintegration of the Yugoslav state and the consequent emergence of a Bosnian Muslim *national* identity. I contend that the resurgence of religious conservatives amidst a political and social homogenization of the Sarajevo-based establishment meant a more intrusive Shari'a, particularly for Muslims who intermarried. However, rather than being a simple top-to-bottom mobilization of religious sentiment, the campaign against religious indifference empowered many ordinary people who strove to impose religious discipline on their own lives. Although despite efforts to enforce religious discipline individuals continued to punch holes through the inter-confessional boundary, this occasional "osmosis of personnel"⁹⁹ to borrow Barth's term, did not mean the erasure of the boundary.

Chapter III investigates why some of the chief Communist theoreticians and politicians in Yugoslavia began to define mixed marriage as a problem in the late 1960s. Analyzing the regime's nationality policy, and in particular the postwar efforts to secularize the society, I argue that the re-emergence of the anxiety vis-à-vis mixed marriage during the second half of the decade was inextricably bound up with the re-definition of the socialist Yugoslavia's *raison*

⁹⁹ Barth, 21.

d'être in the wake of nationalism's resurgence. The Communists responded to the challenges of the sixties by lowering socialist expectations and abandoning the Marxist premise that socialism would lead to the emergence of a more inclusive identity. The abandonment of Yugoslav identity was at odds with some of the leading sociologists who argued that mixed marriage was inevitably leading towards the ethno-biological homogenization. In particular, the chapter discusses the mixed marriage studies by the sociologist Ruža Petrović in arguing that the disconnect between her hope in a Yugoslav future and the regime's embrace of nationalism reveals the stranded position into which mixed marriages were placed as the country became more ambivalent about its identity.

Chapter IV returns the story back to the opening anecdote in that it is an autobiographical exploration of my own family's displacement during the breakup of Yugoslavia with the purpose of describing how it *felt* to be mixed at this particular moment in history. Using my own diary as the main source, in addition to family memories, I trace the precise ways in which we invented new stories in adjusting our Yugoslav identities to a post-Yugoslav reality. Following my own memory's fragmentary recall, in addition to my diary and family stores, I describe not only a family's experience of the wars, but strive to re-assemble the mosaic of stories we told about ourselves at the conjectures of several futures that we faced during our refugee life. The theoretical thrust of this chapter is not only to suggest a new way of exploring mixedness, but also to argue for the inclusion of autobiography in the study of history.¹⁰⁰

¹⁰⁰ Although many historians have attempted to use their own autobiographies in studying history, the genre's acceptance in the profession is still far from certain. For an excellent summary of historians' attempts at autobiography and debates surrounding them, see Jeremy Popkin, *History, Historians, and Autobiography*. (Chicago: Chicago University Press, 2005). A particularly famous and successful autobiography by a historian is Carolyn Steedman's *Landscape for a Good Woman: A Story of Two Lives*. (New Brunswick: Rutgers University Press, 1987). Another experimental type of autobiography, which inspired this chapter, is Saul Friedlander, *When Memory Comes*. (Madison: University of Wisconsin Press, 2003).

Thus, the dissertation is a suggestion that a *longue durée* approach can help us move the discussion of mixed marriages beyond the (still) polarizing debate over the precise nature, causes, and consequences of Yugoslavia's violent disintegration. The focus on specific moments when mixed marriage became socially salient allows us to study both, the constellation of social forces which politicize ethnicity and the effects of this on everyday life of non-elites on terms of the historical moment in which they occur rather than those of our present moment (as much as this is possible). The diversity of sources which are available for each historical moment necessitates the use of diverse methodologies, including autobiography. The methodological innovation is the other contribution the dissertation hopes to bring to the study of mixed marriage.

Chapter I

Bosnian Muslims into Yugoslavs?

Shari'a and the Surveillance of Religious Indifference

Introduction

“If you do not leave me alone, I will renounce Islam. I do not agree with some specifics of Islam anyway. I have written about this before.”¹⁰¹ This is how Ibro Bijavica from the Bosnian town of Prozor addressed his district Shari'a court in a 1933 letter, which eventually found its way to the Supreme Shari'a Court in Sarajevo (VŠS). He would write again almost a year later, this time renouncing not Islam, but his previous intention to leave his faith. However, he was still unequivocal in his insistence that he be left alone: “With this letter I renounce all my previous statements regarding my religious character. Thus, I am a consummate Muhammedinian. However, I beg of you to leave me alone. Otherwise, I might be forced to embark on some stupid adventure, including going on a hunger strike.”¹⁰²

Ibro's shouts against his local Shari'a authorities are as significant for their blunt tone as they are for their timing in that they are an echo of the contentious struggle to define the Muslim identity in the early 1930s Bosnia-Herzegovina, the struggle which is at the center of this chapter. Although the exact cause of Ibro's exasperation is not known, the letters are stashed in a file overflowing with complaints by clergy about Muslims who were seen as indifferent to their religious obligations, mostly those who intermarried with Bosnians of other faiths. During the early 1930s, the Supreme Shari'a court received numerous pleas from district Shari'a judges and all levels of the clerical establishment, from the local *hodža* to the Grand Mufti, to brand those Muslims who violated the Shari'a as *murtads*, or those who committed the sin of apostasy, and to set firm parameters of permissible Muslim behavior. Stranded in an ambiguous position between

¹⁰¹ Vrhovni Serijatski Sud u Sarajevu, VSS, 1933/64, ABiH.

¹⁰² VSS, Br. 441/1933/64, ABiH

the mosque and state, the Supreme Shari'a court rebuffed these pleas and, as if having heard Ibro's words of exasperation, urged greater sensitivity in treatment of religiously indifferent Muslims. In particular, the court's chief justice Abdulah Bušatlić tweaked the rougher edges of some Shari'a rules in an attempt to integrate more smoothly the specificity of Muslims into the cultural mosaic that was the Kingdom of Yugoslavia. Through his decisions while on the bench and in writings predating his tenure, Bušatlić articulated a more secular, that is, *national*, understanding of Muslim identity that was in keeping with the prevalent mood in the nation obsessed interwar Europe.

Although the perceived indifference of Ibro and others like him was religious, the authorities noticed it at a time when Islam's relationship to national identity was being contentiously negotiated, making this story an important caveat to the study of national indifference in Europe. The overarching argument of these studies is that while in the post-WWI Europe of nation-states indifference to national identity became exceedingly difficult for individuals, instances of non-national behavior were numerous and politically consequential enough to revise our understanding of non-elites as uniformly self-identifying with their purported nations. In what is arguably the most representative work in this nascent field, Tara Zahra's study of nationalism in the Bohemian lands in the early 20th century traces the difficulties Czech and German nationalists had in persuading parents to choose unambiguous national identities for their children. Whether they were nationally indifferent, bilingual, or simply unwilling to organize their daily lives according to the demands of their purported national identities, Zahra argues that these individuals illuminate a pattern of national indifference that has been largely ignored in most major works dealing with nationalism.¹⁰³

¹⁰³ Tara Zahra. *Kidnapped Souls: National Indifference and the Battle for Children in the Bohemian Lands, 1900-1948*. (Ithaca: Cornell University Press, 2008).

Other scholars have also located instances of individuals on the margins of their national communities who, in the words of Tara Zahra, “remained aloof to the nation’s appeal.”¹⁰⁴

In the cases Zahra and others have identified, national indifference was designated by activists as an obstacle to the nation-building project, but in the following story perceived religious indifference was an occasion to make the nation more coherent. Zahra herself has rightly observed that “Yugoslavism shared the exclusionary logic of the nation-state” in that it excluded the non-Slavs,¹⁰⁵ but because the nation was very much a work in progress its architects had much more creative freedom to tinker with its boundaries. While in the case of Bohemia the Czech and German nationalists had largely worked out the contents of their nations, in interwar Yugoslavia the Muslims would become a symbol of the country’s ambiguous identity.

The institutionally fragmented Muslim elites groped for a consensus on how to integrate Islam into the supranational state, but by the late 1920s this effort had degenerated into a cultural civil war with the Shari’a as the primary battleground. The clergy-led conservatives seized on mixed marriage as a symptom of religious indifference, accusing its practitioners of harming the Muslim community, and pleaded with the Sarajevo Supreme Shari’a Court to be vigilant in enforcing Shari’a marriage laws. Speaking from its unique position between the mosque and state, the Supreme Shari’a Court—and in particular, its chief justice Abdulah Bušatlić—rebuffed the attempts to police mixed marriages, revealing a readiness to tone down the aspects of the Shari’a which could exacerbate the already tense inter-confessional relations in the country. Bušatlić’s opinions on mixed marriage were a part of his larger effort to adjust the Shari’a in anchoring the Bosnian Muslims more firmly into Yugoslavia. Since in interwar Europe

¹⁰⁴ Tara Zahra, “Imagined Noncommunities: National Indifference as a Category of Analysis.” *Slavic Review*, Spring 2010: 96.

¹⁰⁵ *Ibid.*, 101.

nationhood was the mark of civilization to be proudly worn on one's sleeve, by giving the Muslims a multi-religious nation-state Bušatlić strove to bring them into the European cultural space.

Abdulah Bušatlić may have sought to make the Muslims a part of the Yugoslav nation, but in pushing the boundaries of permissible Muslim behavior he revealed the emergence of a secular sensibility vis-a-vis *Muslimness*. Countering the efforts of the conservative clergy to police individuals' adherence to Islamic rituals and the laws of the Shari'a, Bušatlić and other reformers gave precedence to the need of the Muslims to equip themselves with the tools of modernity: education, literacy, activism, and national self-determination. Thus, the reformist jurist imagined a *Muslimness* that was a birthright and not necessarily bound up with the individual's belief in the tenets of Islam. Once the failure of the Yugoslav project became imminent in the second half of the 1930s, the primordialist view of Muslim identity could be picked up by the resurgent traditionalists who would dominate the newly homogenized Muslim elites.

Not everyone reacted to the intrusion of the religious police as bluntly as Ibro, but those Muslims who trespassed across the inter-religious boundary pushed the elites to more boldly define the content and the boundaries of Muslim identity. As Zahra argues, "[i]ndifference was important to the development of modern nationalism, not only because nationalists reacted so strongly to it, but because it compelled nationalist movements to define the boundaries of the national community more precisely."¹⁰⁶ In the case Zahra studies religion was less relevant than language in defining this boundary, but by the early 20th century, religion had become an important, if not the main, marker of ethnic identity in the region that at the end of 1918, would

¹⁰⁶ Ibid., 108.

become Yugoslavia. Consequently, the contentious debate over the Shari'a tells an important story about the role of religion in the emergence of a secular national identity.

Between the Mosque and State: The Supreme Shari'a Court in Sarajevo

Shari'a courts cannot but be political and bound up with the destinies of the states under whose tutorship they operate. As Abdullahi Ahmed An-Na'im argues, the Shari'a represents God's will, the revelation that illuminates the path Muslims should take in order to achieve salvation. Given that daily adherence to God's will has to be voluntary the enforcement of the Shari'a by a state "is a logical contradiction that cannot be rectified through repeated efforts under any conditions."¹⁰⁷ The rapid expansion of the Islamic empire coupled with the vagueness of the Qur'an regarding many issues and its silence on many others necessitated the development of methodologies through which scholars could interpret God's will: consensus (*ijma*), reasoning by analogy (*qiyas*), juridical reasoning (*ijtihad*). During the 2nd and 3rd centuries after Muhammad, using these methodologies, groups of scholars wrote more detailed opinions on many issues not sufficiently explained in the holy texts and "closing the gate of *ijtihad*," excluded any other possible interpretations.¹⁰⁸ This process led to the emergence of the four main schools of thought named after their founding scholars and used in different regions of the world with the Hanafi school becoming the most prominent in Sunni Islam and the one imported to the Balkans by the conquering Ottomans at the end of the 15th century.

In the early Islamic states the interpretation of the Shari'a was under the jurisdiction of the independent *mufti* who issued opinions, which were then carried out by a judge (*qadi*). However, over time many *muftis* would become embraced by the state as it was the case in the Ottoman empire where the Hanafi school of the Shari'a became state law and in the 16th century,

¹⁰⁷ Abdullahi Ahmed An-Na'im. *Islam and the Secular State: Negotiating the Future of Shari'a*. (Cambridge: Harvard University Press, 2008), 2.

¹⁰⁸ Ibid., 12-16.

a part of the *Kanun*, administrative law drafted by the Sultan himself. In other words, *muftis* became state officials, appointed and deposed by the will of the Sultan. During the *Tanzimat* reforms, starting in the first half of the 19th century, the Shari'a took on many aspects of Western law and in particular, the distinction between criminal and family law with the former being adjudicated by "regular courts," and the latter coming under the exclusive jurisdiction of the Shari'a.¹⁰⁹ In 1878, on the heels of this major restructuring the Shari'a courts in Bosnia-Herzegovina would face an unprecedented challenge: to retain their jurisdiction under the sponsorship of a Christian empire, the Austro-Hungarians.

In Bosnia-Herzegovina, it was the Christian Austro-Hungarian Empire that established the Supreme Shari'a Court in Sarajevo and laid the foundations for the entire Shari'a infrastructure, which would later be mapped onto the entire country of Yugoslavia. Founded in 1883, five years after the Austro-Hungarians assumed control of the province, the Supreme Shari'a court in Sarajevo was a part of the empire's larger effort to channel the country's local legal traditions into the loyalty to its rule. In this, the Austro-Hungarians replicated the practice of other European colonial powers—such as the French in Morocco, Algeria and Tunisia, and the British in India, to name a few—who after conquering Muslim lands allowed for the continuing jurisdiction of the Shari'a in family affairs albeit under the surveillance of the imperial state. However, the Austro-Hungarians did not go as far as the British in India who in 1773 established British courts to implement the Shari'a—leading to a rather flawed judicial process as the British

¹⁰⁹ For an analysis of Bosnia-Herzegovina's legal history under the Ottomans see Fikret Karcic *Serijatski sudovi u Jugoslaviji, 1918-1941*. (Sarajevo: Fakultet Islamskih Nauka, 2005, 2nd edition), esp. pp. 16-26; For the evolution of Shari'a in Bosnia-Herzegovina see Mehmed Begovic, "O izvorima serijatskog prava," *Arhiv za Pravne i društvene nauke*. Br. 1/1933, 6-27.

jurists had to base their rulings on translated texts and triggered a backlash by the local *ulema*¹¹⁰—but fostered the emergence of the native Shari’a judiciary.

The court was staffed by locals who were educated either at Islamic universities abroad, mostly in Istanbul and Cairo, or after 1887 at the school for Shari’a judges in Sarajevo. The greatest innovation the Austro-Hungarians brought was the Supreme Court’s very existence as Shari’a courts had always been single-instance courts without the right of appeal.¹¹¹ The Supreme Shari’a court was presided over by three justices who were to hold closed hearings on appeals to decisions from district Shari’a courts. In a nod to the multi-confessional composition of the country, the occupying authorities also mandated that three non-Muslim judges be present at all hearings. After many Shari’a jurists complained that this was an unwarranted intrusion by Christians into Muslim affairs in 1913 the requirement was amended to mandate the presence of one non-Muslim judge who would be present only at hearings, which discussed inter-confessional relations.¹¹² Although Shari’a judges were respected Muslim scholars and symbols of Islamic piety they were culturally distinct from the clergy whose institutional framework was also set up by the Austro-Hungarians.

The Austro-Hungarian authorities established the Supreme Shari’a court in order to Europeanize the country’s judicial system, but their tampering with clerical institutions may have had more to do with blunting the clergy’s intense hostility towards the occupation. The country’s Muslim clerics had supported the armed resistance to the occupation and after its failure, led a massive exodus of Bosnian Muslims to Turkey. Some historians have argued that the Austro-Hungarians established the position of *Reis-ul-ulema* (Grand Mufti) in 1882 in order

¹¹⁰ Fikret Karčić, *Društveno-pravni aspekt islamskog reformizma: Pokret za reformu šerijatskog prava i njegov odjek u Jugoslaviji u prvoj polovini XX vijeka*. (Sarajevo: Islamski teološki fakultet, 1990) 38-40.

¹¹¹ Knut S. Vikor. *Between God and the Sultan: A History of Islamic Law*. (Oxford: Oxford University Press, 2005), 182.

¹¹² M. Zobkow, “Serijatski sudovi.” *Arhiv* Br. 1/1924, 49-59: 53

to disrupt the spiritual and political ties between the Bosnian Muslims and the Ottoman sultan who was also the Caliph, the head of the Islamic community and the symbolic successor to the Prophet. The *Reis-ul-ulema* was the spiritual leader of Bosnia-Herzegovina's Muslims and the chief executive of the *Ulema medžlis*, the highest administrative organ of the Muslim community. Although in a concession to the local demands, the nomination of the first *Reis* in 1882 had to be approved by the Istanbul *mufti*, by the time the second *Reis* assumed tenure in 1893 the authorities ignored this provision and he was appointed by the Austro-Hungarian Emperor without consulting with the Porte.¹¹³ In addition, the *Reis* and the *Ulema medžlis*—or the *Rijaset* as they were collectively known—remained largely independent from the Shari'a judiciary and the relationship between the two was tenuous at best and contentious at worst. Beyond the qualifying exams prospective judges had to take in front of the *Reis*, the latter had very little control over the nominations and the work of the Shari'a jurists who nevertheless issued opinions on the matters directly related to the work of the clergy. Besides the institutional divisions, there emerged a cultural gap between the two branches. As the most highly educated segment of the population at a time of rampant illiteracy, Shari'a judges enjoyed great respect amongst the people. In addition, as state employees they often appeared in public with state officials adding to their social gravitas. For their part, the clerics, and in particular local *hodžas*, were often poorly educated, but more tightly integrated into the everyday life of their local community.¹¹⁴ Thus, the Bosnian Muslim elites greeted the end of World War I and the establishment of the Kingdom of Serbs, Croats and Slovenes institutionally and culturally fragmented.

¹¹³ Enes Durmišević, "Džemaludin Čaušević i pravni položaj Reis-ul-uleme od 1918. do 1930," In *Reis Džemaludin Čaušević: Prosvjetitelj i reformator* (Sarajevo: Ljiljan 2002), Vol. 1: 124-149.

¹¹⁴ Karčić, *Šerijatski sudovi*, 90-95.

Following World War I, the disintegration of the Ottoman and the Austro-Hungarian empires, and the creation of the Kingdom of Serbs, Croats and Slovenes, Shari'a courts became the center of a contentious debate, which echoed much deeper anxieties about the identity of Yugoslavia in general and the Bosnian Muslims in particular. Euphoric pronouncements that accompanied the creation of the first Yugoslav state, promising the long delayed liberation of South Slav peoples from the imperial yoke, belied deep ethnic divisions, which sporadically erupted in violence throughout the country. Even before the frail Serbian King Peter Karadjordjević declared the birth of the parliamentary monarchy on 1 December 1918, the most popular Croat politician Stjepan Radić challenged the constitutionality of the unification and warned about the trampling of Croat individuality by the Serbian monarchy. The Bosnian countryside was ravaged by reprisals of Serb paramilitaries, the *Chetniks*, against the Muslims for the latter's role in the feared Austrian *Schutzkorps* in wartime massacres of Serb civilians. Some Serb-majority municipalities in Bosnia declared unilateral succession and opted to unify with Serbia even before the unification. While some intellectuals and politicians predicted that the supposedly backward "tribes" would give way to a Yugoslav nation—much like the unification of Germany in 1871 had led to the creation of the German nation—the political life of the new country was organized almost exclusively along the "tribal" lines. The Muslims of Bosnia were simultaneously lobbied by Croat and Serb nationalist activists to identify with their national groups and suspected of disloyalty to the young Kingdom due to their supposed Turkish sympathies.¹¹⁵ For their part, the Bosnian Muslim elites were institutionally spread out between the clergy, organized around the Grand Mufti (*Reis-ul-ulema*) and *Ulema medžlis*, Shari'a jurists,

¹¹⁵ By far the most thorough analysis of the political life of interwar Yugoslavia, including Serbian and Croatian attempts to nationalize the Bosnian Muslims, can be found in Ivo Banac. *The National Question in Yugoslavia: Origins, History, Politics*. (Ithaca: Cornell University Press, 1984); for the attempts to nationalize Bosnian Muslims see pp. 360-377

headed by the three justices of the Sarajevo Supreme Shari'a court, and politicians many of whom were landowners and were members of the recently established Yugoslav Muslim Organization (JMO).¹¹⁶ Despite this institutional fragmentation, however, all sectors of the elite agreed that the preservation of the Shari'a in the regulation of Muslim family affairs was essential to the survival of the Muslims in the new multi-confessional state.

The contentious role of the Shari'a courts, and by extension of Muslims, in Yugoslavia became evident during the debates on the country's Constitution, which was to be written by the Constituent Assembly and was eventually adopted in 1921. The debates reveal a yawning gap between the parties' different conceptions of the country. Spurred by the heroic performance of the Serbian military during World War I Serb parties, led by the Radicals, continuously emphasized the sacrifice the Serbian people had made in the liberation of the South Slavs and advocated a centralized state that would eventually lead to the erasure of differences between the South Slav nations estranged by centuries of foreign rule. At a meeting of the Constitutional Committee in February 1921, the Serbian politician and the former Prime Minister of Yugoslavia Milenko Vesnić reminded the other parties that the Serbs had given up countless lives, their flag, and their calendar all for the sake of the unified Yugoslavia. Insisting that the Constitution should create a strong state, which should be "one personality," he implored "our brothers from other regions to take to their hearts, as we believe they have up to now, our common fatherland and not to give comfort to the weak ones among us to regret that."¹¹⁷ The Slovene and Croat representatives at the meeting, however, warned that the centralization of the state would be tantamount to Serbian hegemony and advocated a more decentralized state, which would

¹¹⁶ The classic study of the JMO is Atif Purivatra. *Jugoslovenska muslimanska organizacija u političkom životu Kraljevine Srba, Hvata, i Slovenaca*. (Sarajevo: 1999, 2nd edition).

¹¹⁷ *Stenografske beleške, Rad ustavnog odbora ustavotvorne skupštine Kraljevine Srba, Hrvata, i Slovenaca. I. Debata o Nacelu Ustava*. (Beograd: Stamparija, "Narodna Samouprava," 1921), 26.

recognize cultural differences between the nations. At a later meeting, the debate degenerated into a shouting match between the government representative Marko Trifković and the Slovenian representative Anton Sušnik with the former accusing the Slovenians of undermining the new state with their demands for autonomy and the latter reminding the government of Slovenian sacrifices for Yugoslavia.¹¹⁸ The Communist Party representative Sima Marković blamed the rancor on the lack of consciousness amongst the Serbs, Croats, and Slovenes that they are one nation and accused the Serbian and Croatian ruling bourgeoisie of failing to “spiritually prepare” the people for unification.¹¹⁹ The constitutional debates were thus nothing short of a contentious search for the identity of the new country: was Yugoslavia a nation-state in the making whose purpose was to erase the historic differences between its different ethnic groups, or was it a multinational state which would allow for the unfettered development of each distinct group? The status of Yugoslavia’s Muslims depended on the answer to this question.

Because they were largely seen as a religious, rather than national, group the Bosnian Muslims became a template upon which different political groups projected their incompatible visions of Yugoslavia. The distinctiveness of Muslims, in particular their adherence to the Shari’a, made bare the dilemma that was at the center of Yugoslavia’s problem: how to integrate cultural difference into the fabric of a country that purportedly strove to unify its constituent peoples? Serb activists and politicians who adhered to this unitarist vision of Yugoslavia claimed that Muslims were descendants of Serbs who had converted to Islam while others openly described them as Turks and called for their expulsion. For example, at one of the Constituent Assembly meetings in June 1921, the Muslim (JMO) representative Sakib Korkut complained that Serb peasants had expelled Muslims from some eastern Bosnian villages, prompting the

¹¹⁸ Ibid., 56.

¹¹⁹ Ibid., 38.

Serbian Radical Party representative Nikola Divljan to shout: “They were right to do so!”¹²⁰ Croat parties also courted the Muslims and according to Ivo Banac, due to the more tolerant approach of Croat nationalists towards the Muslims, they had more success in winning over some educated Muslims. While some Muslim intellectuals declared themselves as Serbs or Croats, Banac argues that “the overwhelming majority of ordinary Muslim masses shunned any process of ‘nationalization,’” knowing that this would have torn the territory of Bosnia between Serbia and Croatia.¹²¹ Muslims were also courted by the burgeoning Yugoslav movement—represented by some of the country’s prominent intellectuals and artists and supported abroad by influential historians like Seaton Watson—which saw them as the kernel of the soon-to-emerge Yugoslav identity. This view was espoused by one of JMO’s representatives to the Constituent Assembly, Sakib Korkut, who in June 1921 insisted that the Muslims of Bosnia-Herzegovina had remained unspoiled by divisive allegiance to tribes (Croats, Serbs, etc) and thus had come to “accept Yugoslavness because that is the name of the future.”¹²² Despite remaining agnostic on the question of Muslims’ national identity, the fragmented Bosnian Muslim elites were still unified in their demand that Shari’a courts be preserved in the Yugoslav state.¹²³

Shari’a courts were preserved in the new state precisely because of the disputes between government-backed Serb parties on the one hand, and Croat and Slovene opposition on the other over the identity of Yugoslavia. Because it did not have enough votes to pass the centralized version of the Constitution through the Constituent Assembly, the government, led by the Serbian Radicals, conceded to the JMO demands to include in the Constitution a clause that would preserve the jurisdiction of Shari’a courts over family affairs of the country’s Muslims.

¹²⁰ *Stenografske zabiljeske ustavotvorne Skupstine Kraljevine SHS (SBUS) I, Redovni sastanak ustavotvorne Skupstine Kraljevine Srba, Hrvata i Slovenaca*, 14 juna 1921, br. 44, 23.

¹²¹ Banac, 366.

¹²² *Stenografske zabiljeske ustavotvorne Skupstine Kraljevine SHS*, 26.

¹²³ Karčić, 134.

The controversial Article 109 stated: “family and inheritance matters of Muslims are to be adjudicated by state Shari’a judges.”¹²⁴ The government’s inclusion of this article stirred a passionate debate of the Constituent Assembly with the Socialist representative Milan Korun calling it “a medieval currency used to buy the Muslim vote for the Constitution” and warning that the preservation of the Shari’a could lead to the development of a separate Muslim nation sarcastically proposing the name of the new country to be the Kingdom of Muslims, Serbs, Croats, and Slovenes.¹²⁵ The Serbian Radical Party deputy Todor Lazarević also protested the proposed article reminding the delegates that rather than being religious institutions, Shari’a courts were the remnants of Austro-Hungarian colonialism and should therefore be dismantled. The Agricultural Club representative Vojislav Lazić objected to the Shari’a on the grounds that the country needed to have a unified legal system under which all citizens would be equal regardless of their religion. The government’s representative at the debates, the Minister of Justice Marko Djuričić shared the concerns of the non-Muslim delegates, but insisted the government had no choice but to preserve the courts in respecting the needs of the Muslims, but indicated that the measure would be temporary, expressing hope that the courts would disappear over time. The JMO representative Sakib Korkut passionately defended the right of the Muslims to religious autonomy enumerating the acts of violence against the Muslims, inviting hackles and boos from the Serbian Radical Party representatives.¹²⁶

The Shari’a scholar Fikret Karčić argues that another reason the Yugoslav state preserved the Shari’a courts was because of the minority protection treaty the young country signed with

¹²⁴ Ibid., 42.

¹²⁵ As quoted in Karčić, 44.

¹²⁶ *Stenografske zabiljeske ustavotvorne Skupstine Kraljevine SHS (SBUS) I, Redovni sastanak ustavotvorne Skupstine Kraljevine Srba, Hrvata i Slovenaca*, 14 juna 1921, br. 44, pp. 5-28.

the Entente powers after World War I.¹²⁷ Atif Purivatra has argued that the insistence of the international community for the young state to sign the treaty came after the French journalist from *Le Temps* Charles Rivet published an article in April 1919 in which he described the difficult position of the Muslims in Yugoslavia along with the appeal of the *Reis-ul-ulema* for the Western powers to protect their individual and collective rights. Despite its initial resistance to the agreement, out of concerns that it violated the country's sovereignty, the Yugoslav government signed the San Germaine Treaty on 5 December 1919, pledging to protect its minorities. Specifically, the article 10 of the treaty mandated that the state ensure the autonomous administration of Muslim religious institutions and the use of Muslim customs in the regulation of their family and personal affairs. Fikret Karčić notes that "[t]his agreement treated the entire Muslim population in Yugoslavia (Muslims, members of the Albanian and Turkish nationality, Roma, etc) as a single religious minority."¹²⁸ Nevertheless, he argues, the San Germaine treaty did not necessarily mean the obligatory applicability of the Shari'a because the government could have allowed the country's Muslims a choice between civil and Shari'a courts in the adjudication of their affairs. After all, there was precedence in allowing the voluntary applicability of the Shari'a. As the legal scholar Milan Bartoš argued in 1936, the French had set up a similar judicial system in Algeria where Muslims had the choice of choosing Shari'a or civil courts to adjudicate their family matters. Bartoš insisted that the same arrangement was necessary in Yugoslavia in order to allow the Muslims of "liberal persuasions" to enjoy the equal protection of the law and for the purposes of "national unity."¹²⁹ However,

¹²⁷ Karčić, *Šerijatski sudovi*, 34.

¹²⁸ Ibidem.

¹²⁹ Milan Bartoš, "Obaveznost šerijatskog prava." *Arhiv*. Br. 6/1936, 499-503: 502.

due to JMO's influence in ensuring the passage of the government's Constitution, Shari'a courts became obligatorily applicable in family affairs of Yugoslavia's Muslims.¹³⁰

Although the Muslims of Yugoslavia were treated as a unified religious community the reality was that they had lived under separate legal systems for centuries and unifying them into a single Shari'a system would prove an insurmountable challenge for the Yugoslav government. According to the legal scholar Dragutin Tomac, the territory that came to comprise Yugoslavia in 1918 was composed of six different legal traditions, a legal nightmare "if one takes into account...the immense diversity of marriage laws which remained in effect in different areas of the Kingdom of Serbs, Croats, and Slovenes even after the unification."¹³¹ Although the majority of Muslims lived in Bosnia-Herzegovina, there were pockets of Muslim population spread throughout the country that had had little or no interaction with the Bosnia-based Shari'a judiciary. In Croatia and Slavonia, where according to the 1922 census Muslims numbered some 2495 people, there were no Shari'a courts until 1929 and although the *imam* of Zagreb was promoted to the rank of *mufti* in 1922 and authorized to officiate Muslim marriages¹³², his relationship with Sarajevo remained tenuous and at times contentious.¹³³ Dalmatia had no Shari'a courts and the few Muslims who lived there were under the jurisdiction of civil courts. Finally, in the southern Serbian region, the Muslims resolved their family matters in Shari'a courts run by *muftis* who in 1922 were subordinated to the Belgrade *mufti*. Karčić argues that many *muftis* were poorly educated and often unfamiliar with the Shari'a.¹³⁴ It was because of the dearth of Shari'a institutions in these areas that the countrywide Shari'a judiciary was to be heavily based on the Bosnian model.

¹³⁰ Ibid., 37-42.

¹³¹ Dragutin Tomac, *Ustav i bračno pravo*. (Zagreb: Lino-tip, 1925), 13.

¹³² Karcic, *Serijatski*, 65.

¹³³ Zlatko Hasanbegović, *Muslimani u Zagrebu, 1878-1945. Doba utemeljenja*. (Zagreb: Ivo Pilar, 2007), 352.

¹³⁴ Karcic, *Serijatski sudovi*, 64.

Although the *Vidovdan* constitution was adopted in 1921, the government would attempt to create a countrywide Shari'a system only in 1929 when King Aleksandar Karadjordjević abolished parliamentary democracy and proclaimed dictatorship. The implementation of Article 109, mandating the creation of such courts, went hand in hand with King's attempt to centralize his power in order to end a decade-long parliamentary gridlock, which culminated with the assassination of the Croat Peasant Party leader Stjepan Radić in 1928 on the floor of the Yugoslav Assembly. The "Law on the Organization of Shari'a courts and Shari'a judges," (ZŠS) of 21. III 1929 was heavily based on the 1883 Austro-Hungarian Directive which had legitimized the jurisdiction of the Shari'a over the Muslims, but this time, this jurisdiction would be extended to all of Yugoslavia's Muslims. The law created district Shari'a courts in every municipality with at least 5,000 Muslims. Each district Shari'a court would be under the jurisdiction of one of the two Supreme Shari'a courts—in Sarajevo and Skopje—which would serve as the appellate courts for all the cases disputed at the local level. The Supreme Shari'a courts would have at least three judges who would have the authority to issue opinions on the appeals to cases decided at district courts and inspect the work of district Shari'a judges. All Shari'a judges were nominated by the Minister of Justice and confirmed by the King and as such their opinions were always issued "in the name of the King," which was highly unusual given that the Shari'a was seen as Revelation rather than human law and judges had always ruled "in the name of Allah." In addition, Shari'a judges were state officials and were paid by the state's Treasury.

At the same time, however, Shari'a courts were far from secular: they operated according to Islamic jurisprudence (*kitab fiqh*) of the Hanafi school of thought, they had the jurisdiction over marriage and inheritance matters of Muslims only and were entrusted with regulating

Muslim endowments (*waqfs*). Because Shari'a law was extremely specialized, decisions of Shari'a judges could not be reviewed by secular state judges who were still obligated to carry them out because it was the civil courts who were authorized to implement the decisions of the Shari'a courts. The ambiguous role of the Shari'a in the new state reflected the tension between King's desire to centralize political power and set the ground for the emergence of a Yugoslav nationality on the one hand, and his acknowledgment of the Shari'a legacy among the Muslim population on the other.¹³⁵ In the words of the Shari'a scholar Mehmed Begović, "our state could adopt neither the system of separation of religion from the state or the merging of one religion with the state, but it has instead determined to have each religious community independently administer its own affairs under the supervision of the state."¹³⁶

By the time the cases that are discussed below reached the Sarajevo Supreme Shari'a court in the early 1930s, the Muslim establishment—the Shari'a judiciary, the Islamic clergy, and the JMO politicians—was still largely based in Bosnia. The Sarajevo Supreme Shari'a court was run by two influential Bosnian Shari'a judges, Ibrahim Šarić and Abdullah Bušatlić both of whom were appointed by the King in 1929, replacing two previous justices whom the King did not consider sufficiently loyal to the Yugoslav state.¹³⁷ Further, every *Reis-ul-ulema* appointed during the interwar period, including the most influential one Džemaludin Čaušević, hailed from Bosnia-Herzegovina. In addition, most of the founding members and representatives of the JMO were Bosnian, including its president Mehmed Spaho. The Bosnian orientation of the JMO was evident in their negotiations with the Serbian Radicals in 1921 when besides demanding the preservation of the Shari'a, the JMO also insisted that the administrative division of Yugoslavia

¹³⁵ Ibid., 67-68.

¹³⁶ Begović, "Organizacija IVZ," *Arhiv*, Br. 5/1933, 386.

¹³⁷ Karcic, *Šerijatski sudovi*, 96.

not violate the territorial contiguity of Bosnia-Herzegovina.¹³⁸ The historian of the JMO Atif Purivatra has argued that the party spoke mostly on behalf of Bosnia-Herzegovina's Muslims, fought for their equal treatment in relation to the other ethnic groups, and strove to preserve the territorial indivisibility of Bosnia's historic borders. Purivatra claims that JMO's activities encouraged "the entrenchment of Muslim national specificity."¹³⁹ As the Yugoslav state weakened following King Aleksandar's assassination in 1934 and the disillusionment with the Yugoslav project became widespread amongst the Muslim elites, the Shari'a courts were mobilized by these elites to draw the contours of the Bosnian Muslim *national* identity.

Policing Religious Indifference, Imagining a Nation

During the first half of the 1930s, the Supreme Shari'a court in Sarajevo (VŠS) became embroiled in a contentious dispute with the rest of the Islamic community—the clergy, lower level Shari'a judges, *Ulema medžlis* and *Reis-ul-ulema*—over the extent to which the behavior of Muslims, whom they perceived to be religiously indifferent, should be policed. Religious officials mostly from mixed areas in Bosnia and Croatia petitioned the highest court to intervene in those mixed marriages where Muslims had shown indifference to the wellbeing of their community by violating Shari'a rules. The identity of children in mixed marriages and the increasing practice of Muslims intermarrying in churches alarmed these officials because they saw them as representative of a larger crisis of Muslim identity. Insisting that Muslim identity was threatened in the multi-confessional environment of Yugoslavia, these petitions pled with the highest Shari'a court to set firmer parameters of permissible behavior for ordinary Muslims. As it was presided over by the regime loyalist and influential Shari'a scholar Abdulah Bušatlić, the court not only refused to get involved, citing lack of jurisdiction, but it scolded the lower

¹³⁸ Purivatra, 91.

¹³⁹ Ibid., 405.

level officials for being too intrusive. In his responses, Bušatlić ignored the aspects of the Shari'a which the individuals had violated and instead gave precedence to state law in maintaining inter-confessional peace in the country. His laissez faire attitude toward mixed marriage coupled with his activities as a member of the circle of religious reformers, which Fikret Karčić has termed "religious modernists,"¹⁴⁰ reveals the emergence of a more secular understanding of what it meant to be Muslim.

Although mixed marriage remained rare throughout the interwar period, by the early 1930s there was a consensus amongst most of the Islamic elites that the practice had been growing, particularly in areas where Muslims were a minority. According to a study by the demographer Vera Urlich, in 1931 in the region under the jurisdiction of the Sarajevo *Ulema medžlis* there were 8,166 Muslim marriages and only 102 mixed marriages all of which were between Muslim men and non-Muslim women.¹⁴¹ However, according to Zlatko Hasanbegović in areas like the Croatian capital of Zagreb, where there was a significant Muslim minority population, until 1940 mixed marriages comprised more than half of all Muslim marriages.¹⁴² Even though the 1921 *Vidovdan* Constitution mandated that all Muslim marriages in the region be officiated in accordance with Shari'a, Hasanbegović argues that many Muslims in the Zagreb region intermarried in Catholic churches and had their children registered as Catholics.¹⁴³

By 1937, mixed marriages had become common enough in the Herzegovina region to prompt the Trebinje Shari'a judge Abdulah Škaljić to write a letter to the Association of Shari'a judges, warning that the cases of Muslim men marrying non-Muslim women were "multiplying

¹⁴⁰ Karcic, *Drustveno-pravni aspekti*, 217.

¹⁴¹ Vera Urlich, *Porodica u transformaciji* (Zagreb, 1964) as cited in Karčić, *Šerijatski sudovi*, 137.

¹⁴² Hasanbegović, 352.

¹⁴³ *Ibid.*, 348-349.

rapidly” particularly among the Muslim intelligentsia.¹⁴⁴ The judge claimed that in ninety percent of these marriages children were baptized at the insistence of their Christian mothers and the acquiescence of their Muslim fathers. Because the state law circumscribed the jurisdiction of Shari’a courts over mixed marriage children the mothers could raise them as Christians if the fathers agreed and most often, the judge insisted, they did. Consequently, in most of these marriages the men had become “indifferent towards Islam and estranged from the Muslim community...”¹⁴⁵ Even more ominously, the judge warned, some mixed marriages were actually ways for Christians to proselytize and thus represented a “gloved assault” on Islam. Škaljić insisted that mixed marriage was becoming more common even amongst educated Muslim women who were encouraged by the Shari’a tolerance of such practice amongst their male counterparts. Stating that “with our indifference towards these practices we are making a big mistake,” Škaljić urged his colleagues to find some basis in Shari’a jurisprudence for banning all types of mixed marriage.¹⁴⁶ Škaljić’s plea against the indifference of the Shari’a establishment came on the heels of a protracted resistance of the Sarajevo Supreme Shari’a court (VŠS) to the calls by lower level religious officials to intervene in mixed marriage cases.

The campaign against religious indifference started with the letter the Sarajevo *Ulema medžlis* passed on to the VŠS in December 1933, detailing complaints by a local *imam* regarding the identity of mixed marriage children in his town. The *imam* from the Bosnian town of Bosanska Dubica, bordering Croatia, had written to the Zagreb *mufti* some two years earlier, asking for instructions on how to register the newborn from the marriage of Mehmed Ajvaz from Bosanska Dubica and Alojzija Černel from Zagreb who had wed in a Catholic church. In another mixed marriage from the same town, the Muslim father had baptized his daughter Nela

¹⁴⁴ ABiH, VŠS, br. 570/370

¹⁴⁵ Ibidem

¹⁴⁶ Ibid., 2.

who had continued to attend Catholic catechism classes even after the passing of her Catholic mother. These cases proved alarming to the Zagreb *mufti* because he passed the letter to *Ulema medžlis* of Sarajevo, which in turn forwarded it to the Supreme Court. In contrast to the alarmed tone of the religious officials at all levels, the highest Shari'a court refused to get involved. In its opinion, dated 13 January 1934, the justices argued that both of these cases dealt with the proper upkeep of Islamic birth records, an area that was out of the court's jurisdiction. In terms of determining the validity of the church-officiated marriage between Mehmed and Alojzija, the court instructed the *imam* to conduct a hearing, but only if the husband insisted and "not at the order of this court as it is assumed."¹⁴⁷ The decision thus seemed to suggest that the applicability of the Shari'a was voluntary.

The issue was far from settled. Not even two months after the court had rebuffed the plea of the Bosanska Dubica *imam*, it received a letter from a Shari'a judge in the Herzegovinian town of Trebinje. The letter by judge Kulenović, originally addressed to the Zagreb *mufti*, concerned a local Muslim woman by the name of Almasa who had married a Catholic in a Zagreb church. The judge wondered if by marrying in accordance with Catholic rituals Almasa had not committed apostasy. The question of her identity became particularly important after her father Zaim had passed away and, because he had been married to a Serb woman who had no inheritance rights, she stood to inherit his property. The *mufti* of Zagreb, under whose jurisdiction the marriage was officiated, could not confirm that Almasa had left Islam, but he insisted that the Supreme Shari'a court had to clarify whether or not Muslim women who violated Shari'a marriage rules by marrying non-Muslim men could still be considered Muslim. Acknowledging that this type of marriage was still rare, the *mufti* branded it "a great sin because they subject themselves to a non-Islamic ritual and willingly accept to baptize their

¹⁴⁷ VŠS, 56/1934.

children...”¹⁴⁸ Considering the matter urgent he passed on the case to the Sarajevo *Ulema medžlis*, ensuring that it would reach the Supreme court. Following the precedent set by the earlier decision, the Supreme Court once again refused to get involved, but this time criticized the petitioner, judge Kulenović, for failing to hold a hearing, which would determine Almasa’s inheritance rights:

If there was ever a question of Almasa’s right to inherit the property of Zaim Šehović from Trebinje and it was stated that she may have converted to another faith, as it is suggested by these letters, why did this court fail to follow the proper procedure (inheritance dispute hearing) and give an opinion on the basis of this procedure, but has *incorrectly* petitioned the aforementioned authorities instead of asking this court for instructions?¹⁴⁹

But the reason judge Kulenović did not hold an inheritance hearing was because there was no dispute to be resolved. As he admitted in his response to the court’s opinion, “Almasa did not ask for inheritance of her father Šehović Zaim nor did the other inheritors contest her right and because of this there was no inheritance hearing as there was no dispute.”¹⁵⁰ Instead, the judge began to investigate the matter “out of [his] own interest,” and the Zagreb *mufti* had confirmed that there were no procedures in place to deal with such cases. The court’s continuing refusal to get involved further inflamed the tempers of the clergy, triggering an intervention of the *Reis-ul-ulema* himself.

The indifference of the Supreme Shari’a court prompted the *Ulema medžlis* to write to the Grand Mufti, *Reis-ul-ulema* Ibrahim Maglajlić, in which they urged him to appeal to the Supreme Court to intervene more forcefully in such marriages. *Medžlis* justified the concerns of the Zagreb *mufti* regarding the increasing practice of Muslim women intermarrying with Catholic men by reminding the Grand Mufti that “...marriage is one of the most important Islamic

¹⁴⁸ Ibid., 2.

¹⁴⁹ VŠS, 167/1934, emphasis mine.

¹⁵⁰ VŠS, 49/1933.

institutions because it also gives direction to entire religious communities and because these kinds of marriages could become much more widespread, which is not in the interest of the Islamic community...”¹⁵¹ In preventing this domino effect, the Zagreb *mufti* suggested that there was precedent in Islam for punishing these women by treating them as bandits (*eskije*) and refusing them a proper Islamic burial, effectively excommunicating them posthumously. Because the Sarajevo *medžlis* dealt with at least ten percent of such cases, the refusal of both Supreme Shari’a courts, in Sarajevo and Skoplje, “to give any opinion whatsoever on the merit of [*mufti*’s] proposal,”¹⁵² could lead the clergy to issue opinions that were at odds with those of Shari’a courts.

The decisions of the Sarajevo and Skoplje Supreme Shari’a courts—which the *Ulema medžlis* passed on to the Grand Mufti—reveal the delicate balance the jurists had to maintain between their roles as state employees, who were obligated to uphold the state law, and Shari’a judges entrusted with ensuring the implementation of Allah’s law. The Skoplje court argued that because the *mufti*’s request that Almasa be excommunicated was of “a purely religious character,” it could not issue opinions on the matter because it was a state court. The Sarajevo Supreme court went even further in arguing that it would be up to relevant district Shari’a courts to deal with all the cases outlined by the *mufti* on the basis of precedent set by Islamic jurisprudence (*kitab fiqh*), which sufficiently covered the issues raised. For its part, the court could not issue a blanket opinion on either the Muslim identity of these individuals or the validity of their church officiated marriages because it had no jurisdiction in these matters. Both Sarajevo and Skoplje courts referenced the Article 2, s.1 of the “Law on the Organization of Shari’a courts,” (1929) which stated that Shari’a courts had jurisdiction only over those

¹⁵¹ VŠS, 491/1934.

¹⁵² Ibid., 2-3.

marriages in which both husband and wife were Muslim or if the marriage had been concluded in front of a Shari'a judge or a person authorized by a Shari'a court. Implying that it may agree with the *mufti*'s concern regarding these marriages, the Sarajevo court suggested that the *Ulema* could lobby the government for a law that would authorize Shari'a judges to declare church-officiated marriages of Muslims null and void. But until that became the state law, there was nothing else to be done.¹⁵³

However, after it received a personal appeal of the *Reis-ul-ulema* to change its ruling in this case, the Sarajevo court wrote a blistering opinion which showed a much more profound disagreement between the judges and the clergy over the extent to which the Shari'a could police mixed marriages. In its response, dated 21 June 1934, the Sarajevo Supreme Shari'a court reiterated its previous stance that it had no jurisdiction in this matter and for the first time, it explicitly stated that church-officiated marriages of Muslims were not necessarily invalid:

This court stands by its original opinion because the marriages which Muslim men conclude with non-Muslim women in churches, as well as the so-called civil marriages, are not automatically legally invalid because the legality of a marriage is determined not by the place where it is concluded or what kind of religious ceremony marks it but whether or not they [the spouses] meet the *suprutun* and *erkani nikah*.¹⁵⁴

Thus, the legality of a Muslim marriage was not determined by where it was concluded, but rather if the material (*suprutun*) and formal (*erkani*) conditions were met. The material conditions the judges outlined were: the spouses have to be of the opposite sex and cannot be related; the woman has to be single at the time of marriage and if she has been divorced she has to wait for the period of three menstruation cycles in order to be eligible for another marriage (*iddet*); at the time of his marriage, the husband may already have up to three wives as Shari'a allows for the maximum of four wives; they both have to be of good moral standing. The *erkani*

¹⁵³ VŠS, 491/1934.

¹⁵⁴ VŠS, 316/1934.

nikah are the formalities surrounding the marriage ceremony: both spouses have to declare their voluntary intent to marry; they have to present the presiding Shari'a judge with their *ilmi haber*, or personal information sheet issued by their local *imam*¹⁵⁵; marriage has to be concluded in the presence of two witnesses; the husband has to agree to the amount of dowry (*mehr*) he offers his wife; and the marriage has to be concluded in front of a Shari'a judge who has to register the marriage in the Islamic marriage registry of the district in which the newlyweds reside. The last condition is not expressly required by the Shari'a, and marriage can be concluded without the presence of a judge, but the Sarajevo Supreme Shari'a court ruling of 20 February 1919 mandated that Shari'a judges preside over marriages, which then had to be officially registered.¹⁵⁶ What the opinion curiously did not mention, however, was that the difference in the religion of the spouses could be a potential obstacle to a Muslim marriage.

The court's silence on this issue is particularly surprising if one takes into account Shari'a's unfavorable view of mixed marriage. The Shari'a scholar Ibrahim Džananović states that the consensus (*ijtihād*) of all the schools of the Shari'a is unequivocal in forbidding Muslim women from intermarrying, but does allow Muslim men to intermarry with women who belong to one of the Judeo-Christian religions and are thus considered to be the "people of the book." In fact, some Shari'a jurists, such as Wahbah Al-Zuhayli, argued that Muslim women who married non-Muslim men automatically committed apostasy, a sin punishable by death.¹⁵⁷ The court's statement made no mention of these types of mixed marriages despite the fact that these were at the heart of *mufti*'s concerns. Instead, the court focused only on the mixed marriages Islam

¹⁵⁵ *Ilmi haber* contains the information on the individual's previous marriage(s), their moral standing, and their birth registry. In case of a mixed marriage, the woman is required to bring her baptismal record from her parish in order to be eligible for marriage.

¹⁵⁶ Begović, 66.

¹⁵⁷ Ibrahim Džananović. *Primjena šerijatskog porodičnog prava kroz praksu Vrhovnog Šerijatskog Suda 1914.-1946.* (Sarajevo: Fakultet Islamskih Nauka, 2004), 73.

allows, those between Muslim men and Christian women. Some scholars like Džananović have suggested that even those mixed marriages Islam tolerates it does so grudgingly. For example, some Shari'a jurists looked at the behavior of Second Caliph Umar ibn al-Khattab (ruled from 590-644) who excoriated his followers for marrying Christian and Jewish women to argue that this type of mixed marriage, while not a sin, is still *makruh*, an act that is seen as repulsive.¹⁵⁸ That the decision showed the Shari'a court's deference to the state is not as surprising as the fact that by the second half of the decade the court would show much more boldness in giving precedence to the Shari'a over state law.

For now, however, the unusual bluntness of the Sarajevo court in refusing to intrude into the daily life of Muslims revealed a fundamental disagreement between the jurists and the clergy over Muslim identity. In the same letter to *Reis* Maglajlić the court dismissed *mufti*'s concerns about the baptism of children from mixed marriage arguing that it “has no importance whatsoever because [the Muslim father] can petition the relevant Shari'a court to register his children into the Muslim registry.”¹⁵⁹ That is, if these children happened to have already been registered in the baptismal records of the Catholic church, the father could petition the court and have them deleted and their names entered into Muslim records because Shari'a courts—and by extension, the state—would consider the father to be the children's main guardian. In other words, the courts should not meddle into the private lives of Muslims unless individuals themselves petitioned for arbitration. The sharpest rebuke of the clergy's concerns came in the court's response to the *mufti*'s suggestion that Muslim women who intermarried could be treated as bandits and denied Islamic burials. After providing several passages in Arabic to prove *mufti*'s claims were not based in Islamic jurisprudence, the Supreme justices ended the letter

¹⁵⁸ Ibidem.

¹⁵⁹ VŠS, 316/1934.

with a blunt warning to treat fellow Muslims with greater care: “Thus, not having established that *irtidad* [apostasy] had occurred [in these cases] one cannot simply tell a Muslim he is no longer a Muslim and treat him like a *murtad* [one who has left Islam]. In fact, in these cases a great caution is necessary.”¹⁶⁰ Curiously, these last two sentences were crossed out possibly because of their unusually sharp tone, but are still legible. These sentences represent the culmination of the tension between the clergy and the jurists over mixed marriage, dating back to at least the beginning of the decade.

It is my contention that the sharp rebuke of the Sarajevo Supreme Shari’a court to the clergy was rooted in the fundamental disagreement between the chief justice of the court Abdulah Bušatlić and the clerical establishment in Bosnia over Muslim identity. Although the historian Zlatko Hasanbegović ascribes this dispute to the jurisdictional competition of the courts and the disagreement over the Shari’a marriage rules,¹⁶¹ the unequivocal stance of the latter towards mixed marriage points to a much more profound cultural gap between the two branches of the Muslim establishment.

Born in the small Bosnian town of Vlasenica in 1871, Abdulah Bušatlić graduated from the school for Shari’a judges in Sarajevo and served as a district judge in Sanski Most, Foča, and Sarajevo before becoming nominated to the Supreme Shari’a court by King Aleksandar Karadjordjević in 1929.¹⁶² It will be remembered that Bušatlić was appointed to the bench in the wake of King’s proclamation of dictatorship in January 1929 as a part of the judicial team, which the King considered unwaveringly loyal to the Yugoslav state.¹⁶³ By the time he assumed this prestigious post he had earned a reputation as a respected Shari’a scholar and a member of the

¹⁶⁰ Ibidem.

¹⁶¹ Hasanbegović, 350.

¹⁶² Hafiz Traljić, *Istaknuti Bošnjaci*. (Sarajevo: biblioteka posebna izdanja, 1998), 43.

¹⁶³ Karčić, 96.

reformist circle, which Fikret Karčić has termed “religious modernists.” According to Karčić, the religious modernists occupied a middle ground in the growing cultural war in the interwar Bosnia between the liberal pro-Western Muslim intelligentsia (secular modernists) and the conservative clerics or the *ulema* (the traditionalists). The cultural war escalated during the interwar period as the secular modernists clamored for reforming the religious life of Bosnia’s Muslims with the purpose of ridding them of supposedly backward characteristics and integrating them into the Yugoslav and European society. Inspired by Kemal Atatürk’s transformation of Turkey, and overlooking the fact that Atatürk had completely replaced the Shari’a with the Swiss Civil Code, the secularists argued that the Shari’a had to be reinterpreted in accommodating the needs of modern Muslim society and they advocated a series of reforms that would stir the Muslims out of their stagnation: the unveiling and education of Muslim women, the spread of literacy amongst Muslims, and a “national awakening” of the Muslims so that they saw Yugoslavia as their homeland.¹⁶⁴ On the other side of the cultural spectrum were the religious traditionalists, mostly represented by the clergy, who branded their secularist opponents Kemalists and Communists and saw the unveiling and education of women or any meddling with the immutable Shari’a law as an assault on Islam.¹⁶⁵ Karčić claims that the religious modernists represented the middle way in this cultural war, but I argue that the writings and decisions of Abdullah Bušatlić—one of their most known representatives—reveal the emergence of a more secular understanding of Muslim identity even amongst Shari’a officials.

Bušatlić’s blunt reprimand of the clerical establishment echoed his more general disillusionment with the clergy whom he blamed for the cultural stagnation of the Muslims. Before he became the chief justice of the Sarajevo Shari’a court, Bušatlić threw himself

¹⁶⁴ Karčić, *Drustveno-pravni aspekti*, 212.

¹⁶⁵ Ibid., 222-223.

passionately into the reformist campaign to wrestle the Muslims of Bosnia-Herzegovina out of their supposed backwardness. In his 1928 manifesto of the program for the prosperity of the Muslims he stated the root cause of this backwardness: “The Muslims of Bosnia and Herzegovina are wandering around without a compass or a specific path towards prosperous life. Excessive conservatism layered with fanaticism keeps us from going forward.”¹⁶⁶ He was unequivocal as to who should be blamed for this state of affairs: “*Hodžas* are most responsible for our backwardness because in all of our long history they have not been able to understand their heavy responsibilities of providing modern education to our people.”¹⁶⁷ According to Bušatlić, because the *hodžas* lacked modern education and even what they knew they taught in Turkish and Arabic, instead of the native language, they left ordinary Muslims unable to understand even the basic tenets of Islam. For their lack of higher education, the clerics—or the *ulema*—often compensated by disseminating all kinds of superstitions, which were based on their instincts rather than Islamic teaching. As a result, the Muslims of Bosnia-Herzegovina remained conservative and resistant to change. Bušatlić also placed some blame on “our Western educated intelligentsia,” who instead of “teaching us what we need to do in order to move forward with the rest of the West” had become estranged from the people, too prone to alcoholism and too quick to enter into mixed marriages.¹⁶⁸ This brief criticism of the intelligentsia notwithstanding, it was the clerical establishment of Bosnia-Herzegovina who took the brunt of Bušatlić’s withering criticism.

¹⁶⁶ Hafiz Abdulah Bušatlić. *Pitanje muslimanskog napredka u Bosni i Hercegovini: Povodom poznatih izjava g. Reisuleme i drugih. (Iskrena i otvorena riječ)*. (Sarajevo: Islamska dioničarska štamparija, 1928): 1.

¹⁶⁷ Ibid., 8. *Hodža* is the title of the village-level Muslim priest who besides leading the daily prayers in the local mosque, presiding over religious ceremonies such as funerals and (if authorized by Shari’a judge) can conduct weddings, and provides religious guidance to the people.

¹⁶⁸ Ibid., 11.

That Bušatlić's main target were the clerics is clear because the occasion for him writing the pamphlet was a clash that had erupted between *Reis-ul-ulema* Džemaludin Čaušević and the conservative clerics a few months earlier. Even though in his position as the *Reis*, Čaušević was the head of the entire clerical establishment he was one of the most prominent religious reformers who ever since coming to the position in 1914 had campaigned for the education of all Muslims, including women, and the teaching of Islam in the native language, the undertaking which culminated with his translation of the Qur'an in 1937.¹⁶⁹

The controversy erupted when upon his return from Turkey in 1927, the *Reis* gave a speech to a gathering of Muslim intellectuals in the *Gajret* newspaper offices and later to the daily *Politika* in which he praised Kemal Ataturk's reforms, suggesting that the changes in the Muslim way of life Ataturk had instituted could also be adopted in Yugoslavia. In particular, he argued that the Shari'a was not opposed to the unveiling of women or the donning of the felt hats by Muslim men and he called for the changes in the ways the *vakufs* (Muslim charity endowments) were administered. He declared that it would have been better if Muslim women were allowed to work in public spaces than to stay closed up at home under the veil. Although he also criticized the Muslim Western-educated intelligentsia for becoming estranged from the people, his statement provoked a fury from the clerics and approvals from the intellectuals. In a series of publications following the speech, many respected traditionalists criticized the *Reis* for overstepping the boundaries of his position and for ignoring the sacred Islamic texts, which according to them, unequivocally mandated the veiling of women.

¹⁶⁹ Enes Karić, "Islamsko mišljenje u Bosni i Hercegovini na razmeđu starog i novog i prosvjetiteljski rad Mehmeda Džemaludin Čauševića," in *Reis Džemaludin Čaušević: Prosvjetitelj i reformator*. Enes Karić, Mujo Demirović, eds. (Sarajevo: IK Ljiljan, 2002, Vol. 1): 17-36.

The reaction of the traditionalists culminated with the demand of the Sarajevo *medžlis* and the JMO (Yugoslav Muslim Organization) that the *Reis* either withdraw his statements or resign. In order to quiet the storm, the Islamic election council (*Islamska izborna kurija*) issued a declaration which, signed by twenty-nine Islamic scholars from Bosnia-Herzegovina, was to present a unified stance of the Islamic establishment on the matter. The declaration warned the Muslims to live their lives in accordance with the Shari'a, as interpreted by the original jurists, excoriated Čaušević for expressing his personal opinion while in his public role as the *Reis-ul-ulema* and rejected his plea to reform the *vakuf* administration. On the particular issue of the unveiling of Muslim women, the council took what Karčić argues was "a partially compromising stance," in allowing women to uncover their faces and wrists in front of strangers only if they could be sure that this would not stir up passions in which case the Shari'a mandated that they completely cover themselves. *Reis* Čaušević accepted the declaration, noting that it did not contradict his initial claim that the Shari'a did not mandate the veiling of women.¹⁷⁰ For Bušatlić, who was one of the first Shari'a jurists to stand by Čaušević, the declaration did not settle the matter and he felt compelled to write his manifesto titled *On the Question of the Muslim advancement in Bosnia and Herzegovina: Regarding the well-known statements by Reis-ul-ulema and the others (A few honest and straightforward words)*.

In the manifesto, Bušatlić made it clear that the religious revival of the Bosnian Muslims was inextricably bound up with their national revival, a point suggested by the title, which makes explicit the fact that Bušatlić's concern was not with the Muslims as a (worldwide) religious community, but with the Muslims of Bosnia-Herzegovina. The program for the spiritual and material betterment of the Muslims included: the general education of young men and women

¹⁷⁰ Karčić, *Serijatsko-pravni*, 217-218.

“in accordance with the spirit of the times,”¹⁷¹; the religious education of men and women but in accordance with “sound reason and the spirit of the times,”; the eradication of superstitions, bad habits, and customs that “impeded progress,”; the extinction of laziness amongst the youth; the fight against alcohol and lewd behaviors; the promotion of modest lifestyle; and lastly, “work towards nationalizing our people to convince them that they are an indigenous element in these regions in order to steer them into the circle of the civilized world where they can be dedicated to their own progress in their national fatherland...”¹⁷² That Bušatlić’s program of religious revival included nationalization of the Bosnian Muslims was in keeping with “the spirit of the times” when Wilsonian national self-determination became the litmus test of progress. In the aftermath of World War I the “circle of the civilized world” into which Bušatlić wanted to steer his people had been rearranged from empires into nation-states and to join, one had to become a citizen of a national homeland. Judging from his appointment by the Yugoslav King to the Supreme Court just a year after he wrote this, when he spoke of a national fatherland Bušatlić probably had Yugoslavia in mind. During his tenure as the supreme justice of the Sarajevo Shari’a court, Bušatlić would tweak the Shari’a law in making the Muslims fit into this fatherland.

Smoothing the edges of the Shari’a in fitting the Muslim identity into a secular state motivated Bušatlić’s opinions on some of the most controversial questions surrounding the status of the Muslims in Yugoslavia. In his forceful defense of *Reis Čaušević*’s statements Bušatlić cited the famous Egyptian Islamic reformist Mufti Muhammad Abduh to argue that the sacred texts, the Qur’an and the Hadith, did not mandate the wearing of the *feredža*, a full veil, for women and the fez for men, but that these were customs made obligatory by ancient scholars. Insisting that “[l]aws change according to the spirit of the times,” Bušatlić agreed with the *Reis*

¹⁷¹ Bušatlić, 12.

¹⁷² Ibid., 13.

that the Muslim women of Bosnia-Herzegovina should be allowed to work without the veil in public places while men could wear the felt hat.¹⁷³ Although in this case the specific religious obligations were truly contested by Shari'a scholars, even on issues where Shari'a laws and the sacred texts were clearer Bušatlić often gave precedence to the state law.

For example, a few years earlier he had weighed in on the increasing practice of the so-called speculative conversions whereby non-Muslim men converted to Islam in order to either obtain a divorce or marry more than one wife. Acknowledging that the Shari'a marriage rules clearly mandated that a non-Muslim marriage in which one spouse converted to Islam and the other refused would immediately become null and void, he argued that these rules had to be readjusted in a multi-confessional state such as Yugoslavia. He argued that Shari'a judges could safely ignore these rules and refuse to annul these marriages for the sake of stability:

Because it is far more important to maintain religious tolerance between the citizens of the multi-confessional state like ours than allow certain individuals to stir up religious antagonism and hatred by converting from one faith to another all with the purpose of dissolving or entering into marriages.¹⁷⁴

In regards to polygamy, another controversial question plaguing the young country, Bušatlić once again argued that it was acceptable for judges to ignore the Shari'a rule, which allowed Muslim men to have up to four wives, and refuse to approve polygamous marriages because "this is a very uncomfortable matter."¹⁷⁵ Finally, during the debate on how to reform the practice of the *talaq*—the right of a husband to initiate divorce without having to provide a reason—Bušatlić pointed to the Shari'a reform in Egypt in suggesting that this right be extended

¹⁷³ Ibid., 33.

¹⁷⁴ Bušatlić, "Nešto o nadležnosti za sklapanje brakova pomuslimanjenih lica," *Mjesečnik* br. 1/1923, 24, quoted in Karčić, *Serijatski sudovi*, 128).

¹⁷⁵ Hafiz Abdulah Bušatlić. *Šerijatsko-sudski postupnik s formularima*. (Sarajevo: Islamska dionička štamparija, 1927): 19.

to women who wanted to escape unbearable marriages, a proposal that never became the law.¹⁷⁶

A prominent voice in advocating the preservation of Shari'a courts in Yugoslavia he nevertheless acknowledged the limits of their jurisdiction in the secular state. Thus, he warned the Shari'a courts to always "be careful of their jurisdiction and as soon as they determine their lack of jurisdiction in a certain case they need to immediately issue a directive and never take into consideration cases that do not come under their jurisdiction."¹⁷⁷ But as his opinions on polygamy, speculative conversions, and *talaq* show he was also ready to limit this jurisdiction for the sake of the inter-religious harmony in the country. For Bušatlić the Shari'a was not an immutable, universal law that could be applied equally across societies, but rather a constantly evolving system that had to be continuously readjusted to fit the specific national circumstances and "the spirit of the times."

It is my contention that in the process of tweaking the Shari'a in order to fit the Muslims more comfortably into the Yugoslav state Bušatlić articulated an increasingly secular understanding of Muslim identity. His blunt warning to the Zagreb *mufti* and the Sarajevo *Ulema medžlis* to treat Muslims with care suggested that Muslimness was something that could not be taken away from an individual just because they violated a Shari'a rule. More specifically, the Muslim women who married Catholic men in Catholic ceremonies, which included the acceptance of the Holy Trinity, could not have their Muslimness revoked by a court. That Bušatlić did not consider the individual's knowledge of his religious obligations as the determining factor of his identity becomes clear in his 1931 reprimand of the Travnik district court for testing Muslims on their knowledge of certain prayers before granting them marriage licenses: "For a marriage to be legal it is enough for a spouse to present himself to the court with

¹⁷⁶ Karcic, *Serijatsko-pravni*, 231-236.

¹⁷⁷ Bušatlić. *Šerijatsko-sudski postupnik s formularima*, 20.

the statement that he is a Muslim because every, even the most sinful Muslim still believes in God, the Prophet, etc even though he doesn't know how to recite the prayers... Therefore, the court is urged not to create unnecessary difficulties for petitioners.”¹⁷⁸ The assumption that even the most sinful Muslim would still believe in God and the Prophet was quite remarkable because it suggested Muslimness as one's birthright rather than a voluntary identity expressed and maintained through a highly structured and ritualized adherence to the tenets of Islam. In short, it suggested a secular as opposed to religious identity.

Abdulah Bušatlić's resistance to policing religious indifference did not reflect the views of the entire Shari'a judiciary as the writings of his predecessor on the Sarajevo Supreme Shari'a Court, Ali Riza Prohić, confirm. A prominent voice among the traditionalists, Ali Riza Prohić was removed from the bench in the wake of King's dictatorship in 1929 and replaced by Bušatlić who was considered more loyal to the royalist regime.¹⁷⁹ Writing two years after his replacement and at the time of the campaign against mixed marriage and in response to the proposals of Mehmed Begović, another prominent reformer, to reform the institutions of *talaq* and polygamy, Ali Riza Prohić insisted that the family life of Muslims “belonged under the category of unchangeable Muslim institutions.”¹⁸⁰ Accusing Begović of erroneously translating the Qur'anic excerpts to support his blasphemous meddling with sacred Shari'a, Prohić argued that both *talaq* and polygamy were sacred Shari'a institutions that could not be changed. In addition to pointing out that in the entire Hanafi jurisprudence there was no single instance where the right of divorce had been extended to the woman, he also defended polygamy stating that this was “the rational way in which marriage is allowed to fulfill its main duty:

¹⁷⁸ Historijski Arhiv Grada Sarajeva, Ostavština Ajni Bušatlića, 442/31, 4/9/1931.

¹⁷⁹ Karcic, *Serijatski sudovi*, 95-96.

¹⁸⁰ Ali-Riza Prohić, *Šta hoće naša muslimanska inteligencija*. (Sarajevo: Štamparija Omer Šehić, 1931), 6-7.

reproduction.”¹⁸¹ He insisted that neither the Qur’an or the *hadith* supported Begović’s claim that the Shari’a allowed women to participate in public life, and even become judges, but instead mandated that they remain in the private sphere. On the issue of the veil, Prohić listed the Qur’anic verses which, in his view, unequivocally required women to cover their entire bodies with the exception of their face and fists. In speculating about the motive behind Begović’s reform proposals Prohić echoed the anxiety of other traditionalists who felt Islam to be under assault in Europe:

I would like to believe that my acquaintance Dr. Begović is simply naïve and that he hasn’t gotten so corrupted that he would use the methods of Jesuits and Christian missionaries. The latter peddle to our Muslims all kinds of books and journals in all languages in which they praise certain Islamic principles and institutions while inserting something to undermine the very foundations of Islam.¹⁸²

While conceding that the Muslims of Bosnia-Herzegovina belonged in Europe, Prohić criticized Begović and the intelligentsia for wanting to indiscriminately assimilate into the European cultural space, ignoring the fact that “the Muslim has a special mentality that stems from the very food which he eats.”¹⁸³ Excoriating the Muslim intelligentsia for meddling in religious matters he warned against the corrupting influence of the same Europe that had supposedly produced nihilism, anarchism, socialism, and Communism. Instead of Islam needing Europe, it was the European civilization that had to learn from Islam, according to Prohić: the spread of the institution of civil marriage in Europe, which resembled that of Shari’a marriage, the blossoming of the European temperance movement, and the need for morality education in European schools was all evidence that the Europe obsessed Muslim intelligentsia had gotten it

¹⁸¹ Ibid., 12-13.

¹⁸² Ibid., 29.

¹⁸³ Ibid., 31.

backwards. He insisted that by wanting to uncritically adjust Islam to the European tradition of the Enlightenment the intelligentsia had exhibited a great deal of hubris:

You have been mesmerized by the artificial sparkle of the European, or as some call it Christian civilization. Those of you who have studied the works of European thinkers and philosophers like Schopenhauer, Goethe, Rousseau, Voltaire, etc have convinced yourselves that you have swallowed the wisdom of the entire world. In the same way some have convinced themselves to know Islamic faith and have falsely given the impression that faith is reason...If for man's salvation reason would be enough, the Qur'an would be unnecessary and those European scholars who think Muhammad was only a man with a great mind would be correct.¹⁸⁴

The unique mentality of the Bosnian Muslims notwithstanding Prohić shared the reformers' conviction that they could be integrated into the Yugoslav nation, but via a path that was quite different from the one proposed by judge Bušatlić: while the latter smoothed the edges of the Shari'a marriage rules to minimize inter-religious friction Prohić saw it essential that these edges be sharpened not only to ensure the survival of Islam, but also because it was Islam that made the Bosnian Muslims ideal candidates for Yugoslavia. Responding to the oft-repeated accusation of Muslims' extraterritorial loyalty to Turkey, Ali Riza Prohić reminded the critics that the Muslims had fought against the Turks whilst preserving their native "Yugoslav language," and later joined the Serbs in resisting the Austro-Hungarian occupation. The shared legacy of resistance against the common enemies showed the existence "of a strong feeling of bond between the brothers of two faiths and this feeling stems from one blood out of which comes nationality."¹⁸⁵ Expressing regret that the spread of Croat and Serb identities had stranded the Muslims between two unacceptable options, Prohić praised the King's attempts to create a Yugoslav nation by fiat:

Once they started propagating *Serbianness* and *Croatianness* you could hear on both sides the claims that one cannot be a good Serb if he is not an Eastern

¹⁸⁴ Ibid., 48.

¹⁸⁵ Ibid., 53.

Orthodox or a Croat without being a Catholic. If you told even to the simplest Muslim that he is a *turkuša*...or an Arab he would get upset because he is a *Bošnjak* which is but a branch of Yugoslavism. In the same manner he did not accept to be called either Serb or Croat because those words have a religious meaning. Today I can safely claim that 80% of Muslims are undeclared regarding either of the two tribes. This is why they feel so lucky that His Majesty proclaimed his wise Manifesto on 6 January 1929 in which he declares the ideology of Yugoslavism and renames the country Yugoslavia.¹⁸⁶

While it may have been partially a nod to King's censors at the height of his dictatorship, particularly given Prohić's uneasy relationship with the regime, this unequivocal support for Yugoslavism revealed the consensus that had emerged between the different ideological spectrums of the Bosnian Muslim elites over the acceptability of Yugoslavia as a nation-state that could offer a shelter to the Muslims and protect them from being assimilated into the Serb or Croat identities. His insistence that the Bosnian Muslims and Serbs shared the same blood echoed the view of his ideological opponent Bušatlić who as early as 1924 wrote of the Muslims as "one part of our people."¹⁸⁷ Prohić's suggestion that the Bosnian Muslims were the kernel of the Yugoslav nation was similar to the one made by the JMO representative Sakib Korkut at a meeting of the Yugoslav Constitutional Assembly back in 1921 when he claimed that the Muslims had adopted Yugoslavism because they "have kept the marks of clean nationalism without being aware of their tribal name."¹⁸⁸ In other words, untarnished by the divisive Croat or Serb identities the Muslims were the ones most likely to accept Yugoslavia as their national homeland.

The consensus over Yugoslavia notwithstanding, it is clear that by the early 1930s there was a widespread agreement that the Bosnian Muslims constituted a distinct culturally specific group, making their relationship to the Yugoslav state tentative. In other words, at the height of

¹⁸⁶ Ibidem.

¹⁸⁷ As quoted in Karcic, *Serijatski*, 47.

¹⁸⁸ *Stenografske zabiljeske ustavotvorne Skupstine Kraljevine SHS (SBUS) I, Redovni sastanak ustavotvorne Skupstine Kraljevine Srba, Hrvata i Slovenaca*, 14 juna 1921, br. 44, 26.

King's dictatorship, at the center of which was the creation of the Yugoslav nation, the reformers like Abdulah Bušatlić could use the perceived religious indifference of ordinary Muslims to smooth their way into the nation-state. Aware of the Western gaze Bušatlić implored his conservative colleagues not to "act embarrassingly in front of the civilized world" but to resolve the social ills through reasoned debate and hard work.¹⁸⁹ His readiness to tone down some aspects of the Shari'a in adjusting the social life of the Bosnian Muslims to the secular Yugoslav state unearthed the more secular understanding of Muslimness that was shared by his conservative detractors. The latter ostensibly shared his allegiance to the state, but strove to police Muslims' everyday allegiance to the Shari'a lest their specificity melt away in the multicultural environment that was Kingdom of Yugoslavia. Once the state began to unravel during the second half of the 1930s the traditionalists gained the upper hand in their struggle with the reformers, seizing the Supreme Shari'a court in their effort to police religious discipline of Muslims.

Conclusion

Rather than examining the extent to which mixed marriage was indeed a symptom of religious indifference, this chapter explored how this relatively marginal phenomenon became a center of the larger debate to define the Muslim identity in the early 1930s Bosnia-Herzegovina. In particular, the reluctance of the Supreme Shari'a Court in Sarajevo to more vigilantly police mixed marriage echoed the deeper institutional and ideological divisions within the Bosnian Muslim elites. Anxious about being a part of a multi-religious and ostensibly secular country headed by a Serbian King, particularly given the ambivalent status of the Muslims in that country, the clerics and some local Shari'a judges saw the Shari'a as the safeguard of Muslim specificity. Headed by a religious reformer and a regime loyalist, the Sarajevo Supreme Shari'a

¹⁸⁹ Busatlic, *Pitanje*, 14.

Court shared the anxieties of the conservatives, but settled on a different remedy for smoothing the transition of Muslims into the new country. Adopting the Orientalist language of backwardness the reformers strove to preserve Muslim specificity by adapting the Shari'a to the increasingly secular European space and by equipping the Muslims with the tools of European modernity. But whether the safeguarding of Muslim specificity lay in the cementing or the loosening of the inter-confessional boundary, in their debate both reformers and conservatives delineated the existence of a biological Muslim specificity that echoed the national understanding of identity prevalent in interwar Europe.

However, as the discussion in the next chapter will show, while religious indifference may have been the charge levied against the Muslims in mixed marriages by religious authorities, pragmatism describes much more aptly their attitude towards the demands of nationhood. As the Yugoslav state slowly unraveled following King Aleksandar's assassination in 1934 the religious conservatives who had been previously out of favor with the royalist regime took over the Supreme Shari'a Court. Amidst the mobilization of the elites of the other ethnic groups, the historic fragmentation of the Bosnian Muslim establishment gave way to greater homogenization, which allowed Islamic traditionalists to enforce their vision of Islamic identity. But the attitude of ordinary people to the sudden intrusion of Shari'a into their lives was anything but indifferent. They resisted, acquiesced, evaded, and sometimes enthusiastically embraced the ideological script written by activists. In short, at the time of general inter-ethnic polarization on the eve of World War II ordinary people could ill afford to stand "outside or on the margins"¹⁹⁰ of their community, to borrow Zahra's phrase.

¹⁹⁰ Zahra, 97.

Chapter II

The Ban on Mixed Marriage and the Unmaking of Yugoslavia

“My father prostrates himself, my mother crosses herself, while I am turning into stone.”
(Otac klanja, majka se krsti, a ja se kamenim)

A Bosnian peasant saying

Introduction

On 14 April 1938, Husein Kulenović Busovača, from the small northwestern Bosnian town of Bosanski Petrovac, was summoned to his district Shari’a court to answer for being indifferent to his religious obligations. The presiding judge Ibišević later wrote to his superiors at the Supreme Shari’a court in Sarajevo that according to the “news spreading through the town,” and based on the testimony of “reliable persons,” after the death of his Catholic wife Sava, Husein had given up the custody over his three small children to his mother-in-law who was now raising them in the Catholic faith. Reportedly, Husein had personally walked his children to the local parish where he had them converted to Catholicism. The children were now living with their grandmother and their stepsister Mila, Sava’s daughter from her previous marriage to another Muslim, a man by the name of Muharem Vaizović. Muharem seems to have been as careless about Islamic upbringing of his children as Husein having agreed with his wife to raise Mila as a Catholic. As if to emphasize the tentative nature of Mila’s Christian identity, the judge used quotation marks around her name. What especially concerned the judge was the sense that Husein and Muharem’s carelessness regarding their religious obligations seems to have been shared by many other inhabitants of Bosanski Petrovac.

Presenting the case as a symptom of widespread religious indifference in the town, the judge wrote of another instance in which Muslim children were baptized after the death of a parent. Thus, after the passing of her Muslim husband, a Muslim woman by the name of Džehva took her two daughters, aged six and two, and moved in with an Eastern Orthodox (Serb) man.

Living as Slavko's concubine, Džehva had given birth to his children while her two daughters from her previous marriage had become his servants. What prompted the judge to write the letter was that everyone who had been aware of these cases "coldly got over it":

For all of the above mentioned sad and regrettable cases this court as soon as it found out, took all the necessary measures to negotiate with the citizens for these mistakes to be remedied to some extent, but given the fact that nobody, not even the relatives of these minors, wants to do anything about these cases, not even the office of the *Imam*, who knows about every case, so this court cannot undertake any remedy until it receives instructions.

At the hearing, Husein responded belligerently to what he saw as the court's unjustified intrusion in his life and explained that his actions were motivated by pragmatism and not indifference. According to the judge, Husein insisted that as a legitimate father of his children he "could raise them in any way he wants, that he does not have to answer for this to anyone given the fact that religion for him is a secondary matter..." As to why he had given up his custody over them, Husein informed the court that by the time he married Sava he was already married with a Muslim woman by the name of Hašima with whom he had five children over the years. Even while Sava was alive her children lived with their maternal grandmother because Sava worked as an elementary school teacher in another village and lived separately from Husein. Thus, turning over the custody of these children to his former mother-in-law ensured that these children "would be raised well and at the same time, spare me huge expenses." Hinting that Hašima's opposition to raising Sava's children might have also influenced his decision, Husein insisted that if Sava's children lived in his house "they could not be raised well because they do not come from the same mother." Asked where he would register the name of his youngest child, who was not even a month old at the time, Husein said that would depend upon his agreement with the mother-in-law who was insisting that he register all of his children with the

Catholic parish.¹⁹¹ For Husein religion might have been of “secondary importance,” but his former mother-in-law seems to have taken her religious obligations quite seriously.

Prior to the case of Husein Kulenović Busovača, the Sarajevo Supreme Shari’a court had received similar complaints from district Shari’a judges and local clergy about the reported religious apathy of Muslims, but this was the first time it agreed to intervene in such a matter. In its ruling, issued on 29 May 1938, the Supreme Court instructed the Sarajevo *Ulema-medžlis* office—the main executive body of the Islamic community—to find a respectable Muslim citizen who could serve as a tutor to the children and to whom the children would be entrusted. After filing a lawsuit against the father, presumably for negligence, the tutor would then be authorized by the court to take the custody of Husein’s children and raise them in accordance with Islam. Despite the acknowledgment that “it is doubtful if it is possible to find someone who would be willing to accept the responsibility of the aforementioned tutorship,”¹⁹² the court instructed the *imam* of Bosanski Petrovac to search for a suitable tutor who would then wrestle the children out of their grandmother’s custody via a custody lawsuit at the local court. The Supreme Court warned, however, that the proper legal procedure had to be followed in order to avoid inflaming the inter-religious relations in the town. The opinion was a clear acceptance of Ibišević’s concern that Husein’s transgression of the inter-religious boundary between Bosanski Petrovac’s communities represented not an isolated obstinacy of one individual or even one family, but that it was rather a symptom of a town-wide religious apathy and as such, a threat to the cohesiveness of the Muslim community.

What makes this case an illustrative prologue to the following story is that it pithily encapsulates the sudden intrusion of the Shari’a into everyday life during the second half of the

¹⁹¹ VŠS, 316/1938

¹⁹² Ibid, 26.4. 1938, p.2.

1930s. That the district judge was concerned about the religious apathy of the local Muslim population, and Husein Kulenović's mixed marriage in particular, is not as remarkable as the Supreme Shari'a Court's agreement with his alarming assessment and the consequent intervention in Husein's family matters. As the previous chapter has shown, during the early part of the decade, the Sarajevo Supreme Shari'a Court had been inundated with similar requests by local clerics and jurists to police religiously irreverent behavior of Muslims, but had refused to intervene. Once its refusal triggered the intervention of the higher religious officials, including the *Reis-ul-ulema*, the Supreme Court's initial justification for not getting involved on jurisdictional grounds gave way to a much more profound disagreement with the clerics over the extent to which the Shari'a should be used to police religious devoutness. By the time Husein's case reached the court in 1938, however, the court had undergone an ideological transformation as the reformist justices were replaced by conservatives who would prove willing to use the Shari'a in a more muscular manner to ensure that the Muslims did not trespass across the increasingly rigid (and national) inter-confessional boundary. The greater intrusion into mixed marriages was a symptom of the homogenization of the Bosnian Islamic elites—most evident in the smoothing of the historic tension between the clergy and the jurists—amidst the more general deterioration of interethnic relations in Bosnia on the eve of World War II. Just as the reformers had ignored some aspects of Shari'a jurisprudence in order to mold the Muslims into Yugoslav citizens, the conservatives would also tinker with the Shari'a, but for quite the opposite reason: to wrestle the Bosnian Muslims out of the embrace of the disintegrating Yugoslav state.

The opening anecdote also illustrates that religious devoutness was not endemic to the elites. For Husein religion was “of secondary importance,” as he put it, but his Catholic mother-in-law's insistence that his children be baptized and the misgivings of his Muslim wife about

raising the children he had with Sava suggest that Husein's religious apathy may have been rather unusual. Elaborating on this point, the second part of the chapter argues that concerns about religious indifference animated many ordinary Muslims at the time of mufti's ban on mixed marriage in late 1938. While there is no doubt that religious identity had played a significant role in social life of Bosnians for centuries, the late 1930s witnessed a flurry of frantic attempts to reorganize daily life around religious obligations. In the letters they wrote to the *Reis-ul-ulema* many Bosnians agonized over their failure to live up to the standards Islam had set for them and asked for assistance in becoming better Muslims. After spending years of living amongst Christians many Muslims, most of who were state officials, begged the mufti to use his influence in getting them transferred to Muslim areas of Bosnia-Herzegovina. Living in a Christian town had become tantamount to "a life of silence" for one woman while a railway clerk confessed to having fallen into "an emotional depression" from having to watch his frail mother remain holed up in her home. Religious devoutness also energized many parents to investigate the social life of their more religiously apathetic children sometimes even asking for police intervention in preventing mixed relationships. Although the stories were often cleverly designed to stir the *Reis-ul-ulema* into action, they were no less "real" as they offered non-elites a loudspeaker through which they could communicate with authority and more importantly, be heard.

The third part of the argument is that the stories ordinary Muslims told echoed the narrative of Muslim victimhood which had a powerful resonance in the late 1930s Yugoslavia and not only amongst Muslims. A particularly widespread strand of this narrative portrayed Muslim men as unwitting victims of conniving women whose selfishness, disregard for morality, and treachery harmed not only those individual men but the larger community as well. Whether

they were Austrian Jewish women reportedly taking advantage of the Shari'a to escape Hitler, sexually adventurous women supposedly flirting with non-Muslim men, or Christian women baptizing their children after the deaths of their Muslim husbands, they all fed the perception of Muslim male pride under siege in the increasingly volatile state that was the late 1930s Yugoslavia. That the defense of male pride became part and parcel of nation-building is not surprising given the consensus of the ample gender literature that nations are imagined by men, inextricably bound up with their concerns, and based on institutionalized gender inequality. In the words of Anne McClintock, "Not only are the needs of the nation here identified with the frustrations and aspirations of men, but the representation of male national power depends on construction of gender difference."¹⁹³ In the late 1930s Bosnia-Herzegovina, the exclusively male Shari'a establishment tinkered with the Islamic law in cementing a national boundary.

The Ban on Mixed Marriage and the Retreat from Yugoslavia

Reis-ul-ulema's 1938 ban on mixed marriage was a direct result of the failure of King Alexander's efforts to create a Yugoslav nation by fiat and the consequent emergence of a more conservative and emboldened Bosnian Muslim elite. After abolishing parliamentary democracy and declaring dictatorship in January 1929, King Alexander swiftly proceeded to centralize power in a bid to create an overarching Yugoslav identity, an effort that necessitated state control of religious institutions. Because they enjoyed significant autonomy vis-à-vis the state, Sarajevo-based Muslim institutions bore the brunt of this heavy-handed centralization. The King-sponsored Constitution of the Islamic Religious Community (IVZ—*Islamska vjerska zajednica*), inaugurated in 1930, deliberately undermined the status of Sarajevo as the seat of Muslim political power: both, the Supreme Shari'a Court and the *Ulema medžlis* saw their power

¹⁹³ Anne McClintock, " 'No Longer in a Future Heaven': Nationalism, Gender, and Race." *Becoming National: A Reader*. Geoff Eley and Ronald Grigor Suny, eds. (New York: Oxford University Press, 1996), 261.

curtailed with the addition of their respective branches in Skoplje, with the transfer of *Reis*' residence from Sarajevo to Belgrade, and with the requirement that the appointment of all religious and judicial Muslim officials be supervised by the Minister of Justice Milan Srškić, a man widely known for his unapologetic unitarist views. In addition, the already fragile relationship between the Islamic clergy and the Shari'a judiciary became even more tentative with the *Reis-ul-ulema* losing the power to issue opinions on important religious questions, which would have been binding on Shari'a courts. Shari'a judges were to be appointed by the King and although they still had to obtain a *murasela* from the *Reis*, an oath of office of sorts, those judges already appointed were exempt from this requirement. The requirement that candidates for Shari'a judgeships take their exams in front of the *Reis-ul-ulema* was also scrapped and this role was entrusted to district Shari'a courts.¹⁹⁴

The state's smothering embrace of Muslim institutions also meant a change of personnel: refusing to relocate his residency to Belgrade the outspoken reformist *Reis-ul-ulema* Džemaludin Čaušević retired and was succeeded by the regime loyalist Ibrahim Maglajlić while the Sarajevo Supreme Shari'a Court witnessed the replacement of conservative justices Salih Mutapčić and Ali Riza Prohić with the regime loyalists, reformers Abdulah Bušatlić and Ibrahim Sarić.¹⁹⁵ As the previous chapter has shown these efforts were successful in that they ensured that the Shari'a would be used to integrate the Muslims more smoothly into the nascent Yugoslav nation.

King Alexander Karadjordjević's dying words "take care of my Yugoslavia" reflected the anxieties about the future of a country, which had become inextricable from the person of the King and his often repressive rule. The events following his assassination in Marseilles in October 1934 would turn King's dying wish into a prophecy: the bullet fired by a Macedonian

¹⁹⁴ Karčić, *Šerijatski sudovi*, 83-87.

¹⁹⁵ Ibid., 95-96.

separatist tore the fabric of the country which began to unravel almost immediately following the King's death. His assassination made the radical rearrangement of the country not only possible, but very likely. The dismantling of the dictatorship included messy negotiations between the hastily resurrected political parties which had been previously banned by the King. For our purposes the most important development in these negotiations was the entry of the main Muslim party (JMO) into the ruling coalition, which would become known as the Yugoslav Radical Community (JRZ) to be led by the pseudo-fascist Serbian Prime Minister Milan Stojadinović. The rightward shift of the country's political life was in keeping with most of Europe at the time, but with one important difference: while rightwing rule meant greater centralization in most countries, in Yugoslavia the JRZ coalition presided over a slow disintegration of the country into ethnically based and increasingly independent regions. JMO's President Mehmed Spaho conditioned the entry of his party into the governing coalition on the restoration of autonomy to Muslim institutions.

As a result of these changes, Sarajevo once again became the seat of Muslim political power: relocated from Belgrade back to Sarajevo, the *Reis-ul-ulema* was granted uncontested supervisory role over the newly consolidated Sarajevo-based *Ulema medžlis* office, and achieved unprecedented control over the Supreme Shari'a Court via the power to issue binding opinions on important religious questions which had previously been under the jurisdiction of a Belgrade controlled committee. JMO's entry into the government was also accompanied by the purge of former regime loyalists from important Muslims institutions: the reformist justices from the Supreme Court Abdulah Bušatlić and Ibrahim Sarić were both retired with the former returning to private life and the latter becoming the mayor of Sarajevo for a brief period of time. They were replaced by the JMO loyalists Fehim Spaho, the brother of JMO President Mehmed Spaho,

and Hasan Besirević. Fehim Spaho's rise from retirement to the Chief Justice of the Supreme Shari'a Court and finally to the position of the *Reis-ul-ulema* in April 1938 was evidence not only of JMO's monopoly over Muslim political life, but also of Bosnian Muslims' institutional retreat from Yugoslavia.

The JMO's control over the Islamic institutions, however, was far from uncontested as it came under heavy criticism from some segments of the clergy, who feared the new leadership was too secular, as well as from the pro-Serbian Muslim organizations, which accused the Spaho brothers of stoking religious hatred for political purposes. The JMO historian Atif Purivatra argues that the party quite unapologetically eliminated its political opponents from the *Vakuf-mearif* committees infuriating the local *hodžas* who lost the control over their communities' purse strings.¹⁹⁶ That some members of the clergy did not consider Fehim Spaho to be religious enough became evident on the eve of his confirmation as the *Reis-ul-ulema* in June 1938 when the Disciplinary Committee for the Election of the *Reis* received a letter from three Islamic officials accusing Spaho of inappropriate behavior during his tenure as the *Naib*, a largely ceremonial post that was normally seen as a transition to the *Reis*. The letter alluded to Spaho's trip around Montenegro and his stay at a Cetinje hotel where, according to the press reports from 1937, he "drank alcohol, partied, and entertained himself in a vulgar way with the female staff of the hotel," and warned that the election of such a man to the position of the *Reis* was creating "friction and disunity among the Muslims."¹⁹⁷

Opposition to the Spaho brothers was also centered around the pro-Serb Muslim Yugoslav People's Party (*Jugoslovenska narodna stranka*—JNS), a splinter of the JMO, which held a conference on 28 November 1938—some five months after Spaho's election as the *Reis*—

¹⁹⁶ Purivatra, 382.

¹⁹⁷ Historijski arhiv Sarajevo (HAS). *Ostavština Fehim Spaho Reis-ul-ulema (SF)*, Kutija br. 1. SF-283.

at which the party's deputy Mustafa Mulalić blasted both Spaho brothers for using Islam to gain personal political and material advantages. He argued that the JMO's refusal to cooperate with the previous government led by the Serbian Radical Party and their chameleon-like turn-around in joining the Yugoslav Radical Community of Milan Stojadinović was orchestrated in order to save the personal property and privileges of the Spaho brothers. In responding to Spahos' reports of anti-Muslim violence, Mulalić ascribed this to the political maneuvering of Mehmed Spaho: "Whenever he finds his position to be shaking, Dr. Mehmed Spaho pulls out of his sleeve the paroles about the dangers facing the *Din* [Islam]..."¹⁹⁸ That the criticisms may have been motivated by political reasons is obvious, but the accusations also point to the successful takeover of the religious institutions by secular politicians who would prove much more willing to employ the Shari'a for the purposes of national mobilization.

Fehim Spaho's eventual ban on mixed marriage—in December 1938—could be seen as a concession to the resurgent Islamic traditionalists, or conservatives, who had been marginalized during King's dictatorship. During the 1920s Spaho had been a close ally of the reformists, including their unofficial leader *Reis-ul-ulema* Džemaludin Čaušević, advocating for a flexible interpretation of the Shari'a that would take into account specific Yugoslav circumstances. He collaborated with Čaušević with the establishment of the reformist mouthpiece *Novi Behar*, accompanied him on his visit to Kemal Ataturk's Turkey, and stood by the beleaguered *Reis* after he came under fire from the traditionalists for his comments regarding the veiling of women, the donning of felt hats by Muslim men, and the reform of *vakufs*.¹⁹⁹ However, as Xavier Bougarel has pointed out, the 1930s witnessed a gradual resurgence of the revivalists, or traditionalists to use Karčić's term, who were gathered around the figure of Mehmed Handžić, a

¹⁹⁸ HA, SF 365.

¹⁹⁹ Karčić, *Društveno-pravni*, 216.

respected scholar of the Shari'a and an admirer of the Egyptian Muslim Brotherhood the ideology of which he imbibed during his studies in Cairo.²⁰⁰ He became much more politically active during the second half of the 1930s and following JMO's entry into the JRZ coalition, founded *El Hidaje* in 1936, a journal that would become a mouthpiece of religious conservatives. The journal soon took up the campaign against religious indifference in general and mixed marriage in particular, which during the early part of the decade had been mostly confined to petitions of local clergymen to the disinterested Supreme Shari'a Court.

In February 1937, the respected conservative Mehmed Ali Ćerimović wrote an article in *El Hidaje*, attacking mixed marriage as the practice that seriously threatened the very survival of the Islamic community. For his assertion that mixed marriage had become quite common in postwar years, Ćerimović blamed not the Muslim masses, who had supposedly remained concerned about it, but "our religious authorities...who have indifferently observed this practice for more than fifty years and watched it take on ever greater proportions."²⁰¹ According to Ćerimović, while it was true that the consensus of the Hanafi school was that Islam allowed Muslim men to marry non-Muslim women as long as the latter belonged to one of the Judeo-Christian religions there were early Shari'a jurists like Ibn-Omer who interpreted the Qur'anic ban on marriage with "idolatrous" women as including all non-Muslims.²⁰² But even if the Qur'an allowed for mixed marriage, Ćerimović insisted that this permission was conditional upon the obligation to preserve Muslim identity of mixed marriage children, but which due to the religious devotion of non-Muslim women could not be guaranteed in Yugoslavia. Repeating what would become a common theme in anti-mixed marriage campaigns, he insisted that in most

²⁰⁰ Xavier Bougarel, "Farewell to the Ottoman Legacy? Islamic reformism and Revivalism in Interwar Bosnia-Herzegovina." In *Islam in Interwar Europe*. Nathalie Clayer and Eric Germain, eds. (New York: Columbia University Press, 2008), 313-344.

²⁰¹ Mehmed Ali-Ćerimović, "Mješoviti brak." *El Hidaje*. Br. 3, God. I, Februar 1937, 33.

²⁰² Ibid., 36.

mixed marriages the Christian mother would almost always insist on baptizing the supposedly Muslim child, celebrating Christian holidays, and on eating food prohibited by Islam. While not calling for an all out ban on mixed marriage, Ćerimović appealed to the Muslims throughout the country to consider the well-being of their community at large when choosing their life partner and proposed that every non-Muslim woman entering into a marriage with a Muslim be required to sign a contract which would obligate her to raise her children in Islamic faith and acknowledge that in case of divorce the children would belong to the Muslim father.²⁰³

Although non-Muslim women entering mixed marriages with Muslim men had already been required to sign such statements, Ćerimović's proposal reflected the mistrust of women that was pervasive among opponents of mixed marriage.

Fehim Spaho may have sparred with the traditionalists in the past and would do so on a few more occasions in the future, but on the issue of mixed marriage the two would become allies. In an article which amounted to a declaration of war against mixed marriage, the future *Reis* Fehim Spaho, who at the time was the chief justice of the Sarajevo Supreme Shari'a court, branded mixed marriage "the cancer of the body of our religious community and our family life" and called for a "radical cure,"²⁰⁴ meaning a complete ban on mixed marriage. Writing in the mouthpiece of the Islamic establishment in January 1938, he admitted that the Shari'a allowed Muslim men to intermarry with Christian and Jewish women, but insisted that such practice could be safely tolerated only in purely Islamic countries where the jurisdiction of Shari'a courts was not as restricted as it was the case in Yugoslavia. The most destructive consequence of mixed marriage were said to be its children who, it was said, in 95% of the cases were lost to the Islamic community mostly due to the treachery of their Christian mothers who would baptize

²⁰³ Ibid., 40.

²⁰⁴ Fehim Spaho, "Mješoviti brakovi." *Glasnik islamske vjerske zajednice*, br. 1/1938, 4.

them after the death of their fathers. The peasants, who had supposedly remained untouched by this cancer and were, in Spaho's words, "the main source of our strength,"²⁰⁵ had long ago pithily summarized the dire position of mixed marriage children with their proverb: "My father prostrates himself, my mother crosses herself, while I am turning into stone."²⁰⁶ To illustrate the attrition of mixed marriage children from the Islamic community, Spaho mentioned the case of Emin Alibegović from Konjic whose Christian Orthodox mother Milka had him baptized immediately after the death of his father Osman, renaming him Milan. In order to avoid the jurisdiction of Bosnian Shari'a courts—which mandated that the child remain Muslim—Milka had taken her son to Slavonski Brod in Croatia where the law allowed parents to change the religious affiliation of their minor children. Despite the appeal of child's paternal grandfather and legal custodian, the Appellate Court in Belgrade had ruled in favor of the mother, forever wresting Milan out of Shari'a jurisdiction. In another case, after the death of a Muslim official his Catholic wife did not even wait for him to be buried before she could be seen sipping wine with her Christian friends. Spaho called on all members of the Islamic community—religious officials, newspapers, cultural societies, and ordinary Muslims—to "stigmatize" mixed marriage and police young people to ensure they would not intermarry. In case this failed to eradicate it, Spaho went even further than *El-Hidaje's* Mehmed Ali Čermiović in calling for a comprehensive ban on mixed marriage.

As if responding to the warnings of his reformist colleagues, discussed in the previous chapter, about the need to treat religiously indifferent Muslims with care, Spaho argued that the danger of the ban forcing Muslims to intermarry in churches should be ignored because "what is

²⁰⁵ Ibid., 1.

²⁰⁶ Ibid., 2.

rotten let it fall off immediately.”²⁰⁷ Echoing the primordialist view of Muslim identity shared by his reformist colleagues Spaho suggested that mixed marriage children “could never be good Muslims no matter what their upbringing was like.”²⁰⁸ In arguing for the surveillance of the inter-confessional boundary, Spaho pointed with admiration to the attempts of the Catholic and Orthodox communities to police their own identities: the Catholic Church had grudgingly tolerated mixed marriages between Orthodox and Catholics, but had almost always forbidden Catholics to intermarry with Muslims; the Orthodox Church had in 1933 declared difference in religion as an “obstacle” to marriage.²⁰⁹ Spaho’s anxiety regarding mixing unveiled a deeply rooted sense of alienation from the Christian Yugoslavs who were seen as selfishly guarding their own identity at the expense of Islam.

Given Spaho’s hostility to interfaith mixing it was not surprising that he would enact a comprehensive ban on mixed marriage barely six months after he was officially confirmed as the *Reis-ul-ulema*, a decision which reflected the institutionalization of the Bosnian Muslim *national* movement on the eve of World War II. Invoking his right to issue opinions on important religious issues, granted to him by the revamped 1936 Constitution of the Islamic Religious Community, at the meeting his High Council on 26 December 1938 *Reis* Spaho issued the Declaration No. 2111: “The High Council proclaims that mixed marriages between Muslim men and non-Muslim women are banned in principle. In exceptional cases of Muslims living in areas where they represent a significant minority, the *Reis-ul-ulema* may, at the urgings of district Shari’a courts, approve marriages between Muslim men and non-Muslim women.”²¹⁰ What was extraordinary about this decision was that it was a blunt rebuttal of a Shari’a consensus (*ijtihad*)

²⁰⁷ Ibid., 7

²⁰⁸ Ibid., 2.

²⁰⁹ Ibid., 8.

²¹⁰ VŠS, 699/38.

based on a fairly unambiguous passage in the Qur'an: Muslim men were allowed to marry non-Muslim women who belonged to one of the Judeo-Christian monotheistic faiths, which the Qur'an referred to as "the people of the Book." The verse 5 of Sura 5 (Al-Maidah), often cited as the foundation for this consensus, states: "This day are all things good and pure made lawful unto you. The food of the People of the Book is lawful unto you and yours is lawful unto them. Lawful unto you in marriage are not only chaste women who are believers, but chaste women among the People of the Book..." Although he acknowledged this consensus in his article against mixed marriage in January of the same year, Fehim Spaho insisted that the specific national circumstance in Yugoslavia necessitated the tinkering with the Shari'a if Islamic identity was to be protected in the multinational environment. At the same meeting, Spaho's Council also went against the precedence set by the reformist-run Supreme Shari'a court from earlier in the decade regarding the Muslims who intermarried in churches: "For the Muslims who conclude a marriage in a church or in accordance with rituals of another faith that marriage cannot be legalized by the Shari'a and such Muslims are no longer considered members of the Islamic religious community."²¹¹ Excommunicating the Muslims who trespassed across the interfaith boundary was an abrupt shift away from the flexible attitude of the Supreme Shari'a Court under chief justice Bušatlić whose warning to treat such Muslims with care was a part of the effort to integrate them more smoothly into the Yugoslav nation-state. In short, Spaho's ban on mixed marriage was as much as an attempt to discipline religious indifference as it was a call to the Muslims to retreat from Yugoslavia.

That the place into which the Muslims were to retreat was Bosnia-Herzegovina becomes clear not only from Spaho's rootedness in Bosnian Muslim political establishment, but also in the direction from which the criticism of this decision came. In addition to Fehim Spaho's close

²¹¹ Ibid, emphasis mine.

relationship with the Bosnian-based JMO, headed by his brother Mehmed, the ban on mixed marriage came under criticism mostly from the voices outside of Bosnia-Herzegovina. Some three months after the mixed marriage ban, a persistent and vociferous critic of Spaho, Hasan Rebac wrote an article in the journal *Naš Dom* in which he complained that under Spaho's leadership the Shari'a had become a casualty of political opportunism as evident by the practice of "opportunistically allowing what the Qur'an and the Hadith expressly forbid and vice versa, forbidding what the Qur'an and the Hadith expressly allow."²¹² The criticism must have infuriated Spaho because a few days later he sued Rebac for libel ultimately losing his case even after the Minister of Justice had intervened.²¹³ Undeterred, Rebac used his position as a member of the *Vakuf-Mearif Sabor*, the highest administrative body overseeing the administration of charitable endowments (*vakufs*), to launch disciplinary action against Spaho at the body's gathering in Sarajevo in April 1940. In addition to accusing Spaho of mismanaging the *vakufs* in the Skoplje region, which he was representing, Rebac argued that the *Reis* had overstepped his authority by first banning mixed marriage in principle, but then arbitrarily approving marriages at his own discretion.

If Rebac's criticism was politically motivated—as he was known as an outspoken Serbophile who as early as 1925 wrote that Muslims were the Serbs of Islamic faith who had unfortunately become detached from their true nationality²¹⁴—the Zagreb Shari'a judge Kamarić also challenged Spaho's ban and continued to officiate over mixed marriages, insisting that Shari'a jurisprudence did not recognize the mufti's authority in the matter.²¹⁵ Spaho's ban may

²¹² SF, 557

²¹³ Ibidem

²¹⁴ Hasan Rebac, "Srbi muslimanske vere u Bosni i Hercegovini," *Letopis matice srpske*, knj. 306, sv. 2-3, 1925, 109-118.

²¹⁵ Hasanbegović, 352.

not have found many supporters outside of the borders of Bosnia-Herzegovina because it was inextricably linked to the emergence of Bosnian Muslim national consciousness.

The need to protect Muslim cultural distinctiveness, which was Spaho's main justification for banning mixed marriage, came at the time when the Yugoslav state was unraveling and the status of Muslims becoming ever more precarious. The countrywide election of December 1938, held just a few days before Fehim Spaho's Council would ban mixed marriage, empowered political forces which, believing that the country's political impasse was mostly due to the dispute between Serbian and Croatian parties, proved willing to radically rearrange the country's internal structure without consulting the Muslim parties. Thus, the *Sporazum* (Agreement) of August 1939 was an effort by the Serbian Prime Minister Dragiša Cvetković and the leader of the Croat Peasant Party Vladko Maček to preserve a semblance of the Yugoslav state amidst escalating Croat demands for greater autonomy at a time when another world war seemed inevitable. The *Sporazum* turned Yugoslavia into a de facto confederation by creating an autonomous *banovina* Croatia, which comprised one quarter of the Yugoslav territory, including 13 Croat-majority precincts in Bosnia-Herzegovina, siphoning off almost a quarter of Bosnian territory. The agreement entrusted the new Croatian entity with jurisdiction over interior affairs, education, justice, health, trade, industry, agriculture among other areas, while the Yugoslav state was left in control of trade, foreign affairs, defense, public security, customs, and finance.²¹⁶

Amidst the contentious negotiations leading to the *Sporazum* and sensing Muslim opposition to any deal that might jeopardize the territorial contiguity of Bosnia-Herzegovina, the "society of Bosnian-Herzegovinian Croats in Zagreb" wrote a letter to Spaho in June 1939

²¹⁶ Dejan Djokić, *Elusive Compromise: A History of Interwar Yugoslavia*. (New York: Columbia University Press, 2007), 171-222.

urging him to work towards reversing the division, which had emerged between the Croats of Islamic and Catholic faiths. Reminding the mufti that the Bosnian Muslims “are a branch of the Croatian tree, pure blood of our ancestors, descendants of Croatian tribes of the 7th and 8th century” the majority of whom “are not aware of their national belonging,” the society asked Spaho to use his influence in closing the ranks between Croats and Muslims in the struggle against Serb attempts to divide Bosnia. In what could also be read as a warning, the letter vowed that the Croats would regard every part of Bosnian territory as their own and resist Serbian attempts to divide the country. Resistance to Serbian encroachments on Bosnia would not be possible, the society argued, if “the Croats were torn apart into two opposing camps, Catholics and Muslims, each a minority that could not protect its interests...”²¹⁷

If the letter was meant to pre-empt Muslim resistance to an agreement between Croats and Serbs that could impact the status of Muslims, it failed because following the *Sporazum* Fehim Spaho threw his unequivocal support behind the JMO’s demand for Bosnian autonomy. Thus, while appeasing the major Croat parties, the *Sporazum* infuriated the Yugoslav Muslim Organization (JMO) whose leader Džafer Kulenović—who had replaced the late Mehmed Spaho—demanded that Bosnia-Herzegovina also be granted autonomy in order to preserve its “historical borders.” A gathering of distinguished political and religious Muslim representatives in Sarajevo in November 1939 issued a strongly worded statement in support of Kulenović’s demand for Bosnian autonomy, insisting that the JMO leader echoed the “demand of all Muslims of Bosnia-Herzegovina.”²¹⁸ By December 30, the statement of support had coalesced into the Movement for the Autonomy of Bosnia-Herzegovina with Mehmed Handžić, the conservative

²¹⁷ SF, 482.

²¹⁸ SF, 539.

founder of *El Hidaje*, as one of its prominent members.²¹⁹ The inclusion of parts of Bosnia-Herzegovina into *banovina* Croatia seemed to confirm the fear of many Muslim supporters of Yugoslavia that their efforts at assimilating into a Yugoslav nation had been seriously misguided.

The retreat from an overarching Yugoslav into a religiously based national identity became clear in the estrangement of Suljaga Salihagić from the Yugoslav nation. A prominent figure in the Bosnian Muslim establishment, who had identified himself as a Serb, Salihagić was an important ally to King Alexander's efforts to build a Yugoslav nation through dictatorship, an alliance which he reiterated while serving as the King-appointed President of the *Vakuf Mearif Sabor* when he officiated the inauguration of the pro-regime *Reis-ul-ulema* Maglajlić in Belgrade in 1930. Writing just a few months after the *Sporazum* was signed, Salihagić acknowledged that the Bosnian Muslims had voluntarily avoided becoming classified as a separate nation "out of inclusiveness so that we do not segregate ourselves from our national brothers of different faiths." Given the treatment of the Muslims at the hands of these brothers, however, Salihagić concluded that their refusal to embrace their own nationality "had been a mistake because we really are one national unit, which speaks with one language regardless of what we decide to call it."²²⁰ Angry about the inclusion of a substantial chunk of Bosnia's territory into *banovina* Croatia, Salihagić defended the demands of the JMO for Bosnian autonomy, reaching into the medieval past to argue that Bosnia-Herzegovina had had a long history of statehood: the medieval Bosnian state had had its own alphabet (*bosančica*), its own religion (*bogumilstvo*), and its own national name (*bosansko*). Aware of the stigma attached to Islam, Salihagić sounded a cheerleading note when he urged his readers not to be "ashamed of our past" because Islam had been voluntarily embraced by the Bosnians and had led to a system of tolerance that was

²¹⁹ *Islam in inter-war Europe*, 328.

²²⁰ Suljaga Salihagić, *Mi bosansko-hercegovački Muslimani u krilu jugoslovenske zajednice: kratak politički pregled na našu prošlost od najstarijih vremena do danas*. (Banjaluka: Štamparija Zvonimir Jović i Co., 1940), 12.

unmatched in the Christian world. Responding to oft-repeated claims about the anational character of the Muslims, he pointed to the Bosnians' resistance against Sultan's centralizing reforms, starting in the mid 18th century, as evidence of a national awakening, which predated that of the Serbs and the Croats. Despite the existence of this distinct national consciousness, Salihagić argued, the Bosnian Muslims had warmly embraced Yugoslavia only to be rebuffed as foreigners.

To illustrate this argument, he remembered walking through the Serbian town of Kosjerić in 1915, wearing a fez and an Austrian uniform. Upon encountering a Serbian peasant woman he warmly greeted her at which she complimented his Serbian. When he informed her that he was after all a Serb, she became confused and asked why he was wearing a fez. He then explained that he was a Serb of Islamic faith, but she insisted that he was a Turk. Despite swearing that he spoke no word of Turkish she demanded that he return to the faith of his ancestors (Orthodoxy) if he wanted to be a Serb. "When you first return to the faith of your ancestors, before Christianity, then I will do the same," he reportedly responded. Whether true or not, Salihagić's anecdote can be read as a trope for how he viewed the treatment of the Muslims in interwar Yugoslavia: genuine efforts to become a part of the nation had been met with hostile demands to convert to Orthodoxy. As much it revealed the treatment of Muslims in Yugoslavia, the anecdote also betrayed Salihagić's primordial understanding of nationality as being based on birth rather than voluntary acceptance. Salihagić himself echoed this understanding when he said:

The sons of one and the same people, one and the same country, one and the same religion, one and the same culture, and what's more, brothers of one and the same mother and still one is a Serb and the other a Croat! Is this scientifically and objectively possible and is this not absurd from the standpoint of the theory about race and nation?! This is only a product of our misguided national orientation, our subjective feeling... We firmly believe that our nationalism lies in the first

place in the preservation of our race, the preservation of our language through centuries, especially under the Turks, in our wonderful folk customs, in our love for our country...²²¹

In other words, the Bosnian Muslims may have hoped to become a part of a more inclusive Yugoslav nation, but they could no longer deny their biological, racial, distinctiveness that had been preserved through centuries especially under foreign occupation. In a Europe obsessed with race and riddled with failed democratic states, belonging to one's nation was no longer a matter of political choice, but a biological necessity proven by science and reason. Having flirted with the multinational Yugoslavia, the Bosnian Muslims were now being urged to catch up with Europe and embrace their own nation-state.

Feeling Under Siege in Multireligious Yugoslavia: Muslim Petitions to *Reis* Spaho

The emergence of the Bosnian Muslim national identity during the late 1930s was evident not only in the institutional retreat of the Bosnian Muslim elites from the Yugoslav state, but also in the alienation of many Muslims from their Christian neighbors. Almost as soon as he came into office, *Reis* Fehim Spaho was inundated with letters of Muslim state officials, serving in areas with Christian majorities, pleading to be transferred to Muslim towns of Bosnia-Herzegovina. Many Muslims who petitioned the *Reis* for a transfer did so because they were concerned that their children were becoming indifferent to Islam. Writing in May 1938 Ahmed Begović, employed with the Yugoslav Army's 23rd Artillery Division in the Croatian town of Knin, pled with the mufti to be transferred to "any place as long as I am among Muslims" so that he could send his children to *mekteb*. Since there were no Muslims living in Dalmatia and "our Muslim customs do not in any way coincide with the local population," Ahmed had been forced to send his wife and children to Mostar, the nearest town with a Muslim population, where they

²²¹ Ibid., 36.

could get proper Islamic education.²²² It is not clear if the wife eventually returned to Knin but a letter which she wrote to the mufti a few months later makes it seem as if they were all still living in Knin. Their oldest son had already been enrolled in the first grade at the local elementary school where he had no opportunity to attend religious classes. She emphasized that the main reason they would be moving was so that they could “show our children the right path,” reminding the mufti that they needed his assistance “as much for ourselves as for the progress of entire Islam.”²²³

In 1939, an official with the state railway service in the Croatian village of Križevci asked to be moved to a Muslim town because not only could he not send his children to *mekteb*, but their peers had been “teaching them how to cross themselves and say their prayers.” After noticing this he prohibited his children from associating with their Catholic friends, but finally decided, as he could not keep them locked inside forever, to ask for a transfer.²²⁴ That same year, the widow of a respected *hodža* from Mostar wrote to the *Reis* on behalf of her son Mustafa Spahić, who was an employee with the state tax agency in the Croatian town of Ston, asking that he be transferred to “any place in Bosnia and Herzegovina where Muslim folks live.” Worried that Mustafa’s cohabitation with Christians was pushing him and his family further into “*džihaleť*,” a state of religious ignorance and apathy, she begged the mufti to intervene with the state authorities in the matter, reminding him that her husband had been a prominent cleric in Mostar.²²⁵

That Mustafa and his wife may have already fallen into the state of *džihaleť* becomes evident in his own letter to the mufti, some three months after his mother’s, in which he

²²² SF, 863

²²³ SF, 1056

²²⁴ SF, 1536

²²⁵ SF, 1565

acknowledged that neither he nor his wife could teach their children about “all the religious obligations because as you must know children are hardly fearful enough of their parents to learn anything from them.”²²⁶ A police officer from Split (Croatia) also admitted in his letter to the mufti that the religious instruction his wife had given to his six children had not been enough. In addition, he had also been “tortured” by his failure to have his two sons circumcised.²²⁷ A wife of a police officer stationed near the central Croatian town of Karlovac raised the similar issue in her petition when she insisted that despite her best efforts to educate her children about their Islamic obligations it had been “impossible because a child forgets everything as soon as he goes outside,” where he “takes in everything from the other children.”²²⁸ Another police officer, from the Vojvodina city of Novi Sad, asked to be transferred to Sarajevo where he had already moved his wife and children out of concern that had they stayed in the city a few more months, “despite my best efforts they would not have known to which faith they belonged...”²²⁹ Besides revealing the failure of the state to ensure the religious instruction for the children of Muslim officials, these letters also suggest that these officials experienced profound estrangement from the Christian communities in which they resided.

The state officials who petitioned the mufti to be transferred to Muslim areas of the country portrayed themselves as devout members of the Islamic community who, due to their adherence to Islam had become isolated from their Christian neighbors. A sergeant serving in the 47th Regiment in the Croatian town of Sinj urged the *Reis* to “protect my Islamic feelings and help me live in accordance with the Islamic faith” by transferring him to his hometown of Banjaluka. Because there were no Islamic houses of worship in Sinj Husein, they could not

²²⁶ SF, 1787.

²²⁷ SF, 1886

²²⁸ SF, 2031

²²⁹ SF, 2124

attend daily prayers. In addition, the food he ate at the army canteen regularly contained pork, an issue which he had raised with his commanding officer only to be told that there were no cows in the Sinj area. Husein's detachment from his community is clear in his statement that even had he not been required as an officer to eat in the army canteen he would still be forced to do so because he was a "foreigner" who lived in the dormitories and survived on the army's meager pay. Aware that his request could be misconstrued as a sign of disloyalty to the state, Husein asked "that this request not be interpreted in any other way than as my desire to live in accordance with my faith and I would like to repeat that I am proud to serve the King and my Fatherland as an officer in the reserves."²³⁰ A corporal serving in Slovenia informed the mufti that because of his adherence to Islam his comrades had come to look at him as the black sheep²³¹ and some had verbally abused him. Citing his constitutional right to freedom of worship he pled with the mufti to intervene in the matter and arrange his transfer.²³² Black sheep was the term another petitioner used in his letter, this one a Bosnian born day laborer stationed in Dalmatia, who described his colleagues' "unbearable reprimands" for his religious devoutness.²³³ In her petition for a transfer, the wife of the police officer in Croatia who wrote about the bad influence her children's friends had on their Islamic upbringing also complained of being misunderstood by her Christian neighbors to whom she had to continuously justify her Islamic lifestyle. To be forced to remain in the small Croatian town would be tantamount to a life of "silence" and a "perpetual feeling of slavery."²³⁴ The life of isolation had led Džemal Alendar, a railway clerk in Slovenia, to fall into a deep "emotional depression, bordering on desperation as I

²³⁰ SF, 670

²³¹ The actual phrase used is "bijela vrana medju crnima," which literally means "a white crow among the black ones," the English equivalent being "black sheep."

²³² SF, 673

²³³ SF, 2067

²³⁴ SF, 2031

watch my sixty year old mother and my wife holed up in the house for 15 continuous months and see my four children become further distanced from wonderful Islam.”²³⁵

Some parents wrote to the mufti to intervene in mixed relationships their religiously indifferent children had thrown themselves into, bringing shame to the family. A sixty-eight year old man despaired at the prospect of his son converting to Catholicism in order to marry his Catholic girlfriend with whom he had had a child out of wedlock. The young woman had already filed a petition to convert to Islam, but as the *Ulema medžlis* had not responded for two months, the old man was “terrified that they will do something rash, that is that he will convert to her faith, and they will enter into a civil marriage or get married in a church, which would inflict a terrible wound on me for the rest of my life.” Begging the mufti to intervene with the Sarajevo *medžlis* in getting the woman’s petition approved, the old man gave voice to the intense religious polarization of the late 1930s Bosnia declaring that “I would rather see him dead than convert to Catholicism.”²³⁶ A woman from Banjaluka by the name of Almasa asked the mufti to arrange for the police to escort her nineteen-year old daughter back home from Sarajevo where she was hiding in a house of her Catholic boyfriend who was already married with three children. She begged the *Reis* to deny his petition to convert to Islam “because he is a cheat who wants to ruin me.” It is not clear on what grounds the police intervened, but in the post-script to the letter, Almasa informed the *Reis* that her daughter had been brought to Banjaluka under a police escort but was still refusing to come home and was instead hiding in the house of another Catholic. She once again asked for police intervention, prompting the *Reis* to write to the district’s chief of police asking for the girl “to be forcibly returned to her mother.”²³⁷ The letters suggest that

²³⁵ SF, 2146.

²³⁶ SF, 1747

²³⁷ SF, 1789

religious devoutness sometimes split across generational lines, a harbinger of intermarriage patterns after World War II.

The stories of Muslims struggling to live their lives in accordance with the Shari'a resonated with *Reis* Spaho and he intervened for almost every petitioner, writing to various government officials, including his brother's successor as the head of the JMO Džafer Kulenović, pleading that they be transferred to Muslim areas. After the 1939 *Sporazum* between the Croatian and Serbian parties effectively ended the attempts to create a Yugoslav nation and reorganized the country along ethnic lines, including the autonomous *Banovina* Croatia, Spaho wrote to the Croatian *Ban* complaining that Muslims working for the state had been assigned to purely Catholic areas without any regard for their religious obligations. Reminding the *Ban* that this practice had "caused dissatisfaction among Muslims and does not contribute to good relations between Muslims and Catholics," he asked that in future the state take into account their religious needs.²³⁸ In October 1939, just two months after the *Sporazum*, Spaho wrote to the JMO president Kulenović, who at the time was a Minister of Forests and Mines, on behalf of a poverty-stricken Muslim who "remained in one Muslim oasis in the sea of Catholicism in *Banovina* Croatia" and asked that he be given a job in an area populated by Muslims.²³⁹

Throughout his tenure Spaho remained vigilant about the religious discipline of Muslims and was at times pro-active in that he intervened for wavering Muslims who had not petitioned for a transfer. For example, in August 1940 he wrote to the chief commander of the Gendarmerie in Belgrade, Milutin Stefanović, asking that the police sergeant Mustafa Čejvan, serving in the Croatian village of Velika Gorica, be transferred to a Muslim town because "the environment and the Catholic propaganda have had their desired effect and he has already asked

²³⁸ SF, 597

²³⁹ SF, 1890

to leave Islam.”²⁴⁰ While it is not clear if Mustafa was ever transferred, it seems that Spaho’s interventions were often fruitful: Mustafa Spahić, the son of a respected Mostar *hodža*, was eventually transferred from Ston to the eastern Bosnian town of Foča; mufti’s letter on behalf of police officer Mehmed Sarajlija, serving in Novi Sad, resulted in Kulenović’s intervention with the Minister of Internal Affairs; and according to a report, in the Novi Sad police station alone between 6-7 Muslim officers were transferred to the Sarajevo branch during Spaho’s tenure.²⁴¹ The frequency and urgency of Spaho’s interventions on behalf of these Muslims, responding to each petition only days after receiving them, was a symptom of the wider ethno-religious polarization of the Yugoslav society.

Of course, given Spaho’s position within the Muslim political establishment and his campaign to preserve Muslim specificity the stories the petitioners told him may have been strategically designed narratives meant to stir the *Reis* into action on their behalf and arrange their transfer. As it has been mentioned, many petitioners asked to be transferred to a specific place, most often their hometown, and their motivation may have been a desire to reunite with relatives and friends. For example, a soldier from the artillery division in Sinj wanted to be transferred to his hometown of Banjaluka where he could attend the mosque and eat the food Islam allowed.²⁴² Prior to contacting the *Reis* some officials had already arranged to switch places with their Christian colleagues: for example, Hakija Karadža was a clerk working in the small Serbian town of Čuprija who wanted to be transferred to Sarajevo to take the place of a Serbian clerk who was born in Čuprija and was looking to come back to his hometown. Although Hakija mentioned the difficulty of living a religiously disciplined life as the main motivation for the transfer petition, he admitted that his desire to live in Sarajevo was motivated

²⁴⁰ SF, 2213

²⁴¹ SF, 2124

²⁴² SF, 670

by much more practical concerns: he could be near his parents and finish the last year of high school so that he could get a promotion at his job.²⁴³ In asking that his son-in-law be transferred from Serbia, where he was working as a land surveyor, to Bosnia, Mahmud Zubčević mentioned the religious upbringing of his grandchildren only at the end of his letter, which he began by complaining how the climate in Serbia had poorly affected the health of his daughter and her husband.²⁴⁴ It is curious that his son-in-law had worked in Serbia for ten years before asking for a transfer, a circumstance that was shared by many other petitioners: the corporal from Slovenia admitted serving for over seven years before writing the petition,²⁴⁵ the police officer who confessed to feeling “tortured” over his failure to circumcise his children had lived in Split for nine years before he decided to sound alarm over the religious education of his children, the oldest of whom was sixteen at the time.²⁴⁶

The timing of their petitions may have been influenced by the election of Spaho as the *Reis-ul-ulema* in April 1938 who had the reputation of being more vigilant than his predecessor about the supposed threat to Islam, the reputation he proved credible with his decision to ban mixed marriage in December 1938. *Reis* Džemaludin Čaušević’s skirmishes with the conservatives during the late 1920s, over the veiling of women, donning of felt hats by men, and the administration of *vakufs*, had led some in the Muslim community to consider Spaho’s predecessor as weak on defending Islam. Thus, in a letter praising Spaho for his decision to ban mixed marriage, a man who purported to be speaking on behalf of the Muslims of Banjaluka declared that “never has any Muslim ruler even in a Muslim state acted like you have,” and quoted an anonymous Muslim officer as having distinguished Spaho from his apathetic

²⁴³ SF, 874

²⁴⁴ SF, 2151

²⁴⁵ SF, 673

²⁴⁶ SF, 1886

predecessor: “So you see there are better and wiser heads than your Čaušević whom you loved so much and who had not done anything despite promising much.”²⁴⁷ In other words, the election of Fehim Spaho as the *Reis-ul-ulema* of the Yugoslav Muslim community made the victimhood narrative a much more suitable framework through which ordinary Muslims could speak to authority.

However, the pleas for the protection of Islam are not as remarkable for the fact that they are bound up with the more mundane concerns of Muslims as they are for the narrative plotlines in which they are made, a gendered process which reveals the hardening of the interethnic boundary in the late 1930s Bosnia-Herzegovina. Thus, the calls for enforcing religious discipline were often indistinguishable from protests about perceived assaults on male pride. A particularly poignant example of this grievance, which in this instance bordered on rage, is a letter *Reis* Spaho received in September 1939 from a Muslim man by the name of Ibro Bojičić. Claiming that he was speaking on behalf of the Muslims of Brčko, a mixed town on Bosnia’s northern border with Croatia, Ibro urged the *Reis* to discipline the unacceptable behavior of local Muslim women who paraded themselves in the city at night, unveiled, inviting sexual advances from the *Vlahs*, a pejorative term that referred to the Serb population. This sexually provocative attitude often escalated into relations with the *Vlahs* that were prohibited by the Shari’a and as a result, this “infection” had now spread to the local villages. Thus, interethnic mixing was no better than purposefully spreading venereal disease, a menace which Ibro consciously evoked by using the word *zaraza* (contagion). The town’s *Vlahs* had become so brazen that they had started taking off the veils of Muslim women right in the street, an act which, in Ibro’s mind, was tantamount to rape.

²⁴⁷ SF, 428

As if these transgressions were not bad enough, the greatest insult to Muslim men was the fact “that you can no longer say anything to your lawfully wedded wife because she immediately reports you to the police who then beat you...” That this seeming non sequitur—which could only imply that Ibro’s wife was herself one of the transgressors—was his central concern is evident by the fact that this was the only underlined sentence in the entire handwritten letter. The anger had reportedly reached such a boiling point that if *Reis* and the King failed to put a stop to these practices “we the peasants will gather and extinguish everything that is against Islam even at the price of our lives and we will not let this evil spread further.”²⁴⁸ Although the letter’s author may have been hard to locate despite Spaho’s efforts, the grievance over wounded male pride he so passionately conveyed was ubiquitous in the late 1930s Yugoslavia.

The angry letter complaining about the humiliation of Muslim men came on the heels of a highly publicized campaign against the explosion of the so-called speculative marriages between Jewish women fleeing Hitler’s Austria and destitute Muslims of Zagreb. According to a historian of the Zagreb Muslims, Zlatko Hasanbegović, following Hitler’s annexation of Austria in March 1938 there were fourteen marriages concluded in the Zagreb Shari’a court between Austrian-born Jewish women and Muslim men all of whom were of a purely practical nature in that they allowed the brides to seek asylum in Yugoslavia, escaping the anti-Semitic laws of Hitler’s Reich. That many local Muslims saw these marriages as exploitative of Muslim men becomes clear in a letter a group of Zagreb Muslims sent to the Sarajevo Supreme Shari’a court in August 1938 in which they informed the judges that a Muslim man by the name of Husein Hukić had married a Jewish woman he had never even seen, all for 1000 dinars. If the court failed to put a stop to such marriages the petitioners vowed to “make public the things being done to the Zagreb Muslims as some snatch naïve people without means, get them married to the

²⁴⁸ SF, 1825

exiled Jews for little money so that the latter get residency in Yugoslavia and then they get them divorced.”²⁴⁹ Upon conducting an investigation and finding out that there was merit to the complaint, the court banned marriages between Muslim men and foreign women, but failed to put out the flames of the brewing controversy.

A month after the court received the complaint Zagreb’s daily *Novosti* ran a sarcastic story about a dim-witted Muslim from Bosnia who had been taken advantage of by a rich Viennese Jewish woman. Meho Šabanović was a twenty-seven year old unemployed driver who had emigrated from Bosnia to Zagreb in search of work but had fallen on hard times. His friends had urged him to marry and settle down, but he asked himself “who would want him as he was so miserable and unemployed.” Because it was no secret in Zagreb that one could profit by marrying a foreign Jewish woman Meho figured that this way he could improve his financial situation without taking on “the additional burden—the wife.” Choosing a wife turned out to be a fairly smooth process: Meho walked into a lawyer’s office, expressed his intent to marry and was given the name of his future wife, Josefina Weiss. After haggling with the lawyer over the price for his services—during which Meho had to lower his initial demand from 5000 to 1500 dinars—he went back to his village in Bosnia, obtained his birth certificate, and appeared in front of a Shari’a judge along with the lawyer who represented his wife-to-be. Suggesting that Meho was a simpleton, the reporter described the scene in the courtroom where after being asked if he took her to be his lawfully wedded wife Meho shot back a confused “her who?” following which the exasperated judge explained that the lawyer was representing Josefina.

Almost immediately after uttering his consent Meho was then presented with divorce papers, which he had to sign in order to receive the payment. Speaking to the reporter at a café frequented by Muslims Meho acknowledged that the matter would have been over had he not

²⁴⁹ ABiH, 154/38

been shown a photograph of his now ex wife that caused him to fall in love. He confessed that as he saw her picture for the first time “I felt something squeeze my heart and since that day I have only been dreaming about her.” In what sounded almost like a threat, Meho warned that he “would not let her off that easily and would keep looking for her even if I reach the end of the earth.” The first location he reached, however, was the local police station where he alerted a detective about the matter, triggering an investigation, which, as the reporter lamented, could not result in much as the law protected people like Josefina. The description of Meho as a “young man of 27 years with thick blond hair, tall and strapping, in short an ideal type of man who would be wanted by many women today” right next to an image showing a balding man considerably older than twenty-seven could be seen as appropriate to the entire article’s sarcastic tone or as suggestive of the trope quite common in the late 1930s Europe, of an Aryan type being exploited by a cunning, wealthy Jewish woman.²⁵⁰ The article was forwarded to the Sarajevo Supreme Shari’a court during its investigation of the matter along with other materials which showed that these types of marriages had not been confined to Zagreb.

The story in the Zagreb daily closely followed the script of a case reported by its Belgrade rival *Politika* two months earlier in which a destitute Sarajevo man, a newspaper carrier, had entered into a short-lived marriage with a wealthy Viennese woman by the name of Karolina Fridberg. The article, which in its subtitle reported that “these types of weddings happen in great numbers in Sarajevo,” was similarly sarcastic about the “sensation” that broke out after the locals discovered that poor Mujo Nuhić had married the wealthy, foreign Jewish woman. The locals had initially ascribed the marriage to the woman’s “eccentricity or her desire for an adventure,” while some still believing that it was the matter of true love, but soon found

²⁵⁰ “Vjenčanje sa nepoznatom i neviđenom,” *Novosti*, br. 275, 7 October 1938, p. 7. ABiH, 455/38.

out that the marriage had been of a purely “speculative nature.” Acknowledging that the “new regime in Austria had placed the Jews into a difficult position” forcing some to leave everything behind to save themselves, some, like Karolina, had been able to save their property as well. Making use of her relatives in Sarajevo and flexible Shari’a marriage procedures—which allowed the woman to be represented by a man at the ceremony—Karolina had divorced her husband in Vienna and married Mujo. Even though the report stated that the woman had never been seen, it described Karolina, in tongue and cheek manner, as a “cunning” Viennese “belle” who had saved her immense wealth by exploiting the Shari’a loopholes.²⁵¹ These newspaper stories perpetuated the narrative of wounded male Muslim pride at the hands of deceitful women.

The letters Fehim Spaho received also reveal that Muslims living in mixed areas often had more than their pride hurt as many complained of being victims of intimidation and violence perpetrated by their Serb and Croat neighbors. In early 1940, a Muslim peasant from the predominantly Croat-Catholic Bosnian village of Kreševo, a center of the Franciscan missionaries, notified the *Reis* that during that year’s celebration marking the Muslim holiday Eid al-Adha a group of drunk Catholic peasants stood in front of a popular café, hurling insults at Islam and challenging the Muslims to a fight. Although there were reportedly over 30 Muslims in the cafe, “reason and patience prevailed” and no one went outside, prompting the rabble rousers to move on to the center of the town where they were witnessed spitting at the mosque. The Muslims reported the incident to the local police, which determined that the culprit behind the incident was mayor’s brother. The peasant begged Spaho to intervene with the *Ban* of Croatia—as this part of Bosnia had come under *banovina* Croatia jurisdiction—ominously

²⁵¹ “Mlada jevrejka iz Beča razvela se od svog muža i udala se za sarajevskog prodavca novina da bi tako dobila naše državljanstvo i spasla svoje bogatstvo,” *Politika* 4 August 1938, ABIH, 455/38.

warning him “that one moment major disturbances may break out.”²⁵² In February 1939 there was reportedly “a bloody settling of scores” between the Muslim inhabitants of Teočak, in northeastern Bosnia, and the Orthodox Serbs of a nearby village. The author of the letter complained that the local police commander, a Slovene, had no understanding for the plight of the local Muslims and asked the *Reis* to intervene and have their former, Muslim, police commander reinstated.²⁵³

It seems that even Sarajevo was not a safe haven for some Muslims. In his letter to the *Reis*, a shoe repairer Ramiz Arnautović from Sarajevo asked that he be given a job as a security guard because he had been left disabled after an attack by a group of Serbs, one of whom hit his right hand with a spike, making it impossible for him to ever repair shoes again.²⁵⁴ Some peasants expressed surprise that ethnically motivated violence had disrupted their previously harmonious relationship with the Serb neighbors: a group of peasants around the Herzegovinian village of Ravno begged the *Reis* “to take us, as your most loyal sheep... into protection” by having the local police commander replaced with the previous commander whom they had trusted to keep them safe “even if [he] was not Muslim.” Although they were a considerable minority in a Serb area, the peasants acknowledged that they had survived for a century because they had good relations with their Serb neighbors. However, due to the presence of “certain evil individuals,” including the new police commander, this existence had become imperiled.²⁵⁵ These reports of sporadic ethno-religious violence in the Bosnian countryside were the harbinger of bloodletting of almost apocalyptic proportions, which was to visit these villages barely a year later, during World War II.

²⁵² SF, 566

²⁵³ SF, 1362

²⁵⁴ SF, 1582

²⁵⁵ SF, 1586

Spaho's Willing Collaborators: The Case of the Čordić Family

In addition to the alienation of many Muslims in mixed areas, the letters to *Reis* Fehim Spaho also spoke of tragic and occasionally deadly family feuds, which were at least partially inspired by religious animosity. The inheritance dispute that erupted within the Čordić family from the Bosnian town of Sanski Most as early as the 1920s illustrates the way in which Spaho's 1938 ban on mixed marriage seeped into the everyday life of a family, turning a mundane inheritance dispute into an existential debate over the confessional identity of individual family members, turning some into exemplary Muslims and excommunicating others. The repercussion of this passionate debate—which played out in the minutes of Shari'a courts' proceedings, letters of family members to the *Reis* Spaho, and petition letters to the district and Supreme Shari'a courts—was not only financial, but more importantly, was over what it meant to be a Muslim: Could a Muslim marry someone of another faith and in accordance with the ritual of that faith and still be considered a Muslim?; Who had the authority to declare an individual a (non) Muslim and if so what were the consequences of this excommunication?; What was the relationship of a Muslim who committed apostasy to his community? These were the questions at the heart of the Čordić family dispute which reached the Supreme Shari'a Court in 1938, but which had originated in the 1920s and became particularly heated after the death of the family patriarch Hasan Čordić in October 1934. While the questions the case raised were hardly new, as the Sarajevo court had dealt with these exact issues in the early 1930s and even before, the Čordić case illustrated the way in which ordinary Muslims could pragmatically adopt the narrative of their family dispute to suit the clerical establishment's concern over the supposedly beleaguered Muslim identity in Yugoslavia.

There seems to have been an unusual amount of acrimony within the Čordić family as early as the 1920s when the patriarch of the house Hasan Čordić sued his brother Muhamed, his mother Arifa, and his own son Ilijas, for conspiracy to murder him in his own courtyard. In his undated letter to the Sanski Most Shari'a court, which must have been written sometime between 1920 and 1927²⁵⁶, Hasan recounts the day when his brother Muhamed with his nephew Ilijas attacked him as he was entering the house. Muhamed came up behind him and started beating him with a stake while his son came from the other side and started pounding him with a bludgeon. After he fell down, Ilijas and Muhamed—his son and brother, respectively—rained down a tempest of punches and kicks in his ribs and his head. Startled by the noise, Hasan's wife Nejra ran out into the courtyard and tried to push the two away from her battered husband, but she was soon pushed back as Ilijas hit her over the head with the bludgeon and Muhamed punched her in the chest, knocking her over. The attackers were finally scared away when Nejra managed to crawl to the gate, unlock it, and call for help. In the letter Hasan claims that the attack was a part of a conspiracy concocted by his brother Muhamed and his mother Arifa, who at the time of the attack was conspicuously absent from the house, to murder Hasan in order to get the house and the surrounding land that their father—Arifa's husband—left to the family after his death. Muhamed had sued Hasan for this property but while the case was pending he was living on the bottom floor of the house where Hasan's son Ilijas also moved after Hasan asked him to leave the home due to his unruly behavior and the supposedly bad company he had kept. Hasan's story is thus one of betrayal in that his entire family, including his son Ilijas, reportedly conspired to murder him over inheritance.

²⁵⁶ On the basis of other documents in this case we know that Hasan died in 1934. In the letter he mentions that his son Ilijas moved out of his house in 1920, and from court documents we know that by 1927 Ilijas was living in Serbia. So Hasan's letter was written sometime between 1920 and 1927.

Four years after his death, Hasan's story of betrayal encountered the *Reis*' ban on mixed marriage and was transformed into an existential battle over Islamic identity. Hasan's story is thus interesting not only in itself, but also for the moment in which it emerges in the archive: Hasan's original letter recounting the story was attached to a petition by Hasan's daughter Mensura to the *Reis* Spaho, dated 24 April 1939 (some four months after the ban on mixed marriage), in which Mensura begged the *Reis* to intervene with the local Shari'a court regarding her and her mother Nejra's suit against Ilijas in which they wanted the Shari'a court to declare the latter a non-Muslim and strip him of his inheritance rights to his deceased father's property. In her letter, Mensura urged the *Reis* to expedite the case which, in her mind, had dragged on for far too long and which had been triggered after the death of Hasan on 2 October 1934 when Nejra petitioned the Sanski Most Shari'a court to excommunicate her son Ilijas who had in the meantime moved to Serbia, married a Serbian woman, and converted to Orthodoxy. Because he had kissed the Orthodox cross during his wedding ceremony in 1927 and in 1936 officially converted, changing his name to Ilija, Mensura and her mother argued that their brother and son, respectively, was no longer a Muslim and as such had no claim to the house and the surrounding land left by late Hasan. According to Mensura, her brother had moved to the Serbian port town of Kladovo where he married a Serbian woman in September 1927 and officially converted to Orthodoxy in 1936. It is not clear from the letters if it was Ilijas' conversion in 1936 or Hasan's death in 1934 that spurred Nejra, the mother, to initiate excommunication proceedings, but on 29 March 1938 the Sanski Most Shari'a court ruled in favor of Nejra and declared Ilija (formerly Ilijas) a non-Muslim, automatically stripping him of inheritance rights. The reason Mensura wrote two urgent letters to the *Reis* Spaho in January and April of 1939 was because the Supreme Shari'a Court in Sarajevo had overturned the ruling of the Sanski Most court, ordering

an inheritance proceeding to be conducted before a ruling could be made on the confessional identity of Ilijas (Ilija). It was during the time when the Sanski Most court was attempting to arrange a hearing, which Ilija had repeatedly refused to attend, that Mensura and her mother Nejra drafted the letters to the *Reis*, urging him to intervene with the Supreme court on their behalf. In her January 1939 letter, after pointing to the enclosed marriage certificate of Ilija, which proved that he had married in an Orthodox church in 1927, Mensura thanked the *Reis* Spaho for banning mixed marriage:

My mother and I offer you the deepest gratitude for coming up with the law on marriage, that is, for banning marriage between Muslims and non-Muslims as the time has finally come for these evils to end, but unfortunately my brother and my uncle have already left Islam regardless of having been raised in Islam and when I think of what they have done I become ashamed of myself, but I have renounced all my ties to them.²⁵⁷

The letter was a clever way of embedding the past of a family feud into the contemporary narrative of Muslim victimization and it seems that in this, Mensura and Nejra had gotten considerable help from local clerics. Nejra herself admitted as much in her letter from 2 October 1938 to the Supreme Shari'a Court in Sarajevo in which she urged the highest court to reject Ilija's appeal to the ruling of the Sanski Most court. Pleading with the judge to rule in the favor of the "two poor women who have no one else," Nejra reminded the court that Ilija had abandoned not only his family, but the entire Islamic community: "Even if you did not want to consider our position [when deciding the case], in front of you, you have a man who does not serve as a good example for the Islamic religious community and as such can lead others astray..²⁵⁸ In helping her tell the story through the more sophisticated lens of the Shari'a inheritance law, Nejra admitted having consulted with the *muderis* of Brčko, who in turn consulted with a local Shari'a judge, after which they both had instructed her to tell the *qadi*

²⁵⁷ SF, 20.1.1939, 421.

²⁵⁸ VŠS, 2.10.1938, 2413.

(Shari'a judge) that as it stands in both "Mejelle and Ludelei-Feraizu... it is not possible for a non-Muslim to inherit after a Muslim."²⁵⁹ As it is highly improbable that most Muslims would be able to describe the inheritance procedures of the Shari'a in such technical terms, it is clear that Mejra had been through what it seems like a crash-course on the Shari'a inheritance law. Mensura's letters to the *Reis* Spaho after the ban on mixed marriage and the law ordering excommunication of all Muslims who married in accordance with the rituals of another faith further buttressed the portrayal of Nejra and Mensura as poor Muslim women abandoned not only by a disloyal son, but by a *murtad*, a Muslim who had committed the mortal sin of apostasy.

In its ruling on 23 December 1939, the Sanski Most Shari'a court reaffirmed its earlier ruling, once again accepting the arguments of Nejra and Mensura that Ilijas had ceased to be a Muslim the moment he married in an Orthodox Church in 1927—some seven years before the death of his father—and as such had no inheritance rights to Muslim-owned property. The ruling pointed to the marriage certificate issued by the Orthodox church in Kladovo, and provided by Nejra, as uncontested evidence that Ilijas had left Islam by marrying in an Orthodox ritual which necessitated that both spouses accept the secret of the Holy Trinity.²⁶⁰ The ruling's unequivocal designation of Ilijas (now Ilija) as a *murtad* ignored the Sarajevo Supreme Shari'a court ruling in 1934, discussed in the previous chapter, which had stated that the place at which the marriage was conducted and the rituals which were performed during the ceremony did not determine the validity of such marriage and could not be used as arguments to excommunicate Muslims.

In his appeal to the Sanski Most ruling, Ilija forcefully challenged the authority of the court to legislate his confessional identity echoing the arguments of many legal scholars—

²⁵⁹ Ibidem.

²⁶⁰ VŠS, 2417-8.

including reformist Shari'a jurists—that exposing oneself to marriage rituals of another faith did not constitute an act of apostasy. Arguing that “[t]here is not a single law which would authorize a Shari'a court to declare that someone is a Muslim or that he belongs to a different confession,”²⁶¹ Ilijas claimed that this jurisdiction belonged to the local office of the *imam* who had in the meantime confirmed that he was a Muslim. Cleverly exploiting the chronic jurisdictional competition between different branches of the Islamic hierarchy, Ilijas pointed to a 1939 order by the *imam* of Sanski Most, which had instructed him to legalize his marriage by conducting a Shari'a marriage ceremony at the local court: “And what does this mean? It means that in the eyes [of the Sanski Most *imam*] I was still a Muslim at that moment and had I registered my marriage with the local Shari'a court, I would continue being a Muslim.”²⁶² In other words, the Sanski Most Shari'a court could not excommunicate him at the same time the Sanski Most *imam* was (inadvertently) acknowledging his continuing membership in the Islamic religious community. In addition, Ilijas pointed to the baptismal records of the Kladovo Orthodox Church, which showed the date of his baptism to be 27 August 1936, almost two years after his father's death, in insisting that he was still a Muslim at the time of his father's death in October 1934. Thus, his appeal of the Sanski Most Shari'a court ruling went beyond a simple jurisdictional challenge of the court in that it echoed the long-standing argument of the reformers that entering a mixed marriage under the auspices of church or secular authority did not constitute apostasy.

Ilija's appeal also challenged the professional objectivity of the Sanski Most Shari'a court and in this, it seemed to confirm that in the crafting of the narrative of her lawsuit, Nejra had been in large part driven by a behind-the-scenes lobbying effort by a local (Sanski Most) Shari'a

²⁶¹ VŠS, 2423.

²⁶² Ibidem.

judge that was in part helped by the intervention of the *Reis* himself. In the appeal letter, Ilija reminded the Supreme Shari'a justices that during the entire case the Sanski Most court had acted not as an impartial judge, but rather as a passionate advocate for Nejra and Mensura. In particular, Ilijas remembered that it was the court officials who investigated his baptismal and marriage records in the Kladovo Orthodox church and not Nejra's lawyers as the law prescribed. Ilijas had used the similar argument in his earlier letter to the court in which he had pointed to the friendship between the wife of a Sanski Most Shari'a judge and Nejra and called for inheritance proceedings to be held under the auspices of another, objective, Shari'a court.²⁶³ The criticism was significant as it prompted the same Sanski Most judge (whose name is unintelligible in the document) to write to the Sarajevo Supreme Shari'a Court on 24 April 1939 and defend his professionalism. Acknowledging that Nejra did spend a considerable amount of time visiting with his wife, the judge protested Ilijas' insinuations that this could somehow cloud his objectivity in the case: "As it is customary for women to visit one another Nejra Čordić also comes over to visit my family, but because I spend most of the day outside of the house it is rare that I see Nejra Čordić in my house, but even when I do see her, I never utter a single word about her case because I do not usually discuss office matters with anyone."²⁶⁴ In what is either the evidence of much broader cooperation between the Sanski Most judge and Nejra or a stunning coincidence, the same day the Sanski Most judge wrote to the Sarajevo Supreme Court, defending his professional reputation, Nejra's daughter Mensura wrote a letter to the *Reis* Spaho responding to the same charge by Ilija that the judge had been unprofessionally meddling in the case and encouraging Nejra to pursue the case. Begging the *Reis* to intervene with the court and deny Ilijas' demand to move the proceedings to another district because this would mean

²⁶³ Ibidem.

²⁶⁴ Ibidem.

additional costs for her and her mother, Mensura insisted that by leaving Islam Ilija had lost his rights: “We are already struggling to deal with the mounting legal debt and there is no way we could go to another district, so I kiss your hand Reis-effendi and beg of you to tell the Supreme Shari’a Court to end this matter already, that is, for them to excommunicate Ilija...is it just that because of these trivial matters the whole case drag on, and to meet the demands of a pseudo-Vlah²⁶⁵, while our interest rates are climbing...?”²⁶⁶ That the *Reis* Spaho did intervene on their behalf is confirmed by the fact that in both letters to him, Mensura thanks him for his support and his promise to do everything in his powers to help them. Therefore, Ilijas’ argument that the lawsuit against him had been orchestrated not only by his mother and sister, but had in large part been driven by the local Shari’a court is borne out by the timing of the letters by Nejra and the judge in question as well as the *Reis*’ own promise of intervention on behalf of Nejra which he made to her daughter Mensura.

What the Čordić case aptly illustrates is the escalation of ethnic demands in the everyday life of Muslims following the ban on mixed marriage and the careful collaboration between the elites and non-elites in making religiously-based ethnicity more salient. The story shows a remarkable ability of Nejra and her daughter Mensura to embed a decade old family conflict into the new ideological reality of the late 1930s Bosnia: Ilijas, the outcast son and brother, respectively, who had attempted to murder his own father to take his property was now transformed into an apostate who, with his mixed marriage and conversion to Orthodoxy, became a threat to Islam. The coaching Nejra and Mensura received from the local clerics in giving Ilijas this makeover suggests that rather than being a heavy handed imposition by the elites, the overwhelming salience of ethno-religious identity was a result of a collaborative

²⁶⁵ Vlah was a pejorative term used to describe non-Muslims, particularly Serbs. Pseudo-Vlah can thus be translated as a Vlah wannabe.

²⁶⁶ SF, 24.4.1939, 460.

alliance between elites and non-elites, a point that many studies of national indifference underemphasize.

Conclusion

The fate of Husein Kulenović Busovača, who was ordered to appear before his district Shari'a court to answer the charges of religious negligence, was similar to that of many Europeans during the first half of the twentieth century who were swept up by their own national dramas. "Religiously indifferent" Muslims in the late 1930s Bosnia echoed the behavior of the early twentieth-century Bohemian parents who resisted the pleas of German and Czech nationalists to stamp out the bilingualism of their own children, the Ukrainian peasants who in 1925 reacted with confusion to the attempts of Leninist officials to assign them a national identity, and the citizens of mixed descent living in post-WWI Alsace Lorraine who were issued special identity cards distinguishing them from their nationally unambiguous neighbors. Just as the institutionalization of nation-state in post WWI Europe resulted in greater surveillance of nationally ambiguous individuals, the resurgence of the conservatives within the recently homogenized Bosnian Muslim institutions in the second half of the 1930s turned mixed marriage Muslims into a problem to be regulated, banned, and eventually excommunicated.

The Supreme Shari'a Court's decision to place Husein's children under the protective custody of a more devout Muslim portended the intrusive reach of the Shari'a into the lives of many mixed marriage couples on the eve of World War II. For example, in late 1940 the recently wed couple Višnja Smiciklaš and Sulejman Hrenovica were summoned to the district Shari'a court in Sarajevo and subjected to a criminal style interrogation by judges who were bent on proving that the couple had cleverly tried to exploit the loophole in the ban on mixed

marriage by claiming that they had wed before the ban went into effect and were now only seeking to have their marriage registered, a strategy that many couples successfully used in obtaining approval for their mixed unions.²⁶⁷ The questioning was similar to that of Husein from the beginning of our story in that it showed the determination of the presiding judge to investigate the most intimate corners of the couple's romantic life, but also Sulejman's protest against what he saw as the authorities' illegitimate intrusion into his "private matters."²⁶⁸ But like the case of Husein Kulenović Busovača, the aggressive investigation of Sulejman and Višnja belied the limits of Shari'a jurisdiction in a secular state: despite the decision of the Supreme Court it is highly doubtful that Husein's children were ever taken away from him and the marriage of Sulejman and Višnja was eventually approved. In short, these Bosnians could talk back to the imposing Shari'a authorities and in the process reveal, in the words of Zahra, "the outer limits of nationalizing projects."²⁶⁹

It is important to emphasize, however, that in the Bosnian case, indifference was not only "called into being by nationalists themselves through their own paranoia" to quote Zahra again,²⁷⁰ but was also a concern that animated many ordinary Bosnians to re-examine their lives in their efforts to be better Muslims. In their petitions to the *Reis-ul-ulema* they confessed to their own failures to uphold the standards of Islamic parenting, worried about the religious indifference of their young children, sought police help in breaking up mixed relationships of their adult children, and attributed their own religious apathy to their treatment at the hands of Christian neighbors. Precisely because the intensely ideological tenor of these petitions masked the more practical concerns of the petitioners these sources reveal the process

²⁶⁷ *Reis-ul-ulema's* Order No. 2111 made it clear that the ban on mixed marriage did not include those already officiated.

²⁶⁸ VŠS, 2207-2219.

²⁶⁹ Zahra, "NonImagined," 96.

²⁷⁰ *Ibid.*, 118.

by which religiously-based national identity became so compelling to many ordinary individuals: it offered them a coherent narrative through which they could not only explain, but also improve their lives. Thus, the Muslim victimhood narrative became the paradigm through which a railway clerk in Slovenia could explain the “emotional depression” into which he had fallen, could turn an anonymous, unemployed Zagreb man into a newspaper sensation and a symbol of wounded Muslim pride, and help an elderly woman make sense of her tragic estrangement from her son. The last example in particular, the Čordić family feud, neatly illustrates the collaboration of the elites and non-elites in that Mensura and her daughter Nejra were almost certainly coached by the local Shari’a judge and the *imam* in transforming their long-running inheritance dispute into an existential crisis of Islamic identity. These examples then complicate the image of nationalist elites as imposing ideologically coherent identities on a recalcitrant population by suggesting that in their worries about religious indifference the elites might have been responding to grassroots pressure as much as they were acting out of their own paranoia.

CHAPTER III

Lowering Socialist Expectations: The Yugoslav Communists and the Neglect of Mixed Marriage

Mixed marriages and their offspring are manifestations of a process whose characteristics are not affected by offspring's subjective declarations of belonging to the father's or the mother's nation. The process of ethno-biological homogenization does not have to be completely in sync with the process of socio-cultural homogenization and although these two phenomena are...connected, individuals [in mixed marriage] do not have to be aware of this connection.

Ruža Petrović,
1968²⁷¹

Some have tried to use mixed marriages to justify and sustain the idea of a Yugoslav nation. However, this approach is highly unscientific and tendentious. First of all, a nation is acquired not through birth, because nation is a social rather than a biological category. A nation neither appears nor disappears via mixed marriages...Even though there is a high number of mixed marriages in our country, this does not create any Yugoslav nation. The question of national belonging of children from mixed marriages creates unnecessary dilemmas and illusions particularly if one has in mind the fact that most often, mixed marriage parents have still chosen for their children one of the national categories.

Hamdija Pozderac, 1971²⁷²

The two quotes, by Yugoslavia's leading sociologist and a high-level Communist functionary, respectively, reveal a moment in the life of socialist Yugoslavia when mixed marriage came roaring back as an issue in the midst of the country's most serious identity crisis since its creation in 1945. Less than twenty years after the Communists had declared that their federal rearrangement of Yugoslavia had solved the national question, antagonisms between the country's nationalities sent the party leadership scrambling for a response. In the midst of what one prominent Communist functionary described as the party's "crisis of ideas,"²⁷³ country's

²⁷¹ Ruža Petrović, "Etno-biološka homogenizacija jugoslovenskog društva," *Sociologija*, God. X, 1968, No. 2, 5-35: 6.

²⁷² *Sloboda* 22 March 1971, God. XXVII, No. 13: 4 quoted in Hannes Grandits, "Ambivalentnosti u socijalističkoj nacionalnoj politici Bosne i Hercegovine u kasnim 1960-im i u 1970-im: Perspektive odozgo i odozdo" in *Rasprave o nacionalnom identitetu Bošnjaka: Zbornik radova*. (Sarajevo: Institut za istoriju, 2009), 15-38: 33.

²⁷³ *Druga Konferencija Saveza Komunisti Jugoslavije*. (Beograd: Komunist, 1972), 180.

chief theoreticians redefined Yugoslavia's identity in the span of a decade, marking a departure from their Marxist roots that can only be described as revolutionary. The revamping of the regime's nationality policy included a revision of the country's theoretical premise, an effort to transfer many powers from the federation to the republics, and most importantly for our purposes, denounce all hopes for the emergence of a Yugoslav nation as reactionary, chauvinistic, and unrealistic. By emphasizing the permanence of national identities and branding any supranational, integrative sense of belonging as reactionary or misguided, the party isolated mixed marriage as an issue that had to be discussed lest it be used to deny national differences. It was in this context that Hamdija Pozderac, one of the leading members of the Bosnian Central Committee, mocked the idea of mixed marriage as a melting pot of national identities.

In their vehement rejection of mixed identities the Communists were at odds with the country's leading sociologists, such as the marriage scholar Ruža Petrović, who argued that the seismic postwar transformation of Yugoslavia had led to a process of biological homogenization of the different Yugoslav nations. Although her argument was belied by her empirical evidence, which showed continuing ethnic divisions, unlike the Communists, Petrović proved a true Marxist in remaining hopeful that the material reality, which she saw as characterized by the inexorable lurch towards a more integrative identity, did not depend upon subjective feelings of individuals who had remained stubbornly national. While for Petrović biology trumped ideology, for the Communist leaders it was national sentiments that caused them to revise the goals of socialism.

Thus, not only did the Yugoslav Communist regime not use mixed marriage as a trope for a Yugoslav nation, but starting in the 1960s its officials openly derided the idea that such a nation was in the making. During the first decade of socialism, mixed marriage figured in the

regime's nationality policies only to the extent that it was a part of the larger campaign to secularize the society by confining organized religion to easily monitored spaces, an effort which included the introduction of obligatory civil marriage. Enthusiastic pronouncements by officials that Yugoslav citizens were abandoning religion in droves implied emptying of religious content out of national identities, but did not mean the erasure of these identities. Revolutionary policies came only in the 1960s when the regime clarified its attitude towards the nation by openly embracing it and denouncing any integrative identity as antisocialist. In other words, the regime's most revolutionary policy was surprisingly anti-Marxist and represented a deathblow to the Yugoslav idea more than twenty years before the country's ultimate demise. It was in the midst of this regime-instigated national revival that mixed marriage emerged as an issue to be quantified, analyzed, and discussed. It was no accident that the first serious sociological studies of mixed marriage in Yugoslavia appeared only in the late 1960s on the heels of the regime's embrace of national identities. Surprisingly, it was the sociologists who were more consistent Marxists from the Marxists in power as it was the sociologists who viewed mixed marriage as a symptom of the biological homogenization of identities and held out in their belief in the transformative power of socialism. When faced with Yugoslavia's version of the turbulent sixties—characterized by massive student protests, the rise of republican-based Communist elites, fragmentation of political power, and the regionally uneven economic development—regime's chief theoreticians responded by lowering expectations: socialism was no longer going to free people of their religiosity, would not lead people to adopt less exclusive identities, and had in fact not solved the national question. Instead, people were now being asked to celebrate their national specificities and embrace "Yugoslav socialist patriotism," a notion that was as vague as it was detrimental to Yugoslavia's future for it wedded the country to a single ideology.

Although the theoretical premises of Yugoslavism had always been somewhat foggy even in its inception in the early 19th century, the 1960s were a watershed because the Yugoslav Communists broke definitely with the idea. That the early Yugoslavs chose Illyria as the name for their utopia suggested nostalgia for both, the pre-Slav antiquity of the Balkans and for a Napoleon-style unification of the Slav lands, as the name echoed his brief occupation of Dalmatia during the first decade of the century. The tension between the desire for the South Slav unification based on a vague notion of a common ancient past and one based on military might accompanied the historical trajectory of the movement right up to its demise in the 1960s. Before being cut short by imperial *realpolitik* the early 19th century flirtation between the movement's Croatian-born founder Ljudevit Gaj and the King of a politically and militarily confident Serbia laid bare the difficulties in defining the ultimate goal of Yugoslavism: was it to simply liberate the South Slavs from the yoke of empires, unify them into a loose state which would grant them the autonomy they so desired while living under empire, or would they melt into Serbia, the Balkan Piedmont, or into an entirely new nation? The crumbling of empires in 1918 made the South Slav state a reality, but instead of answering these questions, the creation of first Yugoslavia seemed to multiply them. Democratic parliamentarianism made for a bottleneck in which the different visions of Yugoslavia—as a confederation, a federation, another centralized France, a Greater Serbia—became jammed. Meant to break the jam, King Alexander's dictatorship in 1929 broke the entire bottle by turning Yugoslavia into a synonym for Serbian tyranny, the reaction to which entailed the dismantling of the state into a Serbian-Croat confederation. Hitler's invasion of Yugoslavia and the bloody civil wars ripped the country apart, but the cataclysmic nature of World War II also made it a fertile ground for the dreaming up of new utopias.

Playing out on the larger stage of World War II, these civil wars were Yugoslav Communists' own "baptism by fire," to borrow Sheila Fitzpatrick's famous assessment of the importance of the Russian Civil War for the Bolsheviks²⁷⁴, in that they created an opportunity for Tito's Communists to redefine the country's foundational premise and divorce it from its universally despised interwar version. In the words of Dennison Russinow: "It was the war itself which gradually created a propensity to accept a rebirth of the idea in a form which promised national equality and autonomy in a federal framework."²⁷⁵ The interwar and (early) Communist dictatorships differed in method more than in their ultimate goal, which was to prod people into a coherent, overarching identity be it Yugoslav or socialist, respectively. But while the interwar answer to the national question was to suffocate national identities while preserving their religious content, the Communists, at least during their first decade and a half in power, strove to preserve national identities but empty them of their religious substance. It was the failure of this policy that led to the re-emergence of mixed marriage as a controversial issue in the late 1960s.

The Failure of Secularization

Prior to the 1960s, the Yugoslav Communist Party (the League of Communists of Yugoslavia after 1952) had barely addressed the issue of mixed marriage, a reticence that was a reflection of the party's deeper ambivalence vis-à-vis the national question. As Paul Shoup has pointed out in his now classic study of the Yugoslav Communists' approach to nationalism, the party's policy problems in this area date to the early 20th century when the Serbian socialists first proposed the idea of a Balkan federation with their Croatian counterparts remaining suspicious and instead calling for an autonomous Croatia. Throughout the interwar period, the party's approach to the national question swung abruptly from one extreme position to another: while

²⁷⁴ Sheila Fitzpatrick, *The Russian Revolution*. (Oxford: Oxford University Press, 1994), 72.

²⁷⁵ Dennison Russinow, *The Yugoslav Experiment, 1948-1974*. (Berkeley: University of California Press, 1974), 6.

they greeted the creation of first Yugoslavia with enthusiasm, the Yugoslav Communists soon yielded to pressure from Stalin's Comintern and began to advocate the country's disintegration, calling on all nations to secede from the union, a policy that eventually caused the Yugoslav regime to ban the party in 1921. The rise of Hitler pushed Stalin into a more cooperative united front approach, causing the Yugoslav Communists to drop the anti-Yugoslav approach. In addition, the arrival of Tito at the helm of the party in 1937 ameliorated internal disagreements somewhat, but the party's factional disputes continued throughout World War II even in the midst of the Communist-led Partisan resistance against the Nazis. These disputes often had a pronounced nationalist tenor, as was the case in Macedonia where the Yugoslavs struggled with the Bulgarians for the influence within the party and in Croatia where the Partisan movement was mostly composed of Serbs and the Zagreb Communist Party refused to carry out orders from the headquarters causing Tito to purge the entire leadership in 1941. Shoup argues that it was the Communists' tortured experience in dealing with nationalism that eventually made them more nuanced in their approach.

It was this nuanced approach that led Tito and his party to create a federal Yugoslavia in which all nations were granted at least nominal autonomy within the six republics and two autonomous provinces as the party strove to distance itself from the idea of a Yugoslav nation, which had been advocated by the failed interwar state. Because the Yugoslav idea had become synonymous with Greater Serbian expansionism by the end of World War II, the Communists obsessively repeated their respect for the equality and specificity of all nations. In the words of Shoup, "[p]arty propaganda never really attempted to persuade the Partisan that he was a Yugoslav rather than a Serb, Croat, or Macedonian, but sought rather to get him to tolerate

persons of other national origins.”²⁷⁶ Although the party’s idea of “brotherhood and unity” never even implied the disappearance of national differences in favor of some new Yugoslav nation, its atheism, hostility towards organized religion, and the confidence about the transformative powers of socialism did reveal their hope that nations would eventually become irrelevant in the new Yugoslavia.

Despite its varied approach to different religions in Yugoslavia, until the 1960s the Communist regime remained largely consistent in its attempts to secularize the society. As Sabrina Ramet has pointed out, Tito’s policy towards religion, like the religious policies of most other Communist regimes in Eastern Europe, was motivated not by dogmatic atheism but rather by political pragmatism. More specifically, official Communist attitude towards a particular religion was dependent upon the way the institutions of that religion had carried themselves during World War II, their size, the extent to which they were willing to allow governmental interference in their affairs, and the ethnic composition of the country. It was because Communist regimes based their religious policies on political calculations rather than firm atheist principles that these policies often varied based on the political currents of the day.²⁷⁷

In Yugoslavia, upon assuming power Tito’s regime embarked on an aggressive campaign to confine religious life to public spaces where they could be easily monitored by the state. In 1946, the Communists abolished the Shari’a courts, closed down most of religious schools,

²⁷⁶ Paul Shoup. *Communism and the Yugoslav National Question*. (New York: Columbia University Press, 1968), 98.

²⁷⁷ Thus, after his initial campaign to completely wipe out the Russian Orthodox Church, Stalin used the Church to foment patriotism in the midst of World War II. Similarly, in the immediate postwar years, the Romanian Communist regime wreaked terror against its own Orthodox Church, but Ceausescu’s embrace of Romanian nationalism and his opposition to Soviet influence in the 1960s rehabilitated Orthodoxy with the Church becoming the regime’s ally. Pedro Ramet, “The Interplay of Religious Policy and Nationalities Policy in the Soviet Union and Eastern Europe,” in *Religion and Nationalism in Soviet Union and East European Politics*. Pedro Ramet, ed. (Durham: Duke University Press, 1989), 9, 20.

including *mektebs*, expropriated numerous church and mosque properties, and ordered religious institutions to relinquish their birth, marriage, and death records. After initially resisting, the Islamic and Orthodox establishments largely acquiesced to the new order, elected religious officials who were generally not hostile to the government, and supported state-sponsored clerical associations. Thus, by the late 1950s, the Patriarch of the Serbian Orthodox Church had established a *modus vivendi* of sorts with the regime even lending his support to the regime's creation of an autocephalous Macedonian Orthodox Church in 1967.²⁷⁸ For their part, after their initial resistance to the Communist state over the expropriation of *waqf* property, Muslim clerics in Bosnia largely supported state's secularization of marriage, the ban on women's full-faced veil (*feredža*), and state literacy campaigns amongst Muslim women. By 1955 the relations between the regime and Islamic authorities had improved to such an extent that the President of the Federal Commission for Religious Affairs Dobrivoje Radosavljević declared at the meeting of the Federal Executive Council that year (SIV): "When it comes to the leadership of the Islamic religious community we can safely say that we have best relations with them—relative to the Orthodox and Catholic church."²⁷⁹ Indeed, the Catholic Church remained steadfast in its opposition to the state, the position that, in addition to its collaboration with the wartime Ustasha regime in Croatia, eventually led to the trial of its archbishop Alojzije Stepinac in 1946 when he was sentenced to 16 years in prison for his supposed Ustasha activities during World War II.²⁸⁰ Following the imprisonment of the archbishop, the relations between the state and the Catholic Church deteriorated further with the majority of the clergy vehemently opposing government-

²⁷⁸ Ibid., 17.

²⁷⁹ Komisija za Vjerske Poslove, (KVP), "Stenografske biljeske sa sednice odbora za unutrašnju politiku Saveznog Izvršnog Veka," 13 December 1955, 5, ABiH.

²⁸⁰ Miroslav Akmadža. *Katolička Crkva u Hrvatskoj i Komunistički Rezim, 1945.-1966*. (Rijeka: Otokar Kersovani, d.o.o, 2004), 58.

sponsored clerical societies, protesting against expropriation of its property, and complaining of constant harassment by local officials. In addition to its different approaches to different religions, the state policy was further fragmented at the republican level as it was implemented by republican-based Commissions for Religious Affairs. But the common thread uniting Communist attitudes towards all religions in all republics was the effort to secularize the society and in particular, to divorce religious from national identity.

This effort became particularly evident during the state's campaign to introduce obligatory civil marriage immediately upon assuming power in 1945, a campaign which came under sustained assault by the Catholic Church under Archbishop Alojzije Stepinac. Stepinac spoke out against civil marriage in a written message to all Catholics in July 1945 in which he argued that the Catholic Church had exclusive jurisdiction over marriages between Catholics, reminded his flock that Christian marriages could never be resolved, and warned that anyone who entered into a civil marriage "would be committing a grave sin in front of God..."²⁸¹ Even Monsignor Rotig, known as someone who was sympathetic to the regime, urged the Yugoslav Parliament during its debate on marriage in January 1946 to follow the example of the United States and allow individuals the freedom to choose between religious and civil marriage and warned the legislators "not to offend people's religious feelings."²⁸²

As if sensing possible public opposition to civil marriage, the Sarajevo daily *Oslobodjenje* and other major newspapers printed an article, which was a defense of civil marriage and which argued that "civil marriage is simply a natural consequence of the separation of church and state." Preempting any charges of repression, the article pointed out that civil marriage had been made obligatory in most European countries after a prolonged battle with the

²⁸¹ Ibid., 37.

²⁸² Ibid., 38.

church. In interwar Yugoslavia the supremacy of the church over the state meant that marriage relations were “medieval” as the Church “jealously guarded” its jurisdiction, turning marriage into “a dungeon” for many people, particularly Catholics who could never obtain a divorce. But besides being a political issue, the introduction of obligatory civil marriage was also a biological imperative designed to correct religion’s “violence against nature” manifested in its centuries’ old opposition to mixed marriage. By devising laws which had made mixed marriage practically impossible, the church and mosque “had deepened artificial differences between members of different faiths.” Making mixed marriages possible was also paramount for the stability of Yugoslavia because religion had become synonymous with nation, cementing differences between Yugoslavia’s peoples into “Chinese walls.” Thus, civil marriage was “to create the possibilities for genuine unity so that marriage ties between peoples of the same blood but different faiths can further strengthen the foundations of our state structure.”²⁸³ But if religious differences were superficial as well as synonymous with nations then the implication was that national differences would eventually become irrelevant once they shed their religious character.

One of the first steps the regime took in secularizing identities of Yugoslavs was to repossess birth, marriage, and death registries from religious authorities, a campaign which began in earnest as early as 1946. The 1946 Law on Registries nationalized all registries and prohibited religious officials from entering any individual information, including baptismal records, before the state could inspect and stamp these registries. Local police authorities implemented the law with such zeal that many priests were punished with stiff fines for even entering additional information into the records that had already been inspected and approved by state authorities. During the second half of 1946 complaints poured into the Bosnian Commission for Religious Affairs (KVP) in which priests pointed out that the registry law did

²⁸³ Dr. S. Kamhi, “Građanski brak i njegove prednosti.” *Oslobođenje*, 6 January 1946, God. IV, Br. 1, 5.

not prohibit them from supplementing records, which the state had already sealed, with additional information, such as death of an individual or baptism of a child. Often the state Commission intervened on behalf of religious authorities. For example, in November 1947 the Commission wrote a complaint to the President of Bosnia-Herzegovina asking him to reprimand the People's Committee in the northern Bosnian town of Derventa for overstepping its authority in preventing church officials from entering any information on baptism of children, harassing church officials to turn over those records that have been sealed by the state and were church's private property, and for prohibiting congregations of children in churches even for purposes of religious rituals.²⁸⁴ The complaints were numerous enough that the Commission felt compelled to ask its Croatian and Serbian counterparts for clarification of the Law on Registries and the latter agreed that clergy were allowed to use registries for their own purposes after they had been sealed by the state. The Bosnian KVP then wrote a complaint to the Bosnian Interior Ministry arguing that priests had been unjustly punished. In the letter, the KVP official pointed out that "the law does not specify that after a state clerk has placed the official closure on the records, on 9 May 1946, the priest cannot use the registry for church recordkeeping which of course after the state sealed it has no legal ramifications."²⁸⁵ When the Interior Ministry did not budge, the matter had to be referred to the Attorney General who eventually sided with the police and modified the law to clearly ban the use of registries for any purposes after the state seal had been placed. Despite the fact that the amended law was passed almost three years after the original Law on Registries, the priests who had been fined in the meantime were not pardoned although

²⁸⁴ KVP, 166/47, 25 November 1947, ABiH.

²⁸⁵ KVP, 24/49, p.1, 9 April 1949. ABiH.

some had their fines lowered.²⁸⁶ The repossession of birth, marriage and death registries was part and parcel of the larger campaign to secularize marriage.

The Basic Law on Marriage, adopted in April 1946, introduced obligatory civil marriage and proscribed prison and financial penalties for religious figures that presided over marriage ceremonies before they could be sanctioned by state justices of peace. However, in the spirit of the Article 46 of the 1946 Constitution, which proclaimed religion to be “a free and private matter of the individual,”²⁸⁷ Yugoslavs could still choose to have their marriages sanctioned by religious authorities but only after a visit to their city hall. Since the state saw civil marriage as the foundation of socialism offending priests were vigorously prosecuted. For example, in June 1958 a Catholic priest by the name of Josip Tomić, from a central Bosnian village was sentenced to nine months in prison for concluding a marriage that had not been previously sanctioned by state authorities. In his appeal the priest assured the authorities that he had been duped by the bride and groom who had falsely told him that they had previously concluded their marriage in the city hall. The appellate court denied his appeal, arguing that the priest had been required to obtain a proof of marriage from the newlyweds before officiating a church wedding, but lowered his punishment from nine to seven months in prison.²⁸⁸

Those priests who were suspected of being opposed to civil or mixed marriages were kept under police surveillance. In a police report submitted to the Mostar section of the Commission for Religious Affairs in January 1962, the authorities in the central Bosnian town of Konjic worried about “the lively activities” of two priests who had been lobbying a few local Catholic families to have their marriages sanctioned by the church. According to the report, father Leo Radišić had visited the house of Sara Kobačić in order to persuade her recently wed daughter to

²⁸⁶ KVP, 52/49, 21 July 1949, ABiH.

²⁸⁷ Dr. Vojislav Bakić, *Porodično pravo SFRJ*. (Beograd: Savremena administracija, 1965), 74.

²⁸⁸ KVP, 100/58, ABiH.

have a church wedding. After the woman assured the priest that her daughter would not listen to her pleas, he reportedly scolded the mother for not properly raising her daughter. In another instance, “the priests were angry” after a Catholic woman had married “some Serb,” and “father Mikulić declared that he would no longer bless the house” of her family.²⁸⁹ The chief of the Commission considered the report important enough to include it in the briefing material presented to the other members at their regular meeting. In 1959, a Catholic priest in the Western Herzegovinian town of Čitluk was reported of having used his sermons to speak against civil marriage, denigrate its value, and urge young people to have their marriages concluded in churches. After being summoned by the local authorities, he reportedly expressed regret for his behavior, but it is not clear if he ever faced any other legal consequences.²⁹⁰ The state’s surveillance of opposition to civil and mixed marriages was not limited to church officials.

If opposition to mixed marriage could land a priest’s name on the pages of police reports and result in summons to the local police station, for members of the Communist Party such opposition meant immediate expulsion and public condemnation by the party. In December 1953, the Mostar newspaper *Sloboda*, which was the official mouthpiece of the local League of Communists, reported that the local party officials had held a meeting at which they expelled one of their members for his opposition to his (Muslim) daughter’s marriage to a Serb. Even though Ahmet K. and his wife Hana had been active in the War of Liberation and had been loyal party members, Ahmet became distraught after his daughter married “a Communist who was Orthodox by birth.” Ahmet’s opposition to the union was so vehement that he broke off all ties to his daughter and had rebuffed his wife’s attempts at reconciliation. Because Ahmet “viewed the marriage with the eyes of a religious fanatic,” the party members voted to expel him “as it is no

²⁸⁹ KVP, 30.1.1962, ABiH.

²⁹⁰ KVP, N/A, “Zabiljeske sa sastanka predsjednika narodnih odbora Sreza Mostar, 5 June 1959, 3, ABiH.

way possible to be a Communist with those beliefs regardless of his past or future.”²⁹¹ The article’s title, “backward beliefs,” and its insistence that Ahmet’s behavior was more appropriate to someone “living fifty or hundred years ago” than to someone who belonged to the League of Communists echoed the party’s larger message at the time that religious differences were a remnant of the past and by implication, that the Communists were the vanguard of the future.

Besides secularizing family, another way to make Yugoslavs less religious was to follow the Marxist prescription and raise their economic, cultural, and educational living standards. Of course, it is well known that members of the Communist party could not be religious, as Tito himself stated as early as 1936: “In our worldview we [the Communists] ascribe to dialectic materialism and as such, we are nonbelievers. On the other hand, Catholics in their worldview are idealists, they believe in God and Church dogmas. These two worldviews are truly irreconcilable.”²⁹² In 1952 obligatory atheism was inserted in the Yugoslav League of Communist Statute and in the following six years over 7,000 Party members was expelled for expressions of religiosity, which included attending religious services and even funerals.²⁹³

It is clear that during the first decade the regime hoped to extend their atheism to the populace. At the meeting of the Federal Executive Council in late 1955, the president of the Federal Commission for Religious Affairs Dobrivoje Radosavljević expressed satisfaction with progress made not only in repressing the activities of antisocialist clerics but also in “freeing people from religious feelings and traditions.” In addition to various administrative measures, “it was in large part educational and cultural work that has affected the changes in religiosity.” In

²⁹¹ “Zaostalo shvatanje,” *Sloboda*, br. 46, December 3, 1953, 2.

²⁹² Ivan Cvitković. *Savez komunista I religija*. (Sarajevo: Izdavačka djelatnost, 1984), 99.

²⁹³ Akmadža, 133.

the very next sentence, however, Radosavljević countered this optimistic assessment, noting that government's relaxation of repressive measures in the early 1950s²⁹⁴ had had the opposite effect:

With the transition from the administrative period, the move away from the period of state intervention in many areas, and the transition to socialist democracy, during 1952 and 1953, there was a wave of intensifying religious feeling and the increase in religious gatherings. With the development of new democratic relations it is a natural thing for religious life to manifest itself more in such conditions.²⁹⁵

The Commission director was particularly disappointed with the information obtained during the last census, in 1953, when more than fourteen and a half million citizens had chosen to identify themselves as belonging to one of the faiths and only two million had left the rubric blank. Thus, even though in the two years since the relaxation of administrative measures, religious life had to a certain extent become depoliticized, "It is significant that a large number of our citizens still feel as members of one of the religious communities." Lest the regime be lulled into a false sense of security, Radosavljević warned that the census "shows that in terms of problems with religious feelings of the masses we will continue to have difficulties for a long period of time."²⁹⁶ Essential to battling religiosity was not only the continuation of efforts to support pro-regime clerics in order to neutralize the work of those who were unsympathetic to the socialist order, but also the intensification of economic development since poverty, according to Radosavljević, was the main reason people turned to religion.

²⁹⁴ Following Tito's split with Stalin and Yugoslavia's expulsion from the Cominform in 1948, the Yugoslav regime gradually loosened many repressive, anti-religious measures, and moved towards de-centralization of power, culminating with the self-management system which became enshrined in the 1953 Constitution. The Constitution reduced (theoretically at least) the role of the Communist party in the society by describing it more as a guiding, as opposed to coercive, force. In addition, self-management became the regime's mantra as economic and political power was transferred to workers' collectives, municipalities, and republics and away from the federation. The process finally culminated almost 20 years later when the 1974 Constitution de-centralized Yugoslavia to such an extent that many scholars spoke of it afterwards as a confederation of semi-independent republics, rather than a centralized federal system as it had been in 1945.

²⁹⁵ KVP, "Stenografske zabiljeske sa sastanka Odbora za unutrašnju politiku Saveznog Izvršnog Vijeća," 13 December 1955, p. 3, ABiH.

²⁹⁶ Ibid., 4.

Not everyone at the meeting, however, shared this orthodox Marxist view. For Aleksandar Ranković—the Vice President of the Federal Executive Council and the chief of the feared secret police or *UDBA*—the census had revealed a false picture of religiosity because it had been flawed. In particular, Ranković objected to the decision to include the category of “confessional affiliation” in the census:

I think that the data on the confessional affiliation, which Comrade Bobi [Radosavljević] presented on the basis of the census, cannot be considered to represent the reality. Nevertheless, it should not be important to us whether individuals feel members of this or that church or if they are religiously predisposed, if they have religious feeling or not. I think the most important point is that in those forms used for the census we should not have included that rubric in the first place because by introducing it we forced people into a dilemma as to what they should say and it was easiest for them to simply say they are Catholics or Orthodox.²⁹⁷

This extraordinary statement reveals Ranković’s (in)famous administrative bent, an insistence that religiosity could simply be decreed away by government fiat. In other words, it was the government’s inadequate classification that had made people embrace the traditional religious identities. That Tito himself shared the same opinion became clear at the Second Plenum of the Central Committee of the Yugoslav League Communists in 1959 when he declared that in their struggle to keep religion a private matter of individuals, Communists were to strive to have the “confessional affiliation category” removed from the census questionnaires.²⁹⁸ Hence, the category was dropped from subsequent censuses. In fact, the demographer Ruža Petrović would complain in the late 1960s that the decision to omit religious identity from federal censuses had made it extremely difficult to study the phenomenon despite the fact that “religion has become so embedded in the religious moment that even today the two

²⁹⁷ Ibid., 16.

²⁹⁸ Cvitkovic, 103-104.

are synonymous in social relations.”²⁹⁹ It seems that the pronouncements about the waning of religious feeling in 1955 may have been premature.

Despite growing evidence to the contrary, however, many state officials remained optimistic throughout the 1950s that the masses had been progressively moving away from religious affiliations. At the meeting of the Federal Commission for Religious Affairs on 18 October 1958, a member of the Commission’s Croatian branch, Josip Gržetić, tried to dispel any notion that the increased activity of the Catholic Church in his Republic was a reflection of increased religiosity of the Croats: “The number of believers is in no way increasing...because to a large extent our man has evolved, even the little guy.” If people were attending religious ceremonies in larger numbers, Gržetić argued, this was because “our man is inclined to stop by those gatherings for a glass of drink and something to eat.” He urged the government to be more aggressive in preventing church organizations from serving alcohol and food at their meetings.³⁰⁰ At the insistence of the Commission member from Slovenia that the Slovenian Catholic Church had been intensifying its activities, which have resulted in some 20,000 people attending one of their gatherings, the chief of the Federal Commission Dobrivoje Radosavljević insisted that they attended “not because of the Vatican, but in order to eat, drink, and dance.” He reminded his Slovenian colleagues that in Serbia thousands of peasants come to ostensibly religious gatherings, but noted that “This is not a manifestation of religious life.” Radosavljević would not allow that Slovenia, as a place “with most progressive social relations,” a place that had become a model “to which we aspire,” had remained deeply religious.³⁰¹ After the Commission Secretary Miloje Dilparić suggested that teachers be deployed to villages so that they could “sober people up from their religious illusions,” Radosavljević reminded his colleagues that it

²⁹⁹ Petrović, 26.

³⁰⁰ KVP, 01-175/1, 18 October 1958, ABiH, 12.

³⁰¹ Ibid., 72.

was the politicization of religion and not religious feelings of individuals as such that was a threat. State policy was to “liquidate” political activity of religious organizations, but “not faith as faith, not religion itself, because religion is a long-term problem.”³⁰² Similarly to the 1955 meeting, optimistic pronouncements about the atheization of the Yugoslav society contained a not-so-veiled admission of the continuing religiosity of Yugoslav citizens.

Although Dobrivoje Radosavljević would boast at the 1958 meeting that the regime had managed to “stuff religion into church,”³⁰³ there is evidence that the efforts to confine religious activity to increasingly limited space, where it could be monitored, had caused a backlash from the populace. By the end of the decade, the Bosnian Commission for Religious Affairs had received numerous reports of clashes between clerics from all three denominations and local Communist officials over religious instruction in school. What is significant about these reports is not that these incidents happened—as Communist officials rarely hid their hostility towards organized religion—but that in most cases the local population had stood behind the clerics. As early as 1945, the Yugoslav federal law protected religious instruction in public schools, but made it an elective, rather than a mandatory subject as it had been before the war. It was relegated to the last class of the school day and children could attend only if both parents agreed. Religious teachers had to be certified by the state, which investigated every potential instructor to make sure his “attitude during the War of National Liberation was not in conflict with the interests and goals of our struggle.”³⁰⁴ Those instructors who had taught religion before the war as state employees were to be paid by the state while those licensed after the war had to be paid from the coffers of their religious community. Although the state would control the licensing and employment of religious teachers, the law did not mandate that it find a religious instructor

³⁰² Ibid., 73.

³⁰³ Ibid., 72.

³⁰⁴ KVP, 5794/45, Ministarstvo Prosvjete Narodne Republike Bosne i Hercegovine, 11 October 1945, ABiH.

for each faith, noting that in cases where an instructor could not be located it was to be explained to students and their parents that “this is not the fault of the school director or the authorities.”³⁰⁵ The formal protections of the law notwithstanding, many local school and police officials strove to keep religion out of public schools.

These efforts often backfired resulting in incidents whose repercussions sometimes reached Tito himself. In one such case, a Catholic priest near the town of Bihać wrote a letter to Tito, pleading for him to stop the local elementary school teachers from harassing children who attended catechization. Reminding the President that the right of catechization was protected by law, the priest complained that the teachers were threatening religious children with afterschool detention and bad grades if they continued to attend religious classes. After being asked to investigate the matter, the secret police, or *UDBA*, reported that the priest’s accusations were unfounded as they were based on his antipathy towards the state, but acknowledged that the local Catholic population was supportive of him: “He has truly found support amongst the faithful and the members of the church committee because the people of the Zavalje county are extremely religious and most of them have Ustasha sympathies.”³⁰⁶

In another case, an *imam* from a village near the Bosnian town of Prijedor complained to his superiors at the *Ulema medžlis* that the director of the local elementary school had been preventing children from attending *mekteb*, Islamic religious classes, while another teacher had instructed the children who regularly attended them to disrupt *imam*’s classes by shouting “you lie.” At a parent-teacher meeting at the school, the tensions escalated into an all out shouting match between the parents who wanted their children to attend the *mekteb* and the school director. After the Commission inquired about the incident, the village’s People’s Committee

³⁰⁵ Ibidem.

³⁰⁶ KVP, 211/58, 01/3-1089/1, 1, ABiH.

accused the *imam* of organizing a lobbying effort to induct as many children as possible into the *mekteb* all with the purpose of “infiltrating extreme nationalist thinking into the heads of believers and their children.”³⁰⁷ During a meeting between the *imam* and the school director, the latter remained unapologetic insisting that the whole affair had started because the *imam* “was uncomfortable that in school, we teach the kids to be atheists.”³⁰⁸ Although the *imam* apologized to the director for the misunderstanding—which was not surprising given the fact that the meeting had been organized by the local People’s Committee—in his letter to the *Ulema medžlis* he insisted that the parents had remained strongly supportive of his efforts: “[At the parent-teacher meeting] the parents were prepared to come out and say their piece. And that’s how it was. Parents, particularly women, shouted and whistled at the teachers for the entire two hours after the latter had spoken out against religious instruction.”³⁰⁹ By the mid 1960s, incidents like these led many party officials to acknowledge that twenty years after the beginning of the secularization campaign, many Yugoslavs had remained deeply religious.

The realization that despite economic progress religion had for the most part retained its hold on people caused a fair amount of soul searching on the part of the Commission officials. The stenographic record of the Commission’s meeting in Mostar in September 1965 reads more like an exercise in self-criticism than a series of euphoric pronouncements about the inevitable end of religion, as it had been the case during previous meetings. The main topic on the agenda was the increase in the activity of the Catholic Church in western Herzegovina, a development which had one Commission member concerned that it was atheists who had to be protected

³⁰⁷ KVP, 55/58, 01-2849, 3, ABiH.

³⁰⁸ Ibid., 14.

³⁰⁹ Ibid., 8.

“even if they only make up 5%.”³¹⁰ The Commission member Ismet Kreso regretted that some party officials had approached the religious phenomenon with strict formalism without comprehending its significance for many villagers. In particular, he complained that many active and loyal members of the Party had been expelled in some areas simply for attending religious funerals even when they did so out of respect for their religiously-oriented community. Kreso argued that religion was “a manifestation of a thousand-year long sedimentation of illusions”³¹¹ that could not be willed away by administrative measures. By employing the latter many Communist officials had caused a considerable harm to state-church relations and further deepened locals’ suspicion towards the regime. Kreso still remained optimistic about the ability of socialism to trample over religious “backwardness” with its arsenal of economic development and scientific innovation. Rationalism had already been accepted by many citizens as was evident by the Church’s panic over the increasing number of civil marriages and the failure of many Catholics to baptize their children. He argued that until that happened, however, party activists should not treat religion as an obstacle to the development of socialism.³¹²

Joining Kreso’s criticism of the party’s overzealous and bureaucratic approach to religion was Esad Ćimić, considered as the party’s official theoretician of religion, noting that any new policy had to be based on the realization “that the religious phenomenon is permanent, that it has a long-term perspective, and that we have to make peace with the fact that this phenomenon will continue to persist on the Herzegovinian soil for a long, long period of time...”³¹³ Ćimić scolded some party activists who had used protection of atheists as an excuse to wage a repressive campaign against religion and warned that any new approach had to be much more nuanced and

³¹⁰ KVP, “Zapisnik sa savjetovanja o “Odnosima Drzava-RKC u Hercegovini,” 20 September 1965, Mostar, 14, ABiH.

³¹¹ Ibid., 34.

³¹² Ibid., 35.

³¹³ Ibid., 47.

sensitive. In what amounted to an explicit rejection of the party's previous attempts to divorce religion from nation, he pointed out that his research in Herzegovina had proved "that religion and nation are synonymous," a finding that made a sensible approach to religion ever more important. For Ćimić, religion was inextricably linked to the economic and interethnic relations in the country and as such, it necessitated a policy that would be based on scientific research rather than knee-jerk overreactions of some party activists.³¹⁴ Most Commission members agreed that the latter was a result of a fragmented state policy and they entrusted Esad Ćimić with writing a book which would be a manual for a more coherent approach to religion.

Esad Ćimić's manifesto, *Religion and the League of Communists*, could be read as an effort to change the image of the party as one that was hostile to religion and instruct its activists how to involve the believers in the building of socialism. The main thrust of the work was the argument that the Socialist Associations—which were Communist-led, countrywide organizations of citizens, dating back to the Partisan War of Liberation—were not an exclusive domain of atheists, but were also open to believers whose faith should never be seen as an obstacle to the building of socialism. Admitting that in the past, party activists who led these associations had often alienated believers, Ćimić urged that in the future, such leadership positions be entrusted to the faithful. He warned the party against spreading atheism as a matter of state policy, predicting that this would only lead people to further embrace religion. The seeming increase in religiosity in the past few years Ćimić attributed not to any change in the way people actually felt, but to the democratization of the Yugoslav society and the abandonment of the etatist policies.³¹⁵ Citing Marx, he insisted that the extinction of religious

³¹⁴ Ibid., 54.

³¹⁵ Etatism or statism in this case implied the policy of administrative, political, economic, and cultural centralization which had been abandoned at the 8th Party Congress in 1964 with the adoption of a much more decentralized system. According to many historians, the culmination of this decentralization was personified by the

devotion would come about as a natural consequence of successful development of socialism and not through the imposition of antireligious laws. Remarkably, Ćimić lumped overzealous atheists in the same category as the believers who worked actively against socialism:

The enemies of socialism want to divide us on the basis of religion...and nation and most recently some activists have tried to divide people into believers and atheists which is damaging not only because it is inhumane but because it ignores the political reality.³¹⁶

Accepting the political reality meant dealing sensitively with the continuing religious devotion even among some Communist League members. For example, Ćimić echoed Lenin's insistence that party members could not be believers, but emphasized that "it was extremely important" to adopt "an elastic approach" which would distinguish between those party members who were believers in the philosophical sense and those who attend religious ceremonies for the sake of conformity with their community. As to the methodology the party could use in distinguishing between the two types, Ćimić only advised that each case be considered on an individual basis with most weight given to the individual's contributions to the development of socialism rather than their formal adherence to a religion.³¹⁷ The latter distinction, between formal and philosophical embrace of faith, echoed one made by the Commission President Radosavljević back in 1955, when he ascribed Serbian peasants' attendance of church activities to their love of food, drink, and dance, but Ćimić's manifesto included an unprecedented concession to organized religion: a call for its participation in the political process.

ousting of Aleksandar Rankovic in 1966, Tito's Vice President, and the feared chief of the secret police who had become a symbol of a repressive, centralizing state apparatus. His removal signaled that Tito himself embraced the decentralizing reformists.

³¹⁶ Esad Ćimić, *Savez komunista i religija*. (Beograd: Komunist, 1969), 33.

³¹⁷ Ibid., 39-40.

Embracing the Nation, Pathologizing Mixed Marriage

There are cases in our country where people are afraid to say they feel Yugoslav. I think this is because Yugoslavism is often confused with the state, which is wrong. I have to say that in the last few days I have received a lot of letters concerning this matter. And they were mostly from children. Children understood what I had been saying. One little girl from Slovenia, a student in fourth or fifth grade, whose father is Slovenian and mother Macedonian, wrote to tell me how happy she was that she can say that she is a Yugoslav. See my dear comrades, a child wrote this in her own handwriting. This goes to show how absurd it is to force someone to be a member of one nation, be it Serb, Croat, Slovenian. It is as absurd as it would be stupid to ask someone to give these [identities] up.³¹⁸

Tito spoke these words to a group of reporters in 1963 not as an argument “for the creation of a supranational, Yugoslav identity,”³¹⁹ as the historian Predrag Marković would have it, but rather as a wistful defense of its possibility in the face of an ever growing assault on Yugoslavism emanating from the highest circles of the Yugoslav League of Communists. Tito’s defensive statement was a nostalgic invocation of a could have been as he anticipated his party’s unforgiving abandonment of the idea, a path onto which he himself would be pushed two years later however reluctantly. The fact that not even a decade after Tito spoke these words the party’s chief theoreticians would come close to forcing “mixed” Yugoslavs into national rubrics speaks of the remarkable transformation of the country’s identity in the span of a decade.

The historiography of socialist Yugoslavia has comprehensively analyzed the economic, political, and cultural factors that led to the abandonment of Yugoslavism in the 1960s, but it has not addressed the question of how this affected mixed marriage. By 1960 the regime could boast of raising the country’s GDP by 191.7% since the end of World War II³²⁰ but the price of this

³¹⁸ *Govori i članci*, vol. XVIII, 73-90 quoted in J. Predrag Marković, “Višestruki identitet u bivšoj Jugoslaviji: Slučaj istorije mešovitih brakova,” 58 in Thomas Bremer, ed. *Religija, društvo i politika: Kontraverzna tumačanja i približavanja*. (Bonn: Wissenschaftliche Arbeitsgruppe für weltkirchliche Aufgaben der Deutschen Bischofskonferenz, 2002), 54-64.

³¹⁹ Ibidem, emphasis mine.

³²⁰ John B. Allock, *Explaining Yugoslavia*. (New York: Columbia University Press, 2000), 83.

economic growth was the increasing discrepancy between the richer, northern republics (Slovenia and Croatia) and the poorer, southern republics, particularly Bosnia-Herzegovina, Serbia and the autonomous province of Kosovo.³²¹ The decentralization of political power in 1952 following Tito's split with the Soviet Union and the introduction of the self-management system meant that once the economic growth became a recession in 1961 each republic had its own separate Communist leadership to represent its interests at the federal level. As Pedro Ramet's classic study of Yugoslav federalism has shown, by the 1960s the Yugoslav federation increasingly resembled a balance of power system with each republic acting as a separate state, coordinating alliances with other republics, and competing with the federal government.

The deteriorating economic situation led to what Dennison Rusinow has termed "the great debate" within the party, between the conservatives, who advocated the reversal to centralization and greater Party control, and the liberals who called for an even greater diffusion of state power away from Belgrade and down to local enterprises. The 1963 Constitution represented a definite victory of the liberals over the conservatives as it further weakened the federation and empowered republics in numerous ways, most importantly through the creation of a Federal Assembly composed of chambers with deputies elected from the republics in order to represent republican, not federal, interests. In further moving away from planned economy, the reforms also abolished the General Investment Fund, the federal agency that allocated investment capital, and transferred major financial obligations to republican-based banks.³²²

Further exacerbating tensions was the rise of a new generation of Communist leaders who had been born after World War II and were not as invested in the memories of the Partisan

³²¹ Rusinow, 111-112.

³²² Allcock, 79-81.

War of Liberation as Tito's inner circle and were more likely to challenge the old guard.³²³ It was in this state of cultural, economic, and political flux that Yugoslavia greeted the 1960s, the decade which would redefine the country's identity.

It was Edvard Kardelj, the regime's theoretician-in-chief, who first set the ground for the party's definite break with Yugoslavism by revising Stalin's approach to nationalism encapsulated in the motto "national in form, socialist in content." In the second edition of his work on the national question in 1957, Kardelj remained true to his Marxist roots in attributing the emergence of nation to the "social division of labor in the epoch of capitalism," but seemed to lower the expectation that socialism could do away with nations: "The unity of all nations of Yugoslavia is possible only on the basis of *independent* national development and equality of all nations of Yugoslavia."³²⁴ Nation may have developed during the initial stages of capitalism but it would remain essential for the development of the Yugoslav style of socialism. Kardelj elaborated on this during the Yugoslav League of Communists' 8th Congress in 1964 when he explicitly broke with Stalinist formalistic view of nation—which implied its temporary character—by arguing that the "foundation of interethnic and economic relations [in Yugoslavia] is certainly economic independence of *each nation* that enables it to produce and allocate its resources independently in creating the material basis for the development of its own culture and civilization."³²⁵ Although nation was here to stay Kardelj left open the possibility that the Yugoslav nations would participate in "the general global process of amalgamation of nations" triggered by the ever increasing economic interdependence, technological progress, and the inevitable retreat of "that which is narrow-minded and nationalist in the face of that which is

³²³ Rusinow, 144.

³²⁴ Edvard Kardelj. *Razvoj slovenačkog nacionalnog pitanja*. Translated by Zvonko Tkalec. (Beograd: Kultura MCMLX, 1957), 52, emphasis mine.

³²⁵ 8th Congress, SKJ, 7-13 Dec. 1964. (Beograd: SKJ, 1964), 115.

universally human.”³²⁶ With this, Kardelj seemed to echo the sentiment popular in Europe at the time, and which inspired the creation of the European Union, which saw economic cooperation as the best way to tame excesses of nationalism by drawing nations into relationships of interdependence. Incrementalism may have been a revolutionary doctrine for reordering the German-French relations for example, given the historical enmity of the two nations, but when applied to Yugoslavia, where the Communists had promised to demolish the “Chinese walls” between the nations, it signaled a substantial lowering of expectations.

Kardelj’s revision also seemed to leave no room for a spontaneous emergence of a Yugoslav national feeling amongst the people as he branded such notions as expressions of “chauvinism” and “bureaucratic-centralist tendencies,”³²⁷ a reference to Stalinist statism. He argued that although the new global processes would change both the “cultural and economic” nature of nation, to insist on the possibility of a Yugoslav nation was tantamount to negating “national specificities of cultures,” and was an attempt at “forced assimilation of small nations.”³²⁸ As Dejan Jović has argued, Kardelj’s denunciation of Yugoslavism was a result of the regime’s efforts to distance themselves from both, the Soviet Union style of centralism, and the interwar version of Yugoslavia in which Yugoslavism had been the official state ideology.³²⁹ Despite his passionate plea on behalf of mixed marriage Yugoslavs in 1963, by the 8th party congress Tito himself had adopted Kardelj’s contempt for the idea of a Yugoslav nation, stating in his opening remarks:

...there are people out there, even some Communists...who believe that in our socialist society nations have outlived their use and need to wither away. They

³²⁶ Kardelj, 48.

³²⁷ Ibid., 41.

³²⁸ Ibidem.

³²⁹ Dejan Jović, “Yugoslavism and Yugoslav Communism: From Tito to Kardelj,” In Dejan Djokić, ed. *Yugoslavism: Histories of a Failed Idea, 1918-1992*. (University of Wisconsin Press, 2003), 157.

confuse the unity of our nations with the liquidation of nations and the creation of something new and artificial, a single Yugoslav nation, which resembles assimilation and bureaucratic centralization, unitarism and hegemony.³³⁰

Following Tito's speech, speaker after speaker denounced both "chauvinistic" nationalism and assimilationist Yugoslavism and echoed the belief in Yugoslavia as a haven for the unfettered development of all nations, which were brought together on the basis of their devotion to socialism. As Jovic has persuasively argued, the abandonment of Yugoslavism entailed the exclusive emphasis on socialism as the only glue holding the state together. In fact, Jovic insists, for Kardelj Yugoslavia was nothing more than a way to achieve a perfect socialist society, as he saw it, while for Tito, socialism was the way to achieve Yugoslavia.³³¹ According to Paul Shoup, the Party's move away from Yugoslavism "was a personal defeat for Tito, perhaps the most serious the Yugoslav leader experienced in the field of national policy."³³² Jovic notes that Kardelj's own move from Belgrade back to Ljubljana in the early 1970s personified the regime's disenchantment with the Yugoslav idea.³³³

Following the 8th Congress some in the party thought that the pendulum on the national question had swung too far away from unitarism and they called for a stronger emphasis on socialist unity even if it was not based on the disappearance of nations. This sentiment was particularly widespread amongst the Bosnian Communists who at their 4th Party Congress in 1965 expressed anxiety regarding the deteriorating ethnic situation in the country. For example, the prominent Bosnian Communist Esad Ćerić echoed the party line in negating the existence of a Yugoslav nation "in the classic sense," but insisted that "when it comes to Yugoslavism as an expression of unity of our socialist Yugoslav community, we have to take particular care to

³³⁰ 8 Kongres, 38.

³³¹ Jovic, 171-172

³³² Shoup, 191.

³³³ Jovic, 174.

cherish it because this community is how equality, brotherhood and unity of our peoples can ever be achieved.”³³⁴ In his defense of those who considered themselves Yugoslav there was more than a hint of criticism of the official party line: “anyone can say that they are Yugoslav-nationally undeclared. When it comes to the question of Yugoslavism in the sense of being nationally neutral we cannot prohibit this let alone encourage it. This is the ultimate question of freedom—a matter of individual choice.”³³⁵

His call, however, was not heeded. Two years later during internal party discussions about the next census, scheduled for 1971, there was a suggestion that the category “Yugoslav” be completely removed. At the meeting of the Central Committee of the Bosnian League of Communists in April 1967, a representative from the Banjaluka region wondered aloud why there had been so much criticism of Yugoslavs, which numbered 42,000 in his district and hailed from all nationalities. He worried that some Communists had been swayed by conservative beliefs of the past and held up Yugoslavs as examples of firm belief in socialist brotherhood and unity, asking the party to consider adding a Constitutional amendment which would protect their status.³³⁶

Worries about increasing ethnic tensions prompted some at the 4th Congress of the Bosnian League of Communists to call for greater inter-republican cooperation which would help stimulate Yugoslav socialist patriotism. Milorad Popović lamented the behavior of most enterprises who conducted more business abroad than with enterprises from other republics and insisted that Yugoslav self-management implied “the overcoming of territorial boundaries” between the republics.³³⁷ Milena Joksimović from Sarajevo expressed her shock at the complete

³³⁴ IV Kongress SKBiH. (Sarajevo: Oslobodjenje Press, 1965), 55.

³³⁵ Ibidem.

³³⁶ XII SJEDNICA, CKSKBIH. (Sarajevo: NP Oslobodjenje, 1967), 64-66.

³³⁷ IV Kongres, 191

fragmentation of Yugoslavia's educational system, noting that each republic had its own curriculum, which made it extremely difficult for students to transfer from one republic to another.³³⁸ Implicit in these complaints was an anxiety about the lack of concrete steps to encourage inter-ethnic cooperation following the abandonment of Yugoslavism.

Based on the blunt assessments many Bosnian Communists provided regarding the ethnic situation in the country during the second half of the 1960s, this anxiety was well founded. At the 4th Congress of the Bosnian League of Communists, Dr. Ibro Arnautović from the University of Sarajevo plead with his colleagues to form a unified front in dealing with nationalism, pointing out that the ethnic situation had deteriorated to such an extent that there were nationalist grumblings even at the university over perceived ethnic slights in professorial appointments.³³⁹

Esad Ćerić reported on the increasing opposition to mixed marriage in some areas:

The intensive process of coming together of people from all nationalities in their working environments, self-managing enterprises, while living together in mixed and urbanized areas, of ever increasing communications between them including mixed marriages, has provoked amongst some conservative and nationalist elements sporadic reactions. All of this makes this process more complicated and asks of us Communists more work and more thorough study of the problem; a more elastic, tolerant, but at the same time energetic, approach depending on the nature of each individual problem. The widespread view which equates religious with national belonging in Bosnia-Herzegovina makes this an even more complicated problem.³⁴⁰

The statement was tantamount to an admission that the secularization policy had failed. In addition, instead of healing ethnic tensions urbanization had often exacerbated them by provoking a counter-reaction by more nationally-minded citizens. Indeed, some recent demographic studies have shown that while postwar urbanization of Bosnian cities did lead to the emergence of more ethnically mixed neighborhoods, it could also reinforce ethnic

³³⁸ Ibid., 339.

³³⁹ Ibid., 349.

³⁴⁰ Ibid., 52.

homogenization. For example, Dervo Vajzović's comprehensive study of Mostar's urbanization noted that despite the city's impressive growth in the postwar period, characterized by increasing population density, the growth of suburbs, and lively economic activity, many emerging, industrially robust neighborhoods remained ethnically homogenous. Thus, out of the fifty-seven neighborhoods of the Mostar district, with the exception of the city's urban core, thirty-three were ethnically homogenous and twenty-four were ethnically heterogeneous. Using these figures Vajzović concludes that the "[r]ule which says that national heterogeneity is greater in more developed spaces, which are centers of industrial production, with a higher level of urbanization, while rural areas or some of their parts remain nationally homogenous has not been completely confirmed by the cases of some neighborhoods in the Mostar district."³⁴¹ Even when mixed, these industrial neighborhoods did not necessarily symbolize the success of socialist policies as was shown by the worries of party officials that some mixed neighborhoods were witnessing a rise in ethnic tension over claims of ethnic bias in hiring, urban planning decisions, scholarship and welfare distribution. At the 4th Congress party officials like Esad Ćerić pointed out that these complaints notwithstanding the authorities were taking great pains to ensure ethnic equality, insisting that the employment numbers in Bosnia-Herzegovina closely reflected the republic's ethnic demography.³⁴² Ethnic problems were grave enough to compel the Bosnian Communists to adopt a resolution which explicitly rejected the notion that the national question had been solved: "Unacceptable are also the claims that the question of interethnic relations is no longer relevant in our society."³⁴³

Despite official proclamations about the strength of Yugoslav socialism, by the end of the decade the Communists seemed to be losing their grip on ethnic tensions which had turned

³⁴¹ Dervo Vajzović, *Stanovništvo Mostara, 1879-1991*. (Široki Brijeg: Suton, 2005), 95.

³⁴² IV Kongres, 53-54.

³⁴³ Ibid., 57.

violent in some areas. During a meeting of the Bosnian League of Communists in 1968, convened to deal with the crisis, the officials discussed the deterioration of Croat-Muslim relations in the village of Kiseljak near Sarajevo where two Muslims had been killed in a brawl with a group of Croats, an incident that was followed by vows of revenge from both sides. While partly attributing the incident to unsettled property rights in the village, the officials acknowledged that the tensions in the village dated to World War II and blamed increased activities of the clergy for the religious polarization. Particularly worrying was the fact that ethnic division had infected local Communists. For example, after a group of Croats had clashed with a group of Muslims in the village of Crnići near the Herzegovinian town of Stolac, the local Communists became divided along the ethnic lines in deciding on how to respond to the incident. In another Herzegovinian town, Nevesinje, the authorities had recorded twenty-three nationalist incidents during the previous year, most of which were reports of individuals or groups singing Chetnik or Ustasha songs, praising nationalist figures, or saying offensive things about other nationalities. In Bosanska Kostajnica a Serb man had been killed and when the police failed to find the culprit there emerged a saying amongst the Serbs that “had a Serb killed a Turk he would have immediately been sent to jail.”³⁴⁴ In some areas, there were grumblings among the population that with “mixed national demography it was impossible to value work and develop self-management.”³⁴⁵ Remarkably however, in what seemed more like wishful thinking than a factual statement, the officials at the meeting concluded that “despite these sporadic phenomena and these primitive passions and conflicts, caused mostly by interference by some external

³⁴⁴ *Republičko savetovanje o nekim obilježjima političke situacije u Bosni i Hercegovini*. (Sarajevo: Centralni komitet Saveza Komunista Bosne i Hercegovine, 1968), 333.

³⁴⁵ *Ibid.*, 331.

carriers of chauvinism, national relations in our Republic are more favorable than ever before.”³⁴⁶

That nationalist sentiment had indeed spread through the highest ranks of republican Communist parties became clear in the so-called Croatian spring crisis, which culminated in the fall of 1971. The beginning of the crisis dated to the mid 1960s when major Croatian newspapers openly accused Serbian firms of unfairly profiting from the Croatian economy, complained that Belgrade had been hoarding Croatia’s foreign currency, and criticized federal government’s distribution of aid to the underdeveloped republics. In 1967 the tensions escalated when a group of prominent Croatian intellectuals and writers published the “Declaration on the Status and the Position of the Croatian language” in which they complained that the Croatian language had been relegated to a dialect and pushed out of state institutions in favor of Serbian. The Declaration eventually led *Matica Hrvatska*, Croatia’s most prominent cultural institution, to pull out of the Novi Sad Agreement, a joint Serbo-Croatian effort to come up with a dictionary which would combine the two dialects. The revival of Croatian nationalism triggered a counter-reaction amongst the Serbian population in the republic with the increasing calls for Serbian autonomy in Croatia. Most disturbingly for Tito, the Croatian Communist Party succumbed to the nationalist pressure and ousted from its ranks the opponents of the movement, openly embracing many of the nationalist demands. For more than three years, Tito and the federal government reacted to the spread of the Croatian mass movement (*Maspokret*) with little else than expressions of concern, but decided to act in the autumn of 1971 after Tito had complained that Croat-Serb tensions in some areas of Croatia resembled the dark days of 1941. Although some ten thousand Croatian Communists were purged, including the republic’s top leaders, and hundreds were arrested, many scholars have argued that the Constitution of 1974 represented

³⁴⁶ Ibid., 316.

federal government's concession to many of the movement's demands.³⁴⁷ As one such scholar has pointed out, the Constitution diluted the power of the federal government to such an extent that it transformed the country into a confederation, making a complete disintegration of the state highly likely.³⁴⁸

The Yugoslav lurch away from integrative and towards exclusive national identities was also evident by the decision of the League of Communists to recognize the Bosnian Muslims as a nation. The party's approach to this question had been as torturous, ambivalent, and contradictory as its attitude towards Yugoslavism. In the midst of World War II many Partisan leaders, including Ranković, echoed the interwar belief that the Bosnian Muslims were in fact Serbs who still had to be made aware of their national belonging.³⁴⁹ Writing from the Partisan trenches in 1942, Veselin Masleša noted that while the Bosnian Muslims had no national attributes he acknowledged that the Muslims had been endangered in interwar Yugoslavia and promised that in a socialist Yugoslavia they would be guaranteed equality.³⁵⁰ Although after assuming power the Communist regime preserved Bosnia-Herzegovina as a single republic, resisting calls for a Serbo-Croatian partition, the ambiguity of the official policy towards the Bosnian Muslims was reflected in the constantly changing census rubrics under which they were supposed to identify. Thus, in the 1948 census they could either declare themselves as Serb, Croat or undeclared while in the 1953 census, the category of "Yugoslav undeclared" was introduced as an alternative to Serb and Croat. The census of 1961 was the unofficial beginning

³⁴⁷ For an excellent summary of the Croatian spring see Pedro Ramet, *Nationalism and Federalism in Yugoslavia, 1963-1983*. (Bloomington: Indiana University Press, 1984), Chapter 7.

³⁴⁸ Robert M. Hayden. *Blueprints for a House Divided: The Constitutional Logic of the Yugoslav Conflicts*. (Ann Arbor: University of Michigan Press, 1999), 141-142.

³⁴⁹ Ramet, 145.

³⁵⁰ Veselin Masleša, "Muslimansko pitanje," *Vojno-politički pregled*. Br, 7, 1942: 18-28. In *Dela*, II, (Sarajevo: Svjetlost, 1954): 148-166.

of the campaign to legalize the Bosnian Muslim nation because for the first time “Muslim in the ethnic sense” appeared on the form.³⁵¹

That the foggiest of the party’s position on the matter began to dissipate starting in 1961 was not coincidental. By this time, a new generation of Bosnian Muslim Communist leaders had emerged in Bosnia-Herzegovina as became evident with the rise of the Mostar politician Džemal Bijedić to the Presidency of the Federal Executive Committee, the position second only to Tito’s. The idea of the Bosnian Muslim nation was also promoted by Atif Purivatra, a Bosnian Muslim theoretician with an unblemished record of party loyalty, who helped legitimize the idea within the highest party circles. Recently, the historian Husnija Kamberović has argued that the party was compelled to make this move also in order to take the steam out of the increasingly active Islamic religious establishment and reposition itself as the leader of the Bosnian Muslims.³⁵² The ultimate success of the campaign, however, was inextricable from the Croatian spring crisis whose radicalization led for some in Croatia to call for the annexation of parts of Bosnia by Croatia, a development that Pedro Ramet described as Croatia’s “declaration of war” on Yugoslavia.³⁵³ Recognizing the Bosnian Muslims as a separate nation was thus meant to prevent any potential rivalry between Croatia and Serbia over the republic and further cement the federal system. On 17 May 1968, soon after the Croatian activists had published the Declaration on the Croatian language, the Central Committee of the Bosnian League of Communists adopted a declaration of its own: “History has shown the destructiveness of different forms of pressure for Muslims to declare themselves as Serbs or Croats given the fact that it was revealed much

³⁵¹ Ramet, 148. The formulation was meant to distinguish the Bosnian Muslims from the Muslims living in other parts of the country.

³⁵² Husnija Kamberović, “Bošnjaci 1968: Politički kontekst priznanja nacionalnog identiteta.” In *Rasprave o Nacionalnom Identitu Bošnjaka. Zbornik Radova*. Husnija Kamberović, ed. (Sarajevo: Institut za Istoriju, 2008). 73.

³⁵³ Ramet, 133.

earlier, and confirmed in our socialist system, that the Muslims are a separate nation.”³⁵⁴ The census of 1971 was the first time the rubric “Muslim” appeared on the questionnaire without any caveats.

The national revivals and the concomitant fragmentation of the Yugoslav League of Communists into republican-based, national parties entailed a revamping of the country’s very identity, a process that marked mixed marriage, for the first time since the 1930s, as an issue to be discussed. Following the legitimization of the Bosnian Muslim nation in 1968, the Bosnian Communist intellectual Salim Ćerić wrote a pamphlet which amounted to a forceful attack on Yugoslavism. Ćerić argued that while the roots of the Yugoslav movement had been progressive, because it originated as a well-meaning effort to unite the South Slavs and liberate them from the imperial yoke, by the end of the Second World War the idea had shed its progressive façade. In attributing the failure of interwar Yugoslavia to irreconcilable cultural differences, rather than policies of the Serbian monarchy or economic underdevelopment, Ćerić countered the Marxist view of Yugoslav history that blamed the country’s failure on the squabbling of bourgeois, nationalist parties. In relegating economics to a matter of secondary importance he also openly rejected the argument of the first Secretary of the Yugoslav Communist Party Sima Marković who had claimed during the 1920s that economic development through socialism would lead to a merging of nations on the basis of common class interests. Instead, Ćerić insisted that nation was a “historical necessity” and lowered expectations regarding the capabilities of socialism: “The purpose of a socialist society is not to plan, create, and declare the existence of new nations. It is only to ensure [nations’] freedom and a

³⁵⁴ Iva Lučić, “Stavovi Centralnog komiteta Saveza Komunističke Jugoslavije o nacionalnom identitetu bosanskih Muslimana/Bošnjaka: između afirmacije, negacije, i konfesionalne artikulacije,” In *Rasprave*, 106.

development which would not threaten any one nation's interests."³⁵⁵ In his suggestion that the Yugoslav nations might have different economic interests under socialism Ćerić dismantled the country's *raison d'être* even more aggressively than Kardelj had done as the latter's rejection of Yugoslavism still entailed defining Yugoslavia as "an affirmation of common interests of [the working people of Yugoslavia] on the basis of socialist relations."³⁵⁶

According to Ćerić the main threat to Yugoslavia was no longer bourgeois nationalism, but a revival of Yugoslavism, a development which he partially attributed to mixed marriages. Because it necessarily implied assimilation of non-Slavs, contained the seeds of interwar Serbian hegemony, and triggered nationalist reactions, Yugoslavism was now "a new barrier between the nations of our country."³⁵⁷ Ćerić saw the embrace of a Yugoslav nation by many of the country's citizens not as evidence of the existence of such a nation, but rather as an illusion. For Ćerić socialism had been too successful in bringing Yugoslavia's nations together for it had inspired some to identify themselves as Yugoslavs, disregarding the consequences this would have for the long-term development of the country. Here, Ćerić singled out mixed marriages:

The emergence of a growing number of mixed marriages, particularly in nationally mixed areas, and as a result of the ever increasing economic and cultural communication and trust between our nations, revives the idea of Yugoslavism. In particular, when we ask ourselves to what nation do the children from these marriages belong, the answer that *imposes* itself most logically is that they belong to a Yugoslav nation.³⁵⁸

Mixed marriages thus became a problem in that their very existence had led to the revival of an ideology which Ćerić saw as detrimental to Yugoslavia's future. The Communists themselves had sowed the seeds of confusion, according to Ćerić, when they chose to keep

³⁵⁵ Salim Ćerić. *O Jugoslovenstvu i bosanstvu: prilog pitanju jugoslovenska nacionalnost ili jugoslovenski socijalistički patriotizam*. (Sarajevo: Oslobođenje, 1971), 100-101.

³⁵⁶ Kardelj, 53.

³⁵⁷ Ćerić, 32.

³⁵⁸ Ibid., 24-25. emphasis mine.

Yugoslavia as the name of the country and adopt “Hey Slavs” as the national anthem, disregarding all the non-Slav citizens. In addition, with their misconceived policy towards the Bosnian Muslims in the early postwar years, the Communists had forced many of them to declare themselves Yugoslav. Instead of allowing for the possibility that some may have genuinely *felt* Yugoslav, whatever that meant, Ćerić marked the identity as a social ill:

The loss of a connection with their own ethnic being, without finding a new one, created a moral and psychological vacuum of sorts in some members of this [Muslim] community. Consequently, some individuals exhibited asocial and destructive behavior. A huge number of these individuals then sought a solution by supporting the idea of a Yugoslav nationality, which has shown to be a shot in the dark.³⁵⁹

To feel Yugoslav was an affliction, a symptom of a social and psychological disorder caused by one’s alienation from one’s own nation. Although he expressed understanding for those who felt to be Yugoslav because they were in mixed marriages, Ćerić still felt that they were a part of the problem, which had to be explained and ultimately solved:

[In mixed marriages] there is a great tendency for both parents to direct their children towards that new, Yugoslav nationality. Our democratic society cannot and should not prohibit or qualify as negative this feeling. The best we can do in this case, and other cases, is to *try and explain to these people* the larger social meaning of modern development of nation but without commanding with their feelings and always respecting their behavior which stems from their feeling [of being Yugoslav].

His patronizing caveat about the need to respect the feelings of those in mixed marriages was impossible to reconcile with his insistence that being a Yugoslav was an historical as well as a psychological disorder, which threatened the very foundations of the state. How were mixed marriage parents supposed to feel free in declaring their children Yugoslav when Ćerić branded their identity “a petty bourgeois disbelief in the future of socialism” and insisted it was a sign not

³⁵⁹ Ibid., 90.

of cosmopolitan internationalism, but of “provincialism”³⁶⁰? He further escalated the pressure on mixed marriage by implying that for many Muslims it could put their national identity into a straightjacket:

A huge number of Muslim men (and women) married members of other nationalities at a time when there was a widespread belief that they were actually (or potentially) Serbs, Croats, Montenegrins, or Yugoslavs. If this assumption was of a particular importance for the spouse of the other nationality, then Muslim spouses may have problems in declaring themselves as such.³⁶¹

This ideologization of mixed marriage subtly echoed the interwar warnings of Muslim intellectuals and clerics about the danger mixed marriage posed to Muslim identity. Of course, as wearing religion on one’s sleeve was still strictly prohibited for party members, it was the nation that was seen as threatened. Ćerić’s branding of mixed marriages as *problems* for the Bosnian Muslim identity, just a few years after this identity was officially recognized, reflected the anxiety about its future at a time of homogenization amongst all of the country’s nations. Ćerić’s assault on Yugoslavism also ignored Tito’s warning from 1963 not to force people into national identities and showed the extent to which the federal power in the state had become eroded by the end of the decade. That Tito himself felt compelled to deny the prophecies about the inevitable collapse of Yugoslavia revealed how pervasive this anxiety might have been amongst the highest party circles. In his opening remarks at the Second Conference of the League of Communists in 1972, a few months after the end of the Croatian Spring crisis, Tito spoke of the state’s successful fight against nationalism and promised that Yugoslavia was here to stay:

I would like to state here in front of the entire world that it is really stupid to be talking about some crisis of ours, about how everything will fall apart. Yugoslavia is a strong community. Yugoslavia has a League of Communists with one million members... Thus, we cannot talk about some crisis of our social

³⁶⁰ Ibid., 31, 35, respectively.

³⁶¹ Ibid., 107.

system. The system moves courageously forward despite all the difficulties it encounters.³⁶²

Tito's effort to instill confidence in his party seemed to fall on deaf ears in the conference hall as presentations by his comrades bespoke of a dispirited, anxious, and exhausted party leadership. Many quoted the Bosnian Communist Veljko Vlahović in describing "a crisis of ideas" in the League of Communists. The Zagreb representative Marinko Grujić ascribed this crisis to the party's lack of ideological passion due to "pragmatism which corrodes the League of Communists, including its leadership structures."³⁶³ The representative from Tuzla Esad Horozić complained that the Communists had lost the battle of ideas and urged for a new Marxist offensive against theoretical works that had undermined party authority.³⁶⁴ The famous Bosnian Communist and the country's national hero Avdo Humo seemed to openly contradict Tito when he acknowledged: "we find ourselves in one serious situation which requires of us a sober and principled analysis."³⁶⁵ Dragi Stamenković blamed the country's predicament on the lack of a unified party policy in battling nationalism, the theme that was also echoed by the Zagreb representative who admitted that "the chauvinist forces and tendencies had become deeply ingrained in some areas of our city."³⁶⁶ In short, the Communists had redefined Yugoslavia by inserting so many caveats in front of its identity that they had downgraded their own role in the country's future.

There was a lone attempt by the Bosnian Communist theoretician and official historian Enver Redžić to come up with a more acceptable inclusive identity once Yugoslavism was relegated to the dustbin of history. An active participant in the War of Liberation and a recipient

³⁶² *Druga Konferencija Saveza Komunist Jugoslavije*. (Beograd: Komunist, 1972), 7.

³⁶³ *Ibid.*, 70.

³⁶⁴ *Ibid.*, 195-196.

³⁶⁵ *Ibid.*, 203.

³⁶⁶ *Ibid.*, 232.

of numerous medals for bravery, a committed Marxist, and a trained historian, Enver Redžić had held a number of prominent positions within the Bosnian Communist leadership, including the influential directorship of the Institute for the History of the Working Class movement, and had emerged as one of the official historians of the Partisan war. Uncomfortable with his party's enthusiastic embrace of national identities at the expense of more inclusive ones, Redžić argued that there was enough historical evidence to prove the existence of a Bosnian identity. During the discussions regarding the Bosnian Muslim nation in the late 1960s, he pointed out that there was no other case in the world where a nation was named after a religion and insisted that the Muslims of Bosnia should be allowed to declare themselves Bosnians (*Bosanci*). He traced the roots of the Bosnian ethnicity to the pre-Ottoman times when Bosnia's Catholics, Orthodox, and so-called Bogumils had all formed an attachment to the Bosnian medieval state. The Ottoman conquest meant not only the end of the Bosnian statehood, but also led to the Islamization of a significant portion of the Bosnians, a process which he described as "the beginning of the cleavage in the ethnic development of the Bosnian population."³⁶⁷ While acknowledging that the eighteenth and nineteenth century witnessed the emergence of two other national identities—Serbs and Croats amongst the Orthodox and Catholics of Bosnia respectively—he insisted that throughout the Ottoman period many Bosnian Muslim lords consistently exhibited an attachment to a Bosnian, as opposed to an exclusively Islamic, identity.³⁶⁸ According to Redžić, the Communist revolution had further divorced religion from nationality making it impossible for atheist Muslims to identify with a Muslim *nation*. Branding the attempts to name the nation

³⁶⁷ In Ceric, 69.

³⁶⁸ This argument is still prevalent among some Bosnian Muslim historians, including Mustafa Imamović. They point to the period of Bosnian Muslims' resistance to Sultan's tanzimat reforms in the early 19th century as the time when the Muslim lords defended not only their privileges but Bosnian autonomy from the encroachment of a foreign power. The most oft-cited event for this argument is the rebellion by the Bosnian lord Husein Gradaščević, nicknamed the Dragon of Bosnia, against the Sultan in 1831. Others have interpreted the same battle as evidence not of a Bosnian identity, but a result of the more parochial efforts of a class of Muslim lords to protect their interests, and not the interests of some putative Bosnian community.

Muslim ahistorical and unscientific, Redžić urged his party colleagues to allow for *Bosanac* to appear on the 1971 census as a legitimate national category.³⁶⁹

Although Tito himself had suggested he would support introducing “*Bosanac*” as a census category, Enver Redžić’s proposal was met with a determined opposition by the Bosnian Communist leadership which resulted in the official censure of Redžić for his “oppositional” theories. At the party’s Second Plenum in 1959 Tito complained about the increasing obsession with national categories for the upcoming census of 1961 and urged greater flexibility in designing these categories especially when it came to Bosnia-Herzegovina:

People should be allowed to be nationally undeclared citizens of Yugoslavia, if they wish to be so. Let those people be Bosnians or Herzegovinians. Abroad, you are not known as anything else but Bosnians anyway, whether you are Muslims, Serbs, or Croats.³⁷⁰

However, by the late 1960s this sentiment had become as ostracized by the official party line as Yugoslavism as it became clear in Salim Ćerić’s strident attack on Enver Redžić’s proposal. For Ćerić, Redžić’s idea was as destructive as it was ahistorical. He meticulously deconstructed Redžić’s historical argument about the existence of a Bosnian ethnicity, arguing that the cultural differences between Bosnia’s three ethnic groups pre-dated the Ottomans. Rather than introducing a cleavage within a unified Bosnian ethnîe, Islamization had deepened an already existing gaps between the groups, cementing them into full blown nations by the 18th century. Ćerić saw the resistance of Bosnian Muslim lords against the Sultan as evidence of a class, and not national, identity as they defended their own parochial interests within the crumbling Ottoman empire. While allowing that naming a nation after a religion was unusual and the first such case in history, Ćerić pointed out that choosing Muslim as the synonym for the nation was a response to the “overwhelming majority of the people...for whom there was no

³⁶⁹ Ćeric, 50-107; Grandits, 18.

³⁷⁰ Kamberovic, 60.

dilemma” that they were Muslim. For Ćerić the idea of a Bosnian nation was as dangerous as Yugoslavism as both contained assimilationist tendencies, offended the national sensibilities of Bosnia’s Serbs and Croats, and laid claim to a monopoly over the Bosnian statehood, ignoring the historical fact that “Bosnia-Herzegovina is neither Serbian, nor Muslim, nor Croat separately; she belongs collectively to Serbs, and Muslims, and Croats (and of course, to members of all other nations who are her citizens).”³⁷¹ Finally, he expressed confidence in his party’s determination to counter the belief that “the time has come for the merging of nations.”³⁷²

Ruža Petrović: Mixed Marriage and Ethno-Biological Homogenization of Nations

As politicians ranted against any new utopias about the merging of nations, the country’s most prominent sociologist of family Ruža Petrović was predicting the inevitable “ethno-biological homogenization” of nations via mixed marriages. In a series of pioneering studies of mixed marriage in Yugoslavia that culminated in the only monograph on the issue, published in 1985, Petrović claimed that “mixed marriages, through offspring, lead to the intertwining, mixing, and disappearance of [ethnic] differences.”³⁷³ Far from denying them, she acknowledged the persistence of these differences even under socialism, arguing that homogenization had always been accompanied by differentiation between the groups, but insisted that “[h]istory is full of examples of biological merging and melting of nations, and mixed marriages are the only means of this process.”³⁷⁴ Coming precisely at the time when Croatian nationalism was escalating its demands, the Bosnian Muslim nation making strides towards official recognition, and the inter-ethnic relations throughout the country deteriorating,

³⁷¹ Ćerić, 98.

³⁷² Ibid., 77.

³⁷³ Ruža Petrović, “Etnički mešoviti brakovi u Jugoslaviji.” *Sociologija*, God. 8, Br. 3, 1966, 89.

³⁷⁴ Ibidem.

the studies were the sociologist's attempt to imagine a more integrative identity on the basis of scientific evidence.

Although Petrović's empirical research confirmed an increase in the number of mixed marriages throughout Yugoslavia under socialism, it also revealed significant ethnic distance between the major ethnic groups, an observation she acknowledged but without altering her final conclusion about the inevitability of ethnic homogenization. Following World War II Yugoslavia experienced a "sudden increase" in the number of mixed marriages, followed by a brief period of stagnation, which in the late 1950s turned into another increase, the trend Petrović ascribed to the intensified pace of urbanization. By 1968, one in nine marriages in Yugoslavia was mixed, leading the sociologist to state that "it would be difficult to suggest that it is more widespread in any other society."³⁷⁵ When compared to other ethnically mixed countries Yugoslavia was unique both in the fact that its ethnic groups intermingled throughout its territory, unlike in Czechoslovakia and the Soviet Union where they were territorially segregated, and the lack of a barrier to intermarriage that was as significant as the "racial moment" in the United States.³⁷⁶ Petrović credited socialism for enabling mixed marriages through the policies of urbanization, secularization, including the introduction of obligatory civil marriage, weakening the influence of tradition and patriarchal ties, as well as enabling the social and professional mobility of citizens. To illustrate the importance of urbanization, she pointed out that during 1952 out of the total number of marriages concluded in the country's villages only 4.9% were mixed while 28.2% of city marriages were mixed.³⁷⁷ This statistic seemed to confirm the socialist mantra that modernization would bury any vestiges of an ethnically divided past.

³⁷⁵ Petrović, "Etno-biološka homogenizacija jugoslovenskog društva," 6.

³⁷⁶ Ibid., 7

³⁷⁷ Ibid., 19.

Analyzing the marriages officiated in 1960, 1961, and 1962 Petrović concluded that despite the continuing dominance of ethnic homogeny amongst marriages, there were some hopeful signs that the influence of ethnicity was on the wane. Out of 449,302 marriages concluded during these three years, 57,906 or 12.9% were mixed with 67% of these being unions between nations belonging to the so-called Yugoslav circle. What was particularly significant for Petrović was the fact that almost half of the mixed marriages between Yugoslav groups, or over 18,000, were between Croats and Serbs, the two largest Yugoslav ethnic groups, with the majority of these being between Croat women and Serb men. Countering the sociological axiom that women of more isolated and less educated ethnic groups rarely intermarried was the example of Bosnian Muslim women who were twice as likely as Muslim men to intermarry. Although Slovenian women were carrying on the similar trend in relation to their male compatriots, Petrović ascribed the latter dynamic to higher education levels among Slovenian women while suggesting that it was social mobility that motivated many peasant Muslim women to marry outside of their group. The highest rates of mixed marriage were recorded among Montenegrins and Hungarians, a quarter of whose marriages were mixed, and they mostly intermarried with the Serbs. While Montenegrins owed their intermarriage proclivities to their high mobility, and often inhabited areas where they were a minority, Hungarians in Yugoslavia showed an inclination to intermarry regardless of where they lived, leading Petrović to conclude that “Hungarians have in large part freed themselves of ethnic and religious prejudices.”³⁷⁸ The suggestion that the same process awaited the other ethnic groups was implied in Petrović’s observation that even Šiptars,³⁷⁹ who were least likely to intermarry and even then almost

³⁷⁸ Ibid., 27.

³⁷⁹ Here I am using the nomenclature for the Kosovo Albanians which was used by the Yugoslav state although today the word has largely pejorative connotations and it has been replaced by the term Kosovar to refer to Kosovo Albanians.

exclusively with partners of the same faith, had made “only *the first step* in breaking through their ethnic and cultural isolation.”³⁸⁰ Her hope for a less ethnically divided future, however, assumed government policies which encouraged mixed marriage, specifically, urbanization and education.

The growth of Yugoslav cities in the postwar period and the population movements it triggered were essential, although not the only, stimulants of mixed marriage. Noting that in ethnically homogenous villages mixed marriage was “objectively impossible,”³⁸¹ Petrović pointed to the data on its prevalence in cities between the years of 1950 and 1952 which showed the mixed marriage rate hovering around or below 9% in villages and reaching 28% in cities by 1952. Although there were no official records for mixed marriages in cities after 1952, there were other indicators that urbanization had made mixed marriage much more likely. For example, Slovenians were the most compact ethnic group in Yugoslavia—with over 90% of them living in their own republic—and yet their participation in mixed marriages once they were outside of Slovenia was relatively high, with the rate of 7.5%, which was due to their high concentration in cities. Urbanization was also the reason Serbia’s northern province of Vojvodina experienced a mixed marriage boom, almost always exceeding 20% after the war, while the republic’s less developed southern province of Kosmet (Kosovo and Metohija) had already witnessed a stagnation of mixed marriage, hovering around 10%.³⁸² Urbanization compelled people to move to new environments, bringing them into contact with other ethnic groups and limiting their spousal choice within their own community. Thus, the rate of mixed marriage amongst the Slovenians living in their republic was only 3% while this rate jumped to 95% for those living in Kosmet. Similarly, the Hungarians in Vojvodina, where they were a

³⁸⁰ Ibid., 22. emphasis mine.

³⁸¹ Petrovic, “Etnicki mesoviti,” 98.

³⁸² Petrovic, “Etno-bioloska,” 19.

relative majority, had the mixed marriage rate of 18.9%, which was still above the national average but nowhere near 88.4%, their mixed marriage rate once they moved into the heart of Serbia.³⁸³ The high mobility of Montenegrins, who were living scattered throughout Yugoslavia, also helped explain their high rate of intermarriage.

What was significant about Petrović's findings was not so much that ethnic groups affected by urbanization and immigration became more open to mixed marriage, but that quite often this openness became limited by other factors. Despite their high territorial mobility Montenegrins, for example, were consistently more open to marrying Serbs than the other ethnic groups. The Montenegrins' index of association for marriage with Serbs was 1.89, meaning that they were almost as twice as likely to marry Serbs than the latter's overall participation in the country's mixed marriage. Of course, Serbs' marriage patterns also registered a high association index with Montenegrins, leading Petrović to conclude that the two groups were closest from any other in Yugoslavia. Reversely, during the three year period Montenegrins concluded only 4.4% of marriages with the Šiptars even though the two were most often neighbors. In a similar vein, the Hungarians established more marriage ties with their neighbors than the Šiptars had with theirs, contributing to the overall picture of the latter as being "rejected" as "potential spouses" by "all other nations," a phenomenon Petrović attributed to their cultural isolation.³⁸⁴ There was also some evidence that despite having an ample opportunity, Serbs did not enter into mixed marriage as much given their high representation throughout Yugoslavia: with 9.18% rate of mixed marriage they were below the Yugoslav average of 12.9%. Immigration also did not seem to alter the marriage habits of Bosnian Muslims whose hierarchy of spousal choices was the same when they were living in Bosnia-Herzegovina as when they immigrated. On "the most to

³⁸³ Petrovic, "Etnicki mesoviti, 96.

³⁸⁴ Petrovic, "Etno-bioloska," 22.

least likely” scale of spousal ethnicity, the pattern was the same in both cases: Šiptars, Serbs, Croats, Montenegrins, with the latter being their least likely spouses.³⁸⁵ The data did not only point to the persistence of ethnic distance, however. Interestingly, despite their territorial distance from Serbs, Slovenians concluded 29% of their mixed marriages with spouses from that ethnic group and Croats’ rate of mixed marriage (11.5%) was higher than expected given their moderate presence outside of Croatia.³⁸⁶ These deviations led Petrović to conclude that education could potentially change the ethnic dynamics in the country.

Echoing the Marxist belief in the ability of socialist education to heal ethnic and religious divisions, Petrović argued that “a high level of education...overcomes, if it already hasn’t erased, ethnic specificities which can be a significant obstacle to merging, such as religion, language and ethno-cultural values.”³⁸⁷ Suggesting that differing conceptions of beauty may have been at least partially responsible for keeping the Yugoslav ethnic groups apart, Petrović pointed out that education could make compatible Montenegrins’ understanding of beauty, for example, which placed emphasis on the width of man’s chest above all else, with those of the groups inhabiting lowland areas. In addition, highly educated people tended to ignore the ethnic factor in their relations with other ethnic groups, ascribing individual behavior to character traits rather than some putative national mentality. Her statistics seemed to confirm this argument: one quarter of all marriages between highly educated people was mixed and amongst this population ethnically mixed marriages were more frequent than marriages with less educated spouses. There was also very little doubt that for women particularly education made mixed marriage less controversial: in 1963, uneducated women accounted for only 7.1% of mixed marriages while those with

³⁸⁵ Ibid., 20.

³⁸⁶ Ibid., 14.

³⁸⁷ Ibid., 23.

higher education for 24.1%.³⁸⁸ Difference in education, as opposed to their territorial distribution, was also the reason Montenegrins had higher mixed marriage rates from Šiptars, Croats from Serbs, and Macedonians from Muslims.³⁸⁹

There was also compelling evidence for the argument that education brought people into same professions creating a sense of occupational identity that most of the time overrode the ethnic one. Thus, mixed marriages were very common amongst whitecollar workers, less frequent amongst manual laborers, and least frequent amongst peasants. In a later article Petrović presented a particularly interesting set of data that showed that ethnically mixed marriages were not only most stable amongst the highly educated, but they were more stable than ethnically homogeneous marriages within this population. The high correlation between occupation and level of education on one hand and the proclivity for mixed marriage on the other also accounted for the lower stability of ethnically mixed marriages given that marriage in general was less stable amongst the highly educated, white collar professionals.³⁹⁰ People from different ethnic backgrounds with same educational and occupational identities may have been attracted to each other, but it is indisputable that ethnicity remained the most prevalent common denominator in most marriages.

The overwhelming prevalence of ethnically homogenous marriage, hovering at the rate of 88.5% percent in the early 1960s, coupled with the emergence of first studies of ethnic sensibilities in the country led Petrović to acknowledge the persistence of ethnic and religious divisions in the Yugoslav society, more than twenty years after the onset of socialism. The obsession of the political mainstream with ethnicity during the second half of the decade lifted the unspoken ban on the open airing of views on interethnic relations, leading to some of the first

³⁸⁸ Ruža Petrović, "Etnička heterogamija i stabilnost braka." *God X*, br. 4, 1968, 43.

³⁸⁹ *Ibid.*, 24.

³⁹⁰ *Ibid.*, 50-52.

opinion polls in the country. A 1967 poll by Dragomir Pantić showed that while 60% of respondents expressed no distance from other ethnic groups in a variety of formal (work, school) and informal (friendship) settings, one fifth showed some ethnic distance, and another fifth a various degrees of distance “up to the complete rejection of any relations with members of all other nations except their own.” Most significantly, the study concluded that in every single Yugoslav republic and both of autonomous provinces individuals were quickest to reject members of other ethnic groups as potential marriage spouses.³⁹¹ For those concerned with Yugoslavia’s stability another discouraging opinion poll was conducted even earlier, in 1960, by Ante Fijamengo amongst the students of the University of Sarajevo in which they were asked if ethnicity played any role in choosing their marriage spouse. At first glance the results were encouraging as over 77% of students described ethnicity as secondary in the choice of marriage partner with 52.6% choosing education level as their primary factor. However, as Petrović herself noted, the results were less encouraging if one considered the fact that 22.9% of the correspondents, who were the most highly educated segmented of the population and supposedly free of ethnic prejudices, chose ethnicity and, even more disturbingly, 39.4% of them chose religion as the main factors. Thus, the biological merging of Yugoslav nations Petrović predicted at the beginning of her article *had* to be occurring independently and despite of people’s subjective feelings which continued to show the “enormous significance [of] the ethnic moment,”³⁹² in the words of Petrović herself.

A more meticulous analysis of Petrović’s mixed marriage statistics showed that if the purpose of the government’s secularization policy had been to diminish the influence of religion in the consciousness of Yugoslavs, it had failed. Outlining ethno-religious heritage as the third

³⁹¹ D. Pantic, *Etnicka distance u SFRJ*, 23, in Petrovic, “Etno-bioloska,” 7.

³⁹² Petrovic, “Etno-bioloska,” 7.

factor influencing Yugoslavs' marriage choices, she pointed out that the majority of mixed marriages still occurred between ethnic groups which shared the same religion. Even a population with a high percentage of atheists, such as Montenegrins, preferred to marry Serbs, their religious kin, over the non-Orthodox. Further, for the non-Slavs living in Yugoslavia religion was the "primary factor of ethnic heterogamy" as they almost exclusively married within the same faith: for example, for Šiptars and Turks marriage to Muslims was eight times as likely as their marriage to non-Muslims.³⁹³ For the other minorities in Yugoslavia religion was not as important, as was the case for Bulgarians whose preference for Macedonian spouses evaporated once they moved outside of Macedonia, while for Italians and Hungarians religion seemed to play no role whatsoever as both populations were overwhelmingly Catholic and most often intermarried with Orthodox Serbs. However, for the major Yugoslav nations, religion remained a primary factor: despite their similar ethnic heritage with other Yugoslav groups, Bosnian Muslims' association with groups of foreign heritage but same religion was as three times as strong as their association with groups of Yugoslav heritage but different religion. Although not as strongly, other Yugoslav ethnic groups—Serbs, Croats, Slovenes, Macedonians—preferred spouses from the same religion. For example, the association index of Serbs towards other Slavs was 1.11 if the latter were Orthodox, but it dropped to 0.84 if they were Catholic.³⁹⁴

Of all the Yugoslav groups the greatest marriage distance was recorded between Croats and Muslims, a finding particularly disturbing for those concerned with the stability of Bosnia-Herzegovina. Whether they lived in or outside of the republic, Bosnian Muslims strongly preferred Šiptars and even Serbs as marriage partners, over Croats, and their weak association index with Croats (0.77) was only slightly higher from the one with Montenegrins (0.69).

³⁹³ Ibid., 27.

³⁹⁴ Ibid., 30.

Petrović attributed the distance between the Croats and Muslims of Bosnia to the imperial legacy, arguing that the Catholic Croats of Bosnia had lived largely isolated from the dominant Muslim population and were often seen as a threat by the Ottomans who warred with the neighboring Croatia, leaving a cultural gap between the two groups that had persisted into the socialist present. Acknowledging that her explanation might be “controversial,” Petrović suggested that the degree of closeness between ethnic groups was reversely proportional to the means by which they settled their historical scores: “insofar as hostilities [between ethnic groups] were once solved through more acrimonious forms of conflict their relations today are closer.”³⁹⁵ This hypothesis was arguably borne out by the relations between Serbs and Muslims, who despite warring extensively in the past were now relatively close, but the same could not be said for Muslims’ relations with Montenegrins whose historical animosities seemed to be replicated in the low number of mixed marriages between the two. The (in)accuracy of this assessment notwithstanding, Petrović showed the willingness to look beyond exclusively economic and Marxist explanations for Yugoslavia’s continuing ethnic divisions.

Indeed, in her subsequent article, in which she examined stability of mixed marriages, Ruža Petrović was even more explicit in recognizing the religiously-based differences between Yugoslavia’s nations, suggesting that these might make mixed marriage less stable:

religion could have through its long presence in the life of an ethnic group entrenched some characteristics—the fatalism of Muhammedanism, the organizational skills and meticulousness of the Catholic Church, the pagan elements in Orthodoxy—into the mentality and lifestyle even of people who have never been religious.³⁹⁶

Although in her first article on mixed marriage, published some two years earlier, she had been quick to describe the higher divorce rates for mixed marriages as statistically insignificant,

³⁹⁵ Ibid., 29

³⁹⁶ Petrovic, “Heterogamija,” 57.

in her 1968 study dedicated exclusively to this issue, she admitted that while other factors had a significant impact on marriage longevity, ethnically mixed marriages were less stable than homogenous ones and 1/3 of mixed marriage divorces “could be related to the difference in the nationality of spouses.”³⁹⁷ A highly significant factor in determining the strength of marriage were the occupation and education level of spouses with white collar and highly educated professionals much more prone to divorce than manual laborers or peasants. The stability rate of mixed marriage was negatively impacted by this since highly educated, white collar professionals were overrepresented amongst the mixed marriage population. In addition, the highly educated mixed marriage spouses were relatively young and often had fewer children, making these unions even less stable as the number of children and the age of spouses were both directly proportional to the length of marriage.

There was reason for concern, however, in that the few mixed marriages that did occur between manual workers proved to be much less stable than the ethnically homogenous marriages of their peers, a finding Petrović ascribed to the fact that manual laborers as the population with least favorable financial and social position and without “a wider circle of social ties which could help in the destruction of prejudices...”³⁹⁸ were more likely to fault their spouse on the basis of his or her ethnicity. This suggestion may have been influenced by Petrović’s own elitism, but the breakdown of divorce rates among different ethnic groups seemed to confirm her fears about the continuing ethnic divisions. That the most stable unions were Serbs-Montenegrins, Serbs-Macedonians, Serbs-Bulgarians, Montenegrins-Šiptars, Muslims-Šiptars, and Montenegrins-Hungarians was not surprising given that in the overwhelming majority of these cases spouses belonged to the same religion with the Hungarian-Montenegrin unions being

³⁹⁷ Ibid., 42.

³⁹⁸ Ibid., 50.

the exception that proved the rule and that could be ascribed to the Hungarians' unusually assimilated status in Yugoslavia. Marriages which were particularly unstable were those in which spouses belonged to different religions *and* had a different heritage, such as Serbs and Slovenians whose divorce rate of 21.1 was more than twice the divorce rate of marriages between Serbs and Montenegrins or the extremely unstable, and rare, marriages between Serbs and Šiptars which were twice as likely to end in divorce than Slovenian-Hungarian marriages. Often it was enough for either religion or heritage to be different for a marriage to be unstable as was the case with Croats' marriages to Hungarians, Slovenians, and Bosnian Muslims. Having confidently declared just two years earlier that biology was melting away the boundaries of recalcitrant Yugoslav nations Petrović was now more humble in declaring that "love was a motive more frequent to a heterogeneous than homogenous marriage if only because they [mixed marriage spouses] have to fight against prejudices of their milieu and sometimes even against their own."³⁹⁹ It was no longer clear that the process of ethno-biological homogenization would occur independently of the subjective feelings of individuals. Maybe ideology would trump biology after all?

Almost exactly two decades after her pioneering research on Yugoslav mixed marriages Ruža Petrović would come out with the first and the only monograph on the issue in which she showed that by the early 1980s Yugoslavs had become even more hesitant in intermarrying each other. In the most comprehensive analysis to date, she probed the marriage statistics for the period between 1950 and 1981 in arguing that it had slowed down considerably amongst all major Yugoslav ethnic groups. She was the first demographer to point to the period between 1966 and 1969 as the watershed moment for the history of mixed marriage suggesting that it was

³⁹⁹ Ibid., 64.

during this time that mixed marriage rates started decreasing throughout the country and would never again recover their rapid growth of the previous decade.

During the first twenty years of socialism, due to the policies of urbanization, spread of literacy, waning influence of religious institutions and the revolutionary zeal of many citizens the mixed marriage rate ticked up consistently throughout the country: from 1956 to 1965 it jumped from 9.1% to 12.2% of all marriages on the federal level. Some republics experienced phenomenal bursts of mixed marriage as was recorded in Macedonia where during a nine year period, between 1956 and 1965, it increased from 9.6% to 14.4%. During the same period Croatia recorded a bump from 10.9% to 15.5%. Bosnia-Herzegovina had a consistently slower increase while Serbia experienced a brief jump from 1956 to 1960 which turned into a moderate growth by the middle of the decade. Curiously, just as the rates of mixed marriage were slowing down at the time of the nationalist revivals, government stopped recording nationality of marriage spouses, placing the period between 1966 and 1969 out of the demographer's reach. Interestingly, as soon as the record-keeping resumed in 1970, it showed mixed marriages on the decline throughout the country, leading Petrović to describe the '66-'69 period as "the beginning of worsening ethnic relations."⁴⁰⁰ Thus, Montenegro's mixed marriage rate decline from 17.4% in 1956 to 12.7% in 1970 continued throughout the decade right up to 1981. Having already begun their decline by 1964, the mixed marriages in Bosnia-Herzegovina continued the trend and it would take them a decade to reach 11%, still below the Yugoslav average. The decline from early in the decade was made up fairly quickly only by Croatia which in the early 1970s became the republic with the highest level of heterogamy in Yugoslavia. The only region which not only remained unscathed by the decline of mixed marriage but continued to measure record levels of

⁴⁰⁰ Ruža Petrović, *Etnički mešoviti brakovi u Jugoslaviji*. (Beograd: Institut za sociološka istraživanja filozofskog fakulteta, 1985), 75.

mixed marriages was Serbia's northern autonomous province of Vojvodina where by 1981 mixed marriages accounted for 27.3% of all marriages. The Vojvodina exception notwithstanding, and accounting for the fact that smaller ethnic groups had already reached the maximum rates of mixed marriage, Petrović ascribed the decline of mixed marriage in the late 1960s to "social movements on the global level, which were very significant in these years in terms of interethnic relations, and which were accompanied by certain conflicts and separation of special interests and which were eventually reflected in a more intimate sphere,"⁴⁰¹ i.e. marriage.

Despite her discouraging empirical evidence, Petrović still remained an optimist in the Marxist sense, suggesting that policies could be designed to encourage the inevitable, yet slow, process of ethno-biological homogenization to which the ethnically minded Yugoslavs would eventually have to catch up. For example, included in her first prediction about the merging of nations was an implication that active government policy would be required to push the process forward: "These obstacles [between ethnic groups] can be removed only in concert with the removal of general social barriers, i.e. the removal of social contradictions and differences on the basis of which ethnic fences between people are built and maintained."⁴⁰² As for the means by which this could be achieved, Petrović left little doubt that this was education which she credited with the ability to "remove ethnic barricades and prejudices, assuage or erase the specificities of ethnic cultures which can be a barrier for entrance into a mixed marriage."⁴⁰³ Even in her most recent study, in which she highlighted the indisputable decades' long decline in mixed marriage rates, Petrović remained true to her belief that "[a]nthropological and cultural homogenization of the society is obvious and is strongly manifested."⁴⁰⁴ But after having shown the increasing

⁴⁰¹ Ibid., 61.

⁴⁰² Petrovic, "Etno-bioloska," 32.

⁴⁰³ Petrovic, "Heterogamija I stabilnost," 52.

⁴⁰⁴ Petrovic, "Etnicki mesoviti brakovi u Jugoslaviji," 58.

hesitancy of Yugoslavs to intermarry, casting doubt on the influence of government policies, such as urbanization, education, and secularization, on mixed marriage, Petrović invoked the time tested legacy of socialist revolution which would supposedly keep erasing ethnic divisions: “Brotherhood and unity were the basic fighting principles and code of conduct [of the Partisans] that resisted the ethnic genocide which was being carried out by quislings and occupiers. It is on this heritage of the Revolution that our social and ethnic developments will continue with a continuing strong influence on ethnic heterogamy.”⁴⁰⁵

But it was the carriers of the revolutionary legacy, the Communist leaders, who were dismissing the notions of a Yugoslav identity as antisocialist precisely at the time Petrović was predicting that this identity was in the making. After all, it was just a few years after she predicted the ethno-biological homogenization through mixed marriage that the party’s theoretician Salim Ćerić and the head of the Bosnian Communists Hamdija Pozderac criticized and mocked this very same idea. Whether or not the two were responding to the sociologist is not as clear as the fact that the party’s failure to devise any coherent policy on the matter left mixed marriage Yugoslavs without an institutional support which could have made their integrative identities more permanent.

In addition to the already discussed attempts of some party officials to remove the category “Yugoslav” from the census of 1971, Petrović pointed to the absence of Yugoslavs in official statistics for the period between 1950 to 1953 and then again from 1956 to 1961. Although the reasons for this statistical oversight are not known the fact that statistics figure prominently in the process of nation-making, as Benedict Anderson reminds us, coupled with the Communists’ retreat from any idea of a Yugoslav nation suggests a deliberate and pervasive neglect. Petrović herself seemed to admit as much in 1985 when she argued that the lack of any

⁴⁰⁵ Ibid., 125.

demographic policy had “stripped naked marriage and family, leaving them on their own.”⁴⁰⁶

Pointing out that the only piece of demographic legislation was the 1985 bill dealing with unemployment, she accused the government of ignoring the biological aspects of family, and particularly reproduction, for the sake of its purely economic functions. In his review of Petrović’s monograph on mixed marriage, the sociologist Miloš Marjanović echoed this criticism arguing that:

due to certain failures of the Yugoslav statistical system in the tracking of marriage as an important social phenomenon and the lack of any scientific studies about certain important social phenomena make impossible a more comprehensive analysis and interpretation of ethnic heterogamy while some other failures make it harder to conceptualize and implement a coherent demographic policy.⁴⁰⁷

Therefore, by the 1980s the confident pronouncements about a less divisive future had given way to sober assessments, on the part of the sociologists at least, about the government’s failure to promote a sustainable interethnic integration. Writing in 1982 the Zagreb sociologist Vjeran Katunarić dismissed the Marxist overconfidence in industrialization’s ability to solve ethnic problems and argued that ethnicity was resilient in adapting to new systems as the case of socialist Yugoslavia had proven. While Ruža Petrović and Miloš Marjanović faulted the authorities for not coming up with a coherent demographic policy, Katunarić laid to rest the notion that any institutional arrangement could resist the habits of ethnicity:

A new institutional order, no matter how well thought out and planned in detail through thousands of regulations, as is the case in our country, cannot compete with the life practice which has been programmed long before, or with habits and customs which simply no longer take heed of any institutional changes.⁴⁰⁸

⁴⁰⁶ Ruža Petrović, “Problemi stanovništva i problemi demografske politike.” *God. XXVII*, 1985, br. 3, 434.

⁴⁰⁷ Miloš Marjanović, “Ruža Petrović: Etnički mešoviti brakovi u Jugoslaviji,” *ISI, Filozofski Fakultet, Beograd*, 1985), 647.

⁴⁰⁸ Vjeran Katunarić, “Jugoslavija kao etničko društvo,” *Sociologija. God. XXIV*, 2-3, 1982, 357.

He painted Yugoslavia's future in uncertain terms, arguing that out of four possible paths of interethnic integration the country had failed to take either one. Economic integration, which was Edvard Kardelj's vision, had obviously failed, Katunarić argued, since Yugoslavia had an ethnically based economy in which republican-based technocrats and politicians represented the exclusive interests of their republics, and often their nations, and not some purported Yugoslav market. In addition to the economy, the regime had encouraged interethnic integration through political means, including its "continuous propagation of brotherhood and unity," a policy that had been as ineffective as it was counterproductive, triggering a nationalist reaction in many parts of the country. The Zagreb sociologist was more ambivalent about the effectiveness of socio-cultural mechanisms of integration, or what Petrović had more bluntly called ethno-biological homogenization, which he defined as a spontaneous growth of links between Yugoslavia's nations on the basis of shared culture, language, and history. But, echoing the frustration of his Belgrade colleagues, Katunarić acknowledged that the little research there was on the matter had not come up with a blueprint of how to exploit this type of integration for the purposes of buttressing Yugoslavia's stability. Finally, he did see a glimmer of hope in the emergence of non-ethnic grassroots activism in the country, which had showed its potency in the mass student demonstrations in the late 1960s, and which mimicked similar movements throughout Europe, such as the German Greens, but he quickly dampened the optimism by questioning their long-term effectiveness and sustainability given that they were in their infancy. In place of Petrović's buoyancy at the prospect of mixed marriages leading to a more inclusive identity Katunarić now left a question which revealed the considerable anxiety regarding the country's future:

It is a question as to what extent could republics and provinces, in areas with mixed populations transform into neo-ethnic or supra-ethnic, but still interest-

based entities which would eventually bring about a certain assimilation of other ethnic markers.⁴⁰⁹

There was an attempt to answer this question in the affirmative in the second half of the decade in the form of a brief campaign by the Bosnian-based Institute for the Study of Interethnic Relations to revitalize Yugoslavism. In a 1986 article, Institute's Pravoslav Ralić argued that the deteriorating ethnic situation in the country made it imperative for the Communists to "return to one of the main goals of our socialist revolution: the creation of a unified socialist culture."⁴¹⁰ The Communists would have to foster a new sensibility towards the idea of Yugoslav identity, emphasizing its progressive, socialist, and unifying aspects and countering any attempts to equate it with the delegitimized unitarism of the past which saw ethnic differences as irrelevant. However, similarly to his predecessors, Ralić burdened the concept with so many caveats that there was very little substance left. For example, the socialist culture was "neither unitary nor separatist nor hierarchial nor anational" but rather "a creative communion of the cultures of our nations which have all overcome their haunted reactionary traditions..."⁴¹¹ How the League of Communists would implement a policy based on such a vague concept Ralić did not explain.

Another Institute-sponsored study strove to show that the attachment to Yugoslavia remained strong in Bosnia-Herzegovina. Published in 1989, in the midst of the country's yet another constitutional crisis, the study by Ibrahim Bakić was an opinion poll conducted among 1090 Bosnian youth that probed the resonance of national sentiments amongst the republic's young adults. Although only 33.7% of correspondents described nation as a category which would be "overcome," Bakić found comfort in the high number of correspondents who agreed

⁴⁰⁹ Ibid., 361.

⁴¹⁰ Pravoslav Ralić, "Posebno i univerzalno u kulturnoj saradnji medju narodima." *Sveske: Institut za proučavanje nacionalnih odnosa*. 16-17, (CK SKBiH, Sarajevo, 1986, 325-337), 334.

⁴¹¹ Ibidem.

with the questionnaire's statement "I am a Yugoslav and I would not give precedence to other affiliations." Moreover, the attachment to Yugoslavia was evenly spread amongst all three major ethnic groups with 74.9% of Serbs, 77.2% of Croats, and 77.9% of Muslims expressing strong agreement with this statement. These results, however, were difficult to reconcile with the fact that only a slight majority, 59.4%, expressed a negative attitude towards an exaggerated sense of national pride. Bakić found more reason for optimism in the finding that only 14% of the Bosnian youth agreed with the statement "the ethnically mixed marriages are doomed to failure," which was four percentage points lower than the Yugoslav average. These results Bakić argued, showed that the attitude of the "[y]outh of Yugoslavia and especially Bosnia-Herzegovina vis-à-vis mixed marriages is positive," echoing the larger argument of the study which was "to counter those views which have argued that nation and all that is related to it have expanded and become the basis of personal and social values."⁴¹² Contradicting this optimism, however, were the 22.7% of the young people who responded affirmatively when asked if "one had to be careful towards other nations even when they are your friends." What gave Bakić a cause for concern was that even a higher percentage of young people expressed agreement with this statement in a countrywide study with 30% echoing this "most extreme type of national attachment."⁴¹³

Nevertheless, Bakić concluded that the "degree of national attachment is always lower amongst the respondents in Bosnia-Herzegovina than in the rest of Yugoslavia."⁴¹⁴ In addition to the contradictions in findings, the methodological ambiguities of the study—who were the respondents? what was the criteria for their selection? who administered the questionnaire?—further made this argument much more debatable, creating the impression that it was hastily

⁴¹² Ibrahim Bakić, "Stavovi mladih Bosne i Hercegovine prema naciji i religiji." *Sveske*, 26-27, 1989, 371-406, 286.

⁴¹³ *Ibid.*, 390.

⁴¹⁴ *Ibid.*, 391.

researched and ideologically interpreted, in sharp contrast to the meticulous, albeit less encouraging, research of Ruža Petrović. Finally, Bakić's effort to define Yugoslav patriotism produced a definition that was as convoluted and ambiguous as all the others articulated after the 1960s. For Bakić Yugoslavism was neither supranational, nor anational, nor national, but was to be defined "through the prism of brotherhood and unity which sums up the possibility of ethnic coexistence and freedom."⁴¹⁵ Thus, twenty years after Veljko Vlahović had warned that the party was experiencing a "crisis of ideas," formulaic slogans were still being used in place of any substantive rethinking of the country's identity, leaving stranded all of those who were genuinely attached to the country. Not even a year after Bakić supposedly located deep reservoirs of Yugoslav patriotism in Bosnia, the Yugoslav League of Communists would vote itself out of existence, plunging the country into a violent death.

Conclusion

Rather than being central to Communist efforts to articulate 'proletarian internationalism,' as Nikolai Botev would have it, or "were strongly encouraged" to promote multiculturalism as Le Goff and Giudici have put it, the mixed marriages of Yugoslavia figured only as an afterthought in the regime's political calculations. To argue otherwise would be to credit the Yugoslav Communists with being much more devoted Marxists than they actually were. Although their own effort to "domesticate nationalism," to borrow the words of Rogers Brubaker,⁴¹⁶ involved an aggressive secularization of the society, including pushing religion out of the bedroom, their attitude towards mixed marriage always came in the form of *reaction*—whether it was to censor the clergymen who campaigned against it or expel its party members who had feuded with their own family over it—but it never amounted to even a semblance of a

⁴¹⁵ Ibid., 472.

⁴¹⁶ Brubaker, *Nationalist Politics and Everyday Ethnicity in a Transylvanian Town*, 53.

policy which could have ensured their more permanent political, demographic, or cultural resonance in the society. The regime's half-hearted approach might have been due to the popular resistance to their secularization policy, as it became evident during the meetings of the Commission for Religious Affairs, but the enthusiasm with which they abandoned Marxism in embracing the permanence of nation spoke to a much deeper failure of imagination.

The break with Yugoslavism was the party's way of lowering people's expectations in socialism in that it was an admission that ethnic divisions were not caused by economic and political inequality, both of which could be corrected by socialism, but originated out of deeply-embedded cultural differences between the country's ethnic groups. The party embraced the nation with a revolutionary zeal which far exceeded the energy of its earlier efforts to re-imagine the country's *raison d'être*. That Yugoslav Communists became nationalists much more ardently than they had ever been Marxists meant that mixed marriage necessarily had to become marked as an issue to be discussed and a problem to be analyzed. Identifying attachment to one's nation as a "natural" condition it was the party's chief theoreticians and politicians who interpreted mixed marriage as a potential source of unsavory ideologies, such as unitarism, statism, and chauvinism, or a social ill that had to be diagnosed.

Therefore, it was not surprising that the first studies of mixed marriage in Yugoslavia emerged precisely at this moment, in the second half of the 1960s, as mixed Yugoslavs were coming under an ideological siege of sorts. The sociologist Ruža Petrović became the lone voice who persisted in her hopes that the ethnically divided Yugoslavs were undergoing a biological homogenization which would trample over the petty differences of a backwards past. Despite her own meticulous research pointing to the contrary conclusion, Petrović remained convinced that the material reality would trump nationalist ideologies. By the time her monograph was

published in the mid-1980s and the violent resonance of ethnic identity could no longer be wished away by Marxist predictions, the sociologist and her colleagues could do little more than express frustration at the regime's failure to imagine a more Yugoslav future. Lamenting the lack of any demographic policy, revealing a statistical neglect by the regime of those who identified themselves Yugoslav, and calling for a more coherent articulation of the country's identity, it was the sociologists who were the first ones to note the importance of mixed marriages for the survival of Yugoslavia. It would prove to be too late.

CHAPTER IV

How I Became Mixed And The Lies I Told About It

The last regime coddled the mixed ones giving them opportunities for advancement just because they were the children of mixed marriages. Because for heaven's sake, there was no way their parents could be politically suspicious because they strengthened brotherhood and unity, that apple of the eye of the Communist dictatorship, in their beds...Come on, let's not be naïve: real Serb, Croat, and Muslim families prevented in time the disillusioned son or daughter from entering into mixed marriage regardless of how much in love they were.

Only the nationally or religiously indifferent families or those infected by Communism allowed [mixed marriages].⁴¹⁷

Mixed marriages, a sort of a banner of misunderstood ethnic coexistence, have been for the most part failed marriages, in which there were heavy conflicts, children from these marriages are frustrated by their heritage, so it would be best to stop with those disgusting messages [that mixed marriages were symbols of Bosnian multiculturalism].⁴¹⁸

The Lies My Diary Told

The statements by the two leading ideologues of the main Bosnian Muslim party (SDA), Vedad Spahić and Džemaludin Latić, written at the height of the war in 1993 and 1994 respectively, may have been offensive to many of us “mixed ones,”—the word Spahić used (*mješanci*) referred to dogs of impure breed—but when juxtaposed next to each other they serve as my mnemonic device. In particular, their sense of resentment at the (supposedly privileged) difference of the mixed ones and the diagnosis of frustration help me remember a distinct type of emotion I felt during those war years, acute awareness of my own difference combined with the frustration at being stranded. It is only through memory that I can recover this emotion given that I had tried to obscure it in my own diary, tucking it away in sentences that present a continuous

⁴¹⁷ Vedad Spahić, “Nejma više nina nana: rat i djeca iz mješovitih brakova,” *Zmaj od Bosne*, br. 23, 4 February 1993, 2.

⁴¹⁸ Džemaludin Latić, “Bezbojni,” *Ljiljan*, br. 89, 10 June 1994.

self barely affected by the war. For example, on 16 December 1993 I write of my decision to fast and pray during the Ramadan:

I have never prayed or fasted before but today I felt some impulse to do so. So this morning I woke up at 4 [am] and walked with everyone else downstairs to the cafeteria to eat...I'd like to emphasize one more time that I am not fasting to prove myself but because I felt an unexplainable desire to do so. Afterwards I said a prayer and made a wish because this was the night of wishes...I'd like to say one more time that I wasn't forced to do this, but that I did so voluntarily. My family and I never led a religious life and we do not intend to do so. But today I decided to do so because I felt a desire and because I feel that something does exist. But from now on I will continue to lead the life like the one I had in Mostar—normal and ordinary. I will love all good people regardless of their nationality.⁴¹⁹

The first sentence of this statement was a lie. I could be forgiven for unrealistically boasting that I would lead a normal and ordinary life while sitting on a bunk bed in a room my family and I shared with five other people, in a school turned refugee camp in the dusty Turkish market town of Hayrabolu, near the Bulgarian border. Wishing a Mostar type of life might have been a therapeutic form of denial at the tectonic physical and mental displacement we had experienced since fleeing Mostar in July of that year. More troubling from the perspective of the historian, however, is the factually incorrect statement that “I have never prayed or fasted before.”

The first Qur'anic verse (*sura*) I learned to recite in Arabic, without knowing what it meant, was during the previous Ramadan season in 1992 (almost a year to date before the diary entry) with the help of my friend Nihad whose encyclopedic knowledge of the Qur'an was what had attracted me to his friendship at the time when the regular shelling of Mostar by the Serb army had disrupted the school year, leaving us children scrambling for hobbies. It helped that my new hobby involved eating *Eurokrem*⁴²⁰ for breakfast at Nihad's apartment and recovering

⁴¹⁹ Fedja Burić Diary, Notebook III, 16 December 1993.

⁴²⁰ The Yugoslav version of *Nutella*

my prewar pleasure of having sweets the first thing in the morning but also triggering intense pangs of guilt since I knew that only one floor above, my brother was stuck eating fried potatoes. Learning the first words of *Subhaneke*, the short recitation which opens the daily prayer (*salah*) thus almost always brought on a madeleine moment: biting into a soft homemade bread covered with a thick layer of *Cipiripi*, another Yugoslav imitation of *Nutella*, in locations that changed almost every morning with every repetition of the Qur'anic verse—my grandmother's living room, a Dalmatian beach, or the bench in the woods next to our building. While reciting my Yugoslav childhood in Arabic the thick and sluggish chocolate cream would get stuck in my esophagus, making the guttural Arabic sounds even more authentic, at least to my ears.

Nihad's parents must have been impressed by my memorizing skills since they invited me to break the fast with them on *Lejletul-kadr*, the twenty-seventh and the most festive night of Ramadan, when the abundance of food was commensurate to the length of the special prayer performed that evening. This meant that my metaphysical excursions to the past now gave way to the overwhelming logistics of learning the ritual—not only memorizing the necessary *suras*, including the opening *El Fatiha*, but also the number, content, and the order of all the required sequences (*raka'ahs*)—a process that took countless hours on Nihad's prayer rug which smelled of his father's cologne and whose softness makes me think of cashmere. When the evening finally came, I was disappointed not because of food—which with its variety once again made me feel selfish for not caring enough about my own family's bland dietary habits to reject the dinner invitation—or because of the difficulties of the prayer, which I performed without a glitch, but because the collective rug in the giant hall where we prayed, a student dorm turned mosque, was much coarser than the one in Nihad's house, and smelled of sweaty feet, the sensation which may have been psychosomatic, my mind's way of responding to the row of

heels which greeted me every time I prostrated myself. I am not sure if it was this memory or the increasing frequency of shelling that made me decline Nihad's future invitations to the mosque.

The diary's omission of my previous experience with Islam could not have been an innocent memory slip because recitations of *El-Fatiha* had already become ingrained into my nightly ritual and would be the most consistent aspect of falling asleep during my life as a refugee when I changed beds with a dizzying frequency. In fact, the nightly recitation of *El Fatiha* was an Arabized reincarnation of my first conversations with God in May 1992 when from a bed whose sheets smelled of lavender, in a tiny Montenegrin village, I would plea for the life of my parents in Mostar whom I imagined crouching in the basement of our building, on the benches we had stolen from the soccer stadium, while the "Serbs" lobed shells into the city to punish us for participating in some referendum. But instead of caressing the band of my father's watch, which smelled of his aftershave and reminded me of our early morning trips to my kinder garden, I could now pray in Arabic and be confident that God would understand it even if I did not.

Another memory that makes me certain my diary's omission was not accidental is of me standing in the narrow hallway in the basement of our refugee camp in Hayrabolu, covering both of my ears, and bellowing out the call to prayer (*azhan*), terrified that my asthma inflicted lungs would give out during my favorite line, *Allahu ekber*, and make our *imam* regret giving me the opportunity. My lungs must have exceeded expectations, though, since I do not remember being excoriated by the *imam*, or ridiculed by my *mekteb* friends. Given the vividness of these memories almost two decades later why was it that I silenced them in my diary?

My dishonesty becomes even clearer if one reads the entry from just a few weeks before my “first” fast, on 24 November, which at more than ten pages was one of my longest entries that year, a testimony to the amount of effort I had expended during the preceding few days in revamping my identity by completely immersing myself into Islam. My decision to attend a *medresa* in Istanbul came as abruptly as the three representatives of the *Refah Partisi*⁴²¹ who visited our Hayrabolu camp one day, interrupting our monotonous routine to show us the catalogues of prestigious schools in Istanbul that the Bosnian children could enjoy only if they went with them. To coax the suspicious parents, including my own, into signing their children up, the *Refah* representatives showed us pictures of villas turned schools, overlooking the Bosphorus, and insisted that the curriculum offered all the regular subjects in addition to religious instruction and Arabic. Having had my hopes repeatedly squashed by Lejla Izetbegović⁴²² of the Bosnian consulate, who had never delivered on her promise to open a school in our camp, and having proven my *azhan* abilities, I implored my parents to sign me up, arguing that our separation would only be temporary as the *Refah* people were promising to eventually relocate the parents to Istanbul. Stepping in between my mother and me as we argued in the hallway was the *de facto* leader of our *Refah* visitors, Hüseyin Kansu, who in his flawless Bosnian swore in “Allah’s name” that he would see to it that my parents and Vanja were transferred to Istanbul in a few weeks where they would be given an apartment and good-paying jobs. It must have been the lingering look of suspicion on my mother’s face that finally persuaded him to suggest that parents accompany their children on their first visit to the schools

⁴²¹ *Refah* or the Welfare Party was Turkey’s main Islamist party whose rise to prominence culminated in 1996 with the election of the *Refah* founder Necmettin Erbakan as Turkey’s PM. Erbakan’s openly Islamist policies in domestic but particularly foreign policy (as evidenced by his open animosity towards Israel) worried the country’s powerful military which accused him of violating the sacred secular principles of the Kemalist republic. In 1997 the military orchestrated a coup overthrowing Erbakan from power and a year later the constitutional court banned *Refah* from the political process. Many founders of the *Refah* brought their principles into the newly rebranded Islamist party, AK partisi, which is in power today.

⁴²² The daughter of the then President of Bosnia Alija Izetbegović.

and, in the event they were not persuaded, take them back to the camp the very next morning. That her acquiescence was equivocal at best is made clear by my diary's constant references to her emotional state during the trip—"I saw a sad look on my mom's face and tears in her eyes"; "...I could see on her face that this wasn't easy for her"; "she wasn't very happy that she would have to separate from me".⁴²³ The worried look must have been partly rooted in her fear that she would be outed as a Croat, the fear that was evident by the fact that while on the bus to Istanbul she reminded me several times of her new name: *Selma*.

The *Refah* sponsored trip to Istanbul was the first time I had ever seen a woman wearing a *burqa*, in the house where we spent our first night and where I ate the thick *Nutella* which reminded me of my Qur'an recitations at Nihad's apartment in Mostar. The *Refah* sponsored trip was the first time my mother was forced to spend the night in a separate room because she was a woman, the segregation which at the time came as a relief to me as I had feared it meant she had been outed as a Croat. The *Refah* sponsored trip was the first time I heard Israel mentioned in conversations about the Bosnian war. The *Refah* sponsored trip was the first time I had a stranger, Hüseyin Kansu, shout at me in front of my mother for the supposedly rude manner in which I had been talking to her, plunging me into a flashback to the moment at the Croatian-Bosnian border when a drunken HVO soldier scolded my mother for having a Serbian name. My mother's shout "only I have the right to talk like that to my son," seemed like a response not to the *Refah* leader but a delayed, albeit displaced, reaction to the insults of the drunken HVO soldier from a few months before. The two-day long trip was the first time I paid any attention to beard, which decorated the face of every adult male I encountered and came in a variety of shapes and lengths; my initial suspicion that the length of man's beard was directly proportional to the importance of his position in the *Refah* was proven wrong by Hüseyin Kansu whose neatly

⁴²³ Notebook III, 25 November 1993

trimmed beard belied his prominence as one of the founding members of the party (according to his own words). The *Refah* sponsored trip was also the first time I realized that no matter how well I had learned *El Fatiha*, *Subhaneke*, or any other aspect of the daily prayer, no matter how flawlessly my asthma-inflicted lungs had performed at belching out the *azhan*, and no matter how cleverly my mother had concealed her name, I could never overcome the fear that came at the sight of the men with beards, at the students who trembled in front of Hüseyin Kansu as they explained to me the benefits of attending the *medresa*, and at the thought of the men who menacingly vowed to make our parents “regret” their decision to take us back to Hayrabolu.

Although they were silenced in my Ramadan entry, the uncomfortable memories of my encounter with the *Refah* must have contributed to my fear that I was an impostor to Islam, the feeling that is obvious in my repetitive insistence that I was acting Muslim not to “prove myself” or because I was “forced.” Reading these lines brings me right back to that hall from where I called my first *azhan*, but this time I am sitting next to the *imam* who had generously allowed me to try out my Qur’an reciting skills. Only now, he is asking me if Feđa was my real name, a question he would repeat often, gentle grin spreading across his wrinkled face, and to which I would always respond with a grin of my own, more out of politeness than any comprehension of the joke. It was only when he asked me why I was not circumcised (how did he know?), slipping in his recommendation of the Hayrabolu clinic as the place where the procedure can be done painlessly, that I realized the grins signified condemnation and not some elaborate joke. Today I squirm at the ease with which the *imam* brought up this question in front of the entire *mekteb* class and I grow more puzzled every time I recall the moment when during one of my many emergency trips to the Hayrabolu clinic, while wheezing through another asthma attack, I thought of asking the flustered doctor about scheduling a circumcision. What makes this

memory so puzzling is my urge to invite the doctor to tamper with my sexuality even before I had ever shared this intention with my parents. To ask for a circumcision would have been tantamount to accusing my father of neglecting his Islamic obligations. It would have pithily summarized all those moments when while praying in Arabic I suddenly felt I was purposefully losing my parents in translation, excluding them from my daily conversations with God, and writing them out of my future. It was my guilt over having burst the boundaries of our household, having caused my family history to spill into the open and ready to be condemned by the *imam*, that had turned me (momentarily I hope!) into a forger of history.

The guilt at the self-imposed alienation from my family was also evident in my obsession with my mother's ethnicity. Her memory of me asking her frequently if she was upset that I was going to the mosque unequivocally confirms this argument. Although I cannot remember these questions—which according to my mother, she shrugged off, encouraging me to do whatever made me happy—the diary entry of 20 November 1993, less than a month before I would decide to fast for (supposedly) the first time, makes it clear that my mother's ethnicity was on my mind. After yet another unpleasant encounter with the camp director Salko Velić—who makes frequent, albeit contradictory, appearances in my diary, alternating between the life-saving superhero who wrestles Turkish doctors out of their beds and into our camp where they sleepily inject me with asthma medicine and bring me back to life, and the evil Gargamel⁴²⁴ whose favorite pastime is terrorizing small children—I tried to explain his decision to ban us from taking meals to our rooms:

But it's not only his fault. It is also the fault of all these people who have brainwashed him with all sorts of stories and who can hardly wait for my mother to raise her voice so that they can stick it to her for being a Croat. I only now see how hard it must be for my mom. She is a Croat and there is so much

⁴²⁴ Gargamel is the evil nemesis of the fictional blue creatures "The Smurfs" popularized in an American cartoon in 1981 and which made its way to Yugoslavia during the late 1980s.

nationalism in here and that she is afraid to say peep. I only now see that Muslims also have their nationalism and that it is no less intense from that one of Croats and Serbs. All three nationalisms are equally awful. And now I realize (and this is how I was raised) that there are no Croats, Muslims, and Serbs, but only those who are humane and inhumane. I have always believed this and will believe so in the future. It is not important for me to what faith a man belongs, it is important that he is decent.⁴²⁵

The ease and the unexpectedness with which my mother's ethnicity could flood my diary's pages reflected the anxiety I felt in encountering the camp authorities and my paranoid ability to dream up conspiracies out of such ethnically neutral incidents like being excoriated for violating the camp's dining rules. The entry makes it clear that my mother's ethnicity had become something external to me: *she* was a Croat, not me. This statement was overloaded with so many assumptions that I am surprised it did not shatter right there on the page. It assumed that my mother identified with an idea whose abrupt intrusion into our home just a few months earlier had made my terrified father lock himself up inside of our TV stand, which we had discovered was hollow inside and could fit a child or a crouched adult. An idea whose distaste for ambiguous loyalties had made a fugitive out of my brother who, due to his short-lived service in the Bosnian Army, had to turn our grandfather's apartment and his childhood home into a reincarnation of the Anne Frank's house in which everyone inside spent their days leaning against the door, listening for the sound of boots. It assumed that my mother had simply forgotten the moment at the Bosnia-Croatia border when a Serbianized spelling of her name had sent a drunken HVO⁴²⁶ soldier into a fit of rage, particles of his spit falling onto my mother's wrinkled birth certificate, as he ordered her to follow him "to the next room." It assumed that my mother had simply not seen me push myself through the thick mass of camouflage uniforms, which smelled of sweat, alcohol and naphthalene, and stagger into the "next room" where I

⁴²⁵ Ibid., 20 November 1993

⁴²⁶ HVO-Croatian Council of Defense (*Hrvatsko Vijeće Obrane*) was the army of the Bosnian Croats during the war.

wrapped my skinny hands around her like some wide-eyed infant on a *National Geographic* cover. It assumed that she could no longer taste the salty torrent of her tears on that bus after the soldier had confessed that his rage was a “performance to fool those *balije*⁴²⁷ on the bus” and had, while stamping our exit visas, promised that we could get back on the bus as soon as his men had taken all “those *balije*” away. It assumed she had repressed the memory of HVO soldiers halting their last hunt for our building’s Muslim men to stand outside of our apartment door, me propped up on a chair on the other side watching their peephole deformed faces read out my grandmother’s Croatian last name from her obituary, taped to our door, and deciding not to knock. It assumed that my mother had forgiven her Croatian uncle for asking us to leave his Zagreb house and my grandmother’s birthplace on a scorching July day, throwing us on the street and into the clutches of the UN bureaucracy whose solution to our homelessness was to place us in a wagon of a disabled train in Eastern Slavonia where we were kept awake on the nightly basis either by the gunfire from the nearby Croat-Serb frontlines or the rain of rocks the local Croat peasants pelted at “the *balije* inside.” More troublingly though, the externalization of my mother’s ethnicity strove to exculpate me from my own crimes I had committed in the name of nation.

That the statement “there are no Croats, Muslims and Serbs” could be something other than a genuinely felt sentiment does not surprise me since I had heard the exact same phraseology inserted as a caveat to ethnic hatred as was the case when my uncle’s best friend came to his door dressed in his HVO uniform and smilingly promised to kill everyone if my uncle continued to hide my brother and father, prefacing the threat with the apologetic, “you know that there are no Croats, Muslims, and Serbs for me, but...” More surprising is that in the

⁴²⁷ *Balija* is a pejorative term for Muslim.

private confines of my diary, I would also use the cover of this platitude to silence uncomfortable memories from just a few months before.

Every time I read this line I hear the sound of crunching glass beneath my feet, and see the frameless icon of Saint *Sava*,⁴²⁸ a part of his torso torn, propped up against a wall of our building as a target for our “who can hit his head” contest, the shattering frame glass a testimony to our bad aims. I can still see the oak kitchen table and an elaborately ornate armchair, which made me think of some Russian novel I had had to read for school, and a framed beach photograph of *teta* Nada surrounded by children (her grandkids?) nailed to the wall from where we stole her Saint *Sava* icon. I don’t remember how we got into her apartment but I do remember having to squeeze in between the HOS⁴²⁹ soldiers who were too busy carrying out the ornate armchair to notice us children. The presence of the HOS soldiers suggests that this was around the time when the rumor that all of our Serb neighbors had abruptly left for Serbia—leaving behind elaborate assassination plans against the non-Serb residents along with their fully stocked meat freezers—triggered daily raids on their empty apartments that resulted in piles of furniture, photographs, icons, and rotting meat on our front lawns. The rumor branded the few remaining Serb residents would be assassins and brought one vivid image, which had supposedly been safely tucked away in a history archive, to our front lawn: an elderly man kneeling on all fours, eating grass, with an HOS soldier standing above him, smiling at us the spectators while we silently watched from the surrounding windows. This memory tempts me to read my “there are no Croats, Muslims, and Serbs” statement as a thirteen year old boy’s clumsy attempt at

⁴²⁸ The first archbishop of the Serbian Orthodox Church

⁴²⁹ HOS (Croatian Armed Forces) was a short-lived Croat-Muslim militia which with the black uniforms its soldiers wore, the pictures of Ante Pavelić taped on their vans, and brazen acts of violence against Serb civilians purposefully modeled themselves on the feared World War II Ustaše.

irony, but given the total absence of this rhetorical device in my diary it can certainly be read as a way to cover my own tracks.

Admitting to this, however, unravels other memories in which the thirteen year old boy is no longer a spectator helplessly observing ethnic violence from a window or an incidental vandal who stumbles onto an apartment robbery and makes away only with an Orthodox icon, but an accomplice. Before the war, the image of an elderly man, hunched over as he watered his plants on the balcony of his first floor apartment in the building next to mine had been a mundane and barely noticeable part of our everyday reality. Memory's penchant for conciseness, even at the expense of historical accuracy, means that I always remember Drago as a slightly hunched elderly man, his younger version having evaporated with my other prewar memories. His static physical appearance, as conjured up by my memory, belies his metamorphosis from the "man who always shouted at us to take our soccer game elsewhere," to "the last Serb in the building" sometime during the summer of 1992. We had promoted him to the last position after "the other Serb" had been taken away in a black HOS van, but not before he was made to eat grass from the lawn of our building. It was around this time that my best friend Sanel and I decided that Drago's daily trips to the nearby woods were suspicious particularly in light of all those assassination lists and meat-packed freezers his compatriots had left behind before leaving for Serbia. Our inner detectives may have been awoken by my parents' decision to limit our access to the biggest room in my apartment—where Sanel and I had been working on a cardboard model of Mostar so that we could later destroy it with "shells," i.e. marbles—due to the fact that the room was dangerously exposed to the Serb artillery positions on the surrounding hill. Given that just a few months before, while my brother and I were still in Montenegro, a projectile tumbled into the apartment two floors down, tossing our neighbor down the stairs and against the

railing, my parents' decision to place this room off limits and make us sleep on the floor of our former storage room, was one that any responsible parent would have made. But for a thirteen year old boy this was just another in a stream of evictions—from the school, from the soccer stadium, from our favorite construction site turned playground—whose only purpose was to lock him ever more tightly into the ever expanding bubble of boredom. Following Drago on his daily excursions thus gave us a new purpose: we would uncover his radio-station, tucked away deep in the forest, and thwart his future plans to transmit messages to his friends on the hills who were planning our collective demise. After informing our HOS neighbor about our discovery Drago would be whisked away in the black van and Sanel and I would be praised by our neighbors and more importantly by Sanja, a girl whose opinion I particularly cherished. Our fantasies collapsed, however, when from our hiding place at a safe distance we saw Drago approach a metal contraption we later learned was a pigeon loft, housing three pigeons who looked to us as every bit as dirty and repulsive as the ones whose cooing on our balconies would frequently wake us up in the early hours of the morning. The abrupt end of our investigation did not mean, however, clearing Drago of suspicion as became evident by my irresistible urge to look up at his balcony every time I passed by his building.

Going Undercover in Montenegro

In addition to boredom, my failed attempt to out a Serb spy may have also been inspired by the need to prove my non-Serb credentials, a need which stemmed from my mother's brief stint as an undercover Serb from a few months earlier. The stint had some of the makings of a James Bond movie—a mission to save the good guys from deep inside the enemy territory, the stern looking enemy border guards who are always on the brink of discovering the plot, and the harrowing escape—but with a Yugoslav twist: the hero was not a tall, handsome male aristocrat,

but a tiny woman of little over five feet whose success depended not on fancy gadgets or the support of the MI5, but the ethnic ambiguity of her name and her compulsive dedication to the idea of motherhood. Also, instead of being knighted by the Queen following the successful completion of the mission, the hero of the Yugoslav story is forced to live in shadows out of fear of being sent to prison.

My diary's complete silence on our trip to Montenegro at the very beginning of the war, between late April and June 1992, speaks to the anxiety I felt over being outed as a Serb sympathizer in both the post-Serb Mostar and the Turkish refugee camp. I remember that upon returning from Montenegro in mid-June 1992 I was terrified by the memory of my brother, my two aunts, four cousins, and myself flying out of Mostar in a Serb army helicopter while that very same army was shelling our neighborhood to "punish us for seceding." The excitement I felt over flying in a helicopter for the first time in my life was dampened by the fact that I was saying goodbye to my parents with whom I had had a day-long fight over their decision to send my brother and me to our relatives' in Montenegro "until this settles down in a few days." All I remember of that flight was the moaning of the pregnant woman sitting next to me, the nausea I felt while looking at the barren Herzegovinian countryside whizzing by, combined with the terror of being so close to the ground that I felt I could touch the rocks. Even though this was my spring of firsts—the first time I rode in a helicopter, the first time I kissed a girl, the first time I smoked a cigarette, the first time I worked in a field, the first time I gambled—it was watching the news, all three daily time slots, that remains my most vivid memory of my encounter with Montenegro. As the words "Islamic fundamentalists," "Croat-Muslim crypto fascists," "the New World Order," reverberated through the house, filled to the brim with twelve cousins turned refugees, I would squeeze in on the living room couch and desperately search for images of

Mostar on the screen, hoping to satisfy the craving for my parents. I consistently ignored the murmurs of my aunts, which my memory has summarized into “I am worried about this kid,” and spent most of the time between the newscasts in the wooden outhouse next to the portable radio where in addition to not being able to find the “*Radijo Slobodna Evropa*” my biggest fear was being interrupted by my cousin who was always trying to recruit me as the goalie for their next soccer game. Kissing a dark haired girl, who tasted of the *čunga lunga*⁴³⁰ bubble gum, behind the bushes on a barren hillside, inhaling my first (and only) cigarette, which felt like swallowing fire and sent me into a half a day long asthma attack, clumsily picking at the ground with my shovel as I tried to dig potato holes, and losing my entire weekly allowance on a slot machine in the city, seem like an afterthought, conjured up by my memory to make this a more archetypal vacation. Remembering my mother’s abrupt arrival to our Montenegrin village, looking shorter and being more reticent than I had remembered her, compresses these mundane memories into a fast moving reel of images as if I am recalling a movie in which the slow paced plot suddenly plunges towards a dramatic climax, whizzing through seemingly unimportant scenes.

My mother’s identity acrobatics during her mission to bring us back to Mostar could not have been possible had it not been for her father’s childhood in the Serbian town of Užice where his own father worked as a Communist-hunting chief of the gendarmerie in the service of the Yugoslav King. It was in this western Serbian town, which during World War II would become a short-lived Communist Republic, where my Croatian-born grandfather obtained not only his Serbian accent but also his encyclopedic knowledge of Orthodox catechism as well as the set of thick scars zigzagging across his upper thighs like faded barbed wire. The latter he received when he was twelve-years old after attending a banned Communist rally where he was handed

⁴³⁰ A popular brand of gum in the former Yugoslavia.

the sign “Give us Bread, not Dictatorship” and told to march towards the center of town. But even before he reached the center, any enthusiasm the boy might have had for social justice evaporated in the billow of dust he left behind as he tossed the sign and sprinted away from the police. What must have seemed like an abrupt act of cowardice to his comrades was a perfectly logical act by a twelve year old boy who had just seen his father on horseback, in the midst of the gendarmerie lines instructing his subordinates to chase down the bandits. Upon seeing his son marching at the head of the Communist gang, carrying a sign that could have earned him a few years in the King’s dungeon, the father also reacted logically: he kicked his horse, jumped over his police officers, and went after his son who by this time had already reached the small central square of the town. Trying to re-remember my grandfather’s memory evokes a scene that belongs on a reel of some silent movie from the Charlie Chaplin era: my grandfather wearing rags for clothes, running barefoot through the unpaved streets, looking maniacally over his shoulder to see how much time he had left until his inevitable doom. As the terrified boy exists the screen, a heavysset mustached man in a gray uniform, weighed down by clanking medals, sword in his hand, and mounting a beautiful white horse—whose peaceful disposition seems out of place—appears in the scene and catches up to the boy somewhere beyond the screen. After putting on his shorts at the beginning of every summer, my grandfather’s scars would retell the horrifying epilogue of this story: a barely conscious boy dragged on a leash by his own father whose thick military leather belt was dripping with bloody skin fragments after repeatedly whooshing across the boy’s skinny legs. Just like these scars, my mother’s name was a product of Užice, a pronunciation error my grandfather made in a fit of nostalgia for his Serbian childhood and in front of the oblivious birth record keeper who wrote down the name as he heard it: “*Snežana*.”

By simply penciling in the “j” between the “n” and the “e” on her birth certificate—“*Snježana*”—my mother pushed through the checkpoints guarding the only exit out of Mostar, knocking over the sandbags, dismantling the barbed wire, and nudging the HVO guards out of her way, convinced that her new Croatized name in addition to the words “Zagreb” and “Split” noting her mother’s and father’s birthplaces, respectively, enveloped her with a shield of authentic *Croatness*. My mother’s decision to use a pencil instead of a pen to tamper with her birth certificate was a harbinger of her long journey: the battle zones scarring most of the (former) Yugoslav landscape had made the usual two hour trip between Mostar and Montenegro impossible, forcing my mother on a journey around the former country which resembled a last pilgrimage to Yugoslavia. Leaving behind the smoke enveloped Mostar she went south into Croatia, boarding a bus in her father’s birthplace and reached her mother’s birthplace after a night long trip, during which the bus had boarded a ferry in order to circle around the *Krajina* battle zone. In Zagreb the passport official must not have noticed the penciled intruder in my mother’s birth certificate, quickly stamping a *šahovnica*⁴³¹ emblazoned renewal in her Yugoslav passport, which with its five-pointed red star emblazoned above the Yugoslav coat of arms—the six flames symbolizing the republics—was already becoming a collector’s item amongst nostalgia enthusiasts. The penciled intruder also managed to slip undetected under the nose of the characteristically unfriendly Hungarian border officer who after asking my mother in broken Croatian as to the purpose of her visit to Budapest, stamped her *šahovnica*-decorated Yugoslav passport without waiting for her to give him the answer, which she had rehearsed all night. At the Budapest train station, while waiting for the train to Belgrade, with an eraser she bought at the nearby kiosk my mother once again turned herself into a Serb and thanked God for the first time in her life after the Serb border officer had overlooked the *šahovnica* page of her passport

⁴³¹ Šahovnica is the red/white checkerboard that is the official coat of arms of Republic of Croatia.

before stamping her entry visa. During the last leg of her trip, from Belgrade to Nikšić, *Snežana* remembered her father's Užice childhood—his knowledge of Orthodox catechism, his *ekavski* dialect, and his Serbian name *Veljko*—and meticulously eliminated those memories which might draw the attention of a hostile Serb official to his Croatianness—his family's move back to Croatia in 1941, his father's World War II service in the *Domobrani*⁴³², and the latter's exile to Italy. Maybe it was this shrinkage of her past that made her look shorter than usual when I hugged her on the dusty road out of our Montenegrin village?

A few days after my mother's arrival we went to Gacko in what proved to be the first of many efforts to fit our identities in the post-Yugoslav reality. *Vanja* and *Feda* made it highly unlikely that smuggling of letters or tinkering with any aspect of grammar would be enough to turn us into Serbs. *Sn(j)ežana* predated Yugoslavia. In other words, the name allowed for alternative histories: it could recall both, a village of King Alexander's Serbia or a coastal town of Vlatko Maček's Croatia. On the other hand, all the alternative histories that *Vanja* and *Feda* recalled were coded socialist Yugoslav: the postwar infatuation with all things Russian, the nostalgia for Chekhov and Dostoyevsky respectively, or the baby-boomers' desire to permanently preserve their urban, cosmopolitan credentials. Her awareness of this may have been the reason my mother was so reserved when she arrived in Montenegro as she implemented her plan, designed to coax Milošević's and Tuđman's bureaucracies into forgetting the histories of our names.

⁴³² Literally translated as the "Defenders of the Homeland" the *Domobrani* were the regular army of Ante Pavelić's Nazi puppet state *Independent State of Croatia* (NDH). Although the *Domobrani* were distinct from the more fanatical and vicious *Ustaše* they were also targeted by the Communists during the country's liberation forcing thousands to flee to the Austrian village of Blaiburg from where they were handed back to the Partisans by the British in violation of the International Law. Following their failed escape thousands were slaughtered by the Partisans and buried in mass graves, thousands fled to South America, and some survived eventually becoming integrated into socialist Yugoslavia. It was only in 2007 that I learned that my own grandfather was one of the Blaiburg survivors who, after spending a few months in UDBA (Yugoslav Secret Police)-run prisons, was released and allowed to join the Communist Party, while his brother emigrated to Argentina and his father to Italy where he died a few years later.

At the time, the first leg of our journey seemed to me like an act of lunacy, an irrational decision by my tired and panicked mother, as it involved going several hundred miles west, deep into the Bosnian Serb territory, to the village of Avtovac near the Herzegovinian town of Gacko. In addition to being the place with which my only encounter had been in my history textbooks where it had been described as a World War II *Četnik*⁴³³ stronghold, the bus we took made me even more convinced that my mother's long journey from Mostar had made her suicidal. The rickety old bus reminded me of the old Yugoslav movie *Ko to tamo peva* (*Who Sings Over There*) in which two Gypsies, one playing a Jew's harp and the other an accordion, chronicle the adventures filled journey of a group of people on a sputtering bus to Belgrade on 5 April 1941, just in time for everyone, with the exception of the two Gypsies, to be blown up by the first German bomb as soon as they reached the Serbian capital.⁴³⁴ But, instead of having the father-son duo as our drivers, in which the son at one point drives blindfolded to prove himself in front of the terrified passengers, our driver insisted in pulling over at every bar on the road for "a break" after which he would swerve ever more closely to the edge of the road, offering us picturesque views of the ravine below. Instead of a passenger accidentally firing his rifle on the bus, our most terrifying moment came at the Montenegro's unrecognized, but yet guarded, border with Bosnia when a soldier—who with his double-headed eagle emblazoned on the top of his *karakul* hat, the shiny bandolier tightly strapped across his chest, and the long-bladed hunter's knife hanging from his belt looked as if he had walked off of a page from my history textbook—insisted on taking away my brother because "Serbia needed him." Having safely

⁴³³ Četniks (*Četnici*) was originally a generic name given to a variety of Serbian nationalist movements that fought against the Austrians in World War I but in World War II the name referred mostly to the royalist movement organized by the General Draža Mihailović who while initially resisting the Nazis became embroiled in a vicious civil war with the Communist-led Partisans earning the movement the title of collaborators in post-WWII Yugoslavia. During the wars of Yugoslavia's disintegration, *Četnici* became a synonym for war crimes perpetrated by Bosnian Serb forces and today for the overwhelming majority of the Serbs, the term is taken as an insult.

⁴³⁴ Dušan Kovačević, *Ko to tamo peva*, VHS. Directed by Slobodan Sijan. (Beograd: Centarfilm, 1980).

hidden my brother's birth certificate in her underwear, my mother nudged the heavily armed soldier to the side, away from the peasant who was begging some border guards not to take his sack of potatoes, and she told him of tortures we had endured at the hands of "those *balije*" in Mostar with such vivid detail that I began to believe her, showed him her birth certificate (the "j" erased), told him how much her father missed his beloved Užice, and vouched for the authenticity of her story with a 100 Deutsche mark bill, which he eagerly placed under his bandolier before he ordered us, my brother included, to board the bus. Finally, instead of perishing in a German artillery attack we ended our trip much more successfully: we returned to our Montenegrin village richer for a few hundred Deutsche marks we had borrowed from my mother's friend and more importantly, with a phone number written on the back of my mother's bus ticket.

The day after my mother dialed the number from the back of the crumpled ticket, we walked into a Belgrade office, which smelled of fresh paint and cigarettes and whose white walls were decorated only with an unframed picture of Slobodan Milošević. While my brother and I sat in the black leather sofa, my sweaty skin sticking to it, she approached the man behind the imposing desk. My memory has done away with the image of the man behind the desk, but I remember his breath smelling of coffee as he said, "I am afraid your kids cannot get our passports because they were not born in Serbia." In a shaky voice my mother recalled memories she had never had, piling them on top of the ones she had invented two days before in front of the bandolier-strapped soldier, in assembling an identity that would correspond to her birth certificate: the "j" erased, her father's Užice childhood, my father's "misfortune of having been wounded by a Croat shrapnel," our need to get to the Croat side of Mostar where we had our apartment, and the "theft of our documents by Muslim fundamentalists." It may have been his

incredulous “but why would you want to go back, the *Ustaše* have taken over Mostar?,” the stale salami sandwich I had had for breakfast that morning, or the thought of the fifteen-hour bus ride to Slovenia ahead of us, that suddenly pushed my body into convulsive sobs, tears tapping on the leather couch.

Between the moment my first tears hit the couch and the words “we will have your passports ready by tomorrow morning” the image my memory recalls is of the man running his fingers through my hair—the yellowing fingertips a testimony to his chain smoking—and me mumbling something about how much I had loved riding in the Serbian military helicopter. However, the years of retelling of this moment by both my mother and my brother have filled my individual memory with more details, embedding it into yet another morally unambiguous story in our family repertoire: the high-ranking official from the Serbian Ministry of Interior broke his stern demeanor, stood up behind his oak desk, the photograph of Milošević behind him, and came over by the boy who was sobbing his way through a couple of lies—“I wish I could go back to our side of Mostar in that helicopter”; “I don’t know where my father has been since he was wounded by the Croats”—and while running his hand through his hair promised that “you will see your dad soon.” Thus, according to the family narrative, we left Belgrade the next day as Serbs with our new passports in hand thanks to my ability to cry strategically. As a historian I would argue that on the basis of the sources an alternative interpretation could be offered: the Serbian Interior Ministry Official was a relative or a good friend of my mother’s friend from Gacko who had intervened on our behalf. It was family loyalties that motivated him to forge our passports and risk prison time, or worse, and not the tears of a cranky thirteen-year old boy.

The fifteen-hour bus ride from Belgrade to Ljubljana—which today takes only five but which in 1992 involved transferring from a Serbian to a Slovenian bus, in the middle of the

night, somewhere along the way and then snaking along the Croatian-Hungarian border in avoiding the Slavonia warzone—implanted me with a self-doubt that persists to this day. Every time I have come across the question of Slovenia’s role in Yugoslavia’s disintegration I have always shuddered at the thought that the unpleasant memory of my encounter with this country on this particular trip would make any objective argument impossible and shatter my professional identity as a historian. No theoretical approach I have learned allows me to rearrange the memories of this trip into a more nuanced argument from the one often articulated by my less politically correct mother who insists “that the Slovenians treated us like we were Gypsies at that border.” Her words always make me recall an image which might be a composite of the actual events at the border, a scene from a Holocaust movie, and an Emir Kusturica film: a column of slightly hunched over women and children getting off of an idling bus in the middle of the night, surrounded by nothing but fields and a few armed guards who passively listen to the pleas of a *hijab*-veiled woman with a wailing child under her arm. But instead of the trumpet-blasting Gypsies from Kusturica’s imagination, it is the barking of the vicious looking canines that accounts for the background noise. What caused me to shout expletives at the unfazed Slovenian border officer (I remember thinking that he looked younger than my brother) was not so much his refusal to let us enter his country as was his repossession of our passports, which he then took to a small booth where he huddled over them with his colleagues, his smile as he handed them back to us, and his “these are fake” in heavily accented Croatian. When remembering this night it seems unfair that in just four moves—the repossession, the huddling, the smile, the accented refusal—one man, a boy, could destroy our hard-earned Serbian identities. In just four moves, which took no longer than twenty minutes, he dismantled the carefully built edifice of a new past my mother had created since leaving Mostar. In just four

moves he branded my mother a liar. Often while reading historical accounts of the Yugoslav disintegration—whether it is Pedro Ramet’s discussion of Slovenia’s role in the “highway crisis of 1969,” or in the constitutional crisis of 1989, as illuminated by Robert Hayden⁴³⁵—I often inadvertently conjure up the image of that Slovenian border guard, the smile, the accent, and the bench which my mother, brother and I shared that night with our fellow Gypsies—the *hijab*-veiled woman and her wailing child.

While being stranded at the Slovenian border, I experienced for the last time a tantrum which that had been a constant companion in my childhood. After being denied entry into Slovenia, we hesitated to sit on the only bench available out of politeness to the *hijab*-wearing woman with the wailing child under her arm. Her child’s uncontrollable kicking and screaming forced the woman to forgo the customary politeness and lay her baby down, taking up most of the bench, a move which managed to abruptly quiet the child. The child’s ear-piercing screams coupled with the residue of rage I still had towards that Slovenian border officer pushed me into a tantrum of my own as I experienced another one of my *krizas*. For the better part of my childhood *kriza* seemed to be one of those fad words everyone used: the newscaster to describe either a meeting of important politicians or a group of demonstrators clashing with the police, a speaker behind a podium when talking about our country, my father when describing a Party meeting at his work. But when I was around, my parents used *kriza* more as a codeword to begin executing a mission to get sweets and stave off a crisis which involved me shouting, crying, packing my suitcase in pretending to be leaving home—or often doing all three things at once—in punishing my parents for not having sweets on hand when my cravings came on. Even though

⁴³⁵ Pedro Ramet. *Nationalism and Federalism in Yugoslavia, 1963-1983*. Bloomington: Indiana University Press, 1984. (Ch. 6); Robert M. Hayden. *Blueprints for a House Divided: The Constitutional Logic of the Yugoslav Conflicts*. Ann Arbor: University of Michigan Press, 1999.

I would later justify my actions by arguing that the cravings were something I could not control—the excuse which once I came to the United States, became “I had a sugar imbalance”—I would like to think that the craving was not so much for the sweets as it was for those mornings with my grandmother when after dragging myself out of the bed, I would sit across from her, on a couch under a blanket, devouring a *čokoladna bananica*, a bar of either *Seka i Braco* or my favorite, *Tortica*. By the time of my *kriza* at the Slovenian border, all of these tastes—the chewy combination of chocolate and factory-processed banana powder, the less chocolaty but creamier and sweeter Yugoslav version of *Milka*, and the chocolate wafer that I later discovered was the Yugoslav version of the *Kit Kat*—had summarized themselves into a nostalgia for my grandmother’s fluffy blanket, with the picture of *Duško dugouško*⁴³⁶ on it, for her dictation of our grocery list, and for all those daydreams I had while spending the day with her. Since waking up at my grandmother’s meant that I was not going to the dreaded kinder garden that day, I would suggest that experiencing a *kriza* at the Slovenian border was the ultimate outburst of nostalgia for home and not a tantrum of a spoiled child.

The absence of any stores and our dwindling food supplies, however, meant that *kriza* could only be averted through extraordinary means, which came in the form of my mother breaking into sobs, my brother excoriating me so harshly that I expected him to punch me at any moment, and my realization, which came with the dawn, that the baby on the bench was actually an older child with Down-Syndrome. It is also possible that it was the *Fićo* taxi which took away our bench companions in the direction of the Croatian border that helped me overcome my *kriza* as I hoped that he might come back for us as well. While we waited we contemplated our other options: walking back to the Slovenian border and either begging the guards to let us in or

⁴³⁶ Bugs Bunny.

running across the open field hoping they pretend not to see us, the latter being our last alternative to taking the humiliating ride back to Montenegro.

It is ironic that the feeling of claustrophobia that came with being stranded between the three borders was dissipated by the *Fićo*, the tiny Italian-made Fiat 600 which had been the first and the only car my family had ever owned and which I associated with our cramped summer trips to the coast. Almost every summer the *Fićo* had failed us. Almost every summer it had sputtered to an abrupt stop somewhere along the windy roads of Dalmatia, forcing my dehydrated brother and me to briefly escape its sweat encrusted backseat and push our family heirloom closer to the beach, a cacophony of curses, honks and revving engines egging us on from behind. This time, however, the *Fićo* did not stop once to the Croatian border where I saw the *šahovnica* flag in person for the first time. Also this time, after another brief repossession of our Serbian passports followed by another “these are fake” by yet another border officer which was then followed by another one of my sobbing episodes, the *Fićo* lurched over the speed bump under the raised ramp and cruised slowly past the Croatian border officer who had turned his back on us in yet another act of random kindness. With *Fićo*’s reputation fully redeemed in the family repertoire of stories, and my sobbing hero image having been confirmed, we reached the sleepy town of Čakovec, which my mother even today describes as “my favorite place on earth.” We were in Mostar the following morning, our Serbian passports safely discarded.

Storytelling Our Way into Europe

Despite my efforts to fit in the post-Serb Mostar, following our return from Montenegro my patriotism grew ever more equivocal. In addition to mingling with the HOS soldiers during their raid on the Serb apartment in our building, throwing rocks at the icon of Saint Sava, and attempting to out our pigeon-loving neighbor Drago as a Serb spy, I became obsessed with

concocting the memories of our brief refugee life in which “the military helicopter” turned into the “*Karitas*⁴³⁷ bus,” “Montenegro” into “Split,” and “*Snežana*” once again became “*Snježana*.” It may have been all the bonding with the HOS soldiers that instilled in me a perpetual feeling of dread at having the words “Montenegro” and “the military helicopter” spill out of our family archive and into the stairwell of our building where I imagined our neighbors waiting to raid our apartment for the assassination lists, the icons of Saint Sava, the armchairs from Russian novels, and the meat-packed freezer.

That my fear was not paranoia borne out of my compulsive news watching became clear to me after I witnessed my father lunge at our neighbor from the floor below, whose apartment always smelled of *ajvar*,⁴³⁸ and throw punches in his direction, but missing him as the latter fled inside of the building. My father’s attempt at violence came after he had visited his old friend who was well connected to the local HVO unit and who informed my father that our *ajvar*-loving neighbor had inquired about the proper spelling of my mother’s name and in the process had uttered those words I had come to dread: “Montenegro” and the “military helicopter”. However, the *ajvar*-loving neighbor’s investigation of my mother was soon halted by those same HVO soldiers whose favor he had sought: a few months after barely escaping my father’s punches he was greeted by HVO soldiers at his doorstep who threatened to kill his “*balija* ass” if he did not take off his HVO uniform and follow them to the *heliodrom*⁴³⁹ concentration camp. All the while, one floor above, my father was hiding inside of our TV stand, and in the neighborhood below the soccer stadium, my brother was leaning against the door of our grandfather’s apartment, listening to the sound of boots.

⁴³⁷ *Karitas* was a major Catholic humanitarian organization that helped evacuate refugees to Croatia in the early days of the war.

⁴³⁸ A relish made out of red bell peppers, garlic, and eggplant.

⁴³⁹ A concentration camp, located south of Mostar, and operated by the HVO during the war between Croats and Muslims.

“*Rat sa Hrvatima*,”⁴⁴⁰ as it became known in my family’s story repertoire, halted my identity makeover, tossed my father into our TV stand, supplemented the memory of my grandmother giving me sweets with the one where the peephole deformed HVO soldiers read out *MARIJA* from her obituary taped to our door, forced me to abandon my treasured *Dnevnik*⁴⁴¹ I had used when I played school, made us live in a wagon of an abandoned train for three weeks, and turned Turkey from an exotic “Muslim country” into our new homeland. But by upending our almost certain Mostar futures—my father in his job as an engineer at the aluminum factory, my mother as a clerk at the *Jugobanka*, my brother as an architect and myself as a high school teacher—*rat sa Hrvatima* confronted us with new conjectures, making new dreams not only possible but essential. The stories my mother had begun to devise during her undercover stint in Montenegro now became our collective enterprise and they grew more elaborate with new details added by all four of us at the most unexpected moments, in a whisper on the bus out of Mostar just before the drunk HVO soldier would spit on my mother’s birth certificate, over a laugh during our nightly *remi* game in the wagon either before or after the locals pelted our rusty new home with rocks, or in a barely audible shout on the noisy Turkish jumbo jet on our way to Turkey. These stories were not simply some cliché coping mechanisms, tools of self-denial, or improvised gadgets of entertainment during our dull refugee life, but rather our attempts to negotiate our future identities on our own terms as we stood at the conjectures of our histories.

The one “what if” story that dominates all four notebooks of my diary is that of us living in Marseilles, France, in a house next to my aunt Edisa’s. However, when today I trace our movements during the summer of 1993 it looks as if we were purposefully trying to throw a

⁴⁴⁰ “The war with the Croats”

⁴⁴¹ *Dnevnik* was the generic term we used for the school gradebook which came in either green or red color and was the dreaded symbol of teacher’s power. My *Dnevnik* was procured for me by my aunt who worked in a school for children with special needs.

potential stalker off our trail by constantly inching further northeast, masking our designs on France towards which we would make one quick dash once we gathered all the necessary documents—a few days in Split in the apartment of my grandfather’s sister, where the small, albeit delicious, meals she served us seemed proportional to her tiny physique; a ferry ride to Rijeka where I got an autograph from the famous long-haired Croatian singer Gibonni; our week-long stay in Zagreb with Braco and “his two whores” (my mother’s words) in the house where my grandmother was born; our first homeless day at the Zagreb train station; the eighteen days we spent as undercover Croats in the house of a nationalist journalist on the outskirts of Zagreb; and our week-long life on the railroad tracks in the Slavonian village of Ivankovo.

Our routine in Ivankovo gave no hint of our French obsession either: my father and I taking our morning walk to the post office, past the row of identical houses and past the widowed old ladies who with their stoic stares and black attire seem stolen from a scene of an old Western in which the town’s residents silently watch the lone hero make his way to the center where he would battle his nemesis and face certain death. Our nemesis was an official at the Bosnian consulate in Zagreb who every morning on the phone promised us a trip to Slovakia only to qualify it with “we are still waiting for the green light from the Slovaks,” every afternoon. The day my father went to battle our nemesis on his own he returned to our wagon, on the bicycle he borrowed from the camp’s German director, with the news that Slovakia had become Turkey, and that we would be leaving the next day. By the time we left for Turkey, France had made appearance in my diary only as a side note, slipped into a “thank you God” for seeing my grandparents arrive safely in Marseilles, a worry about Edisa’s husband Dražen who had stayed behind in Mostar to battle HVO, our real nemeses, or into a summary of the days when our trip to the post office included a phone call to my aunt.

It was during our first attempt at a routine in Hayrabolu, when my father and I made our first trip to the post-office and Edisa promised to send us the *garantno pismo*⁴⁴² that France began to take shape as our new story. Soon the story itself became the routine. France dominated every trip my father and I made to Istanbul, intruding into my visits to Yediküle hospital where a Bosnian doctor was supposed to make my asthma attacks less frequent, our meetings at the Bosnian consulate where the daughter of President Alija Izetbegović, Lejla, was to give us materials for starting a school in the camp, and into our overnight stays at our friend's apartment on Taksim where we were supposed to act the role of refugees and humbly accept yet another bag full of clothes and an envelope of cash. Instead, my day-long stay at Yediküle became a few hours' routine check-up before we had to rush to the meeting with Lejla who spent only a few minutes talking about the reasons why the Bosnian school could not be opened before she discussed what support our consulate could offer to my father during his upcoming visit to the French consulate. In place of accepting the clothes and cash from our Taksim friend, my father invoked our future life in Marseilles as the reason that "we won't be needing this." Sometime in mid-November, the story invaded the pages of my diary entrenching itself into almost every entry in the form of "**FRANCE THE PROMISED LAND**," the bold capital letters presenting our dream in the breaking news format, reflecting not only my continuing obsession with news watching but also the need to turn the dream into a tangible newsbyte and present the future anonymous French visa bureaucrat with a *fait accompli*. After we picked up Edisa's *garantno pismo* at the barracks which were our makeshift post-office, I increasingly felt like my family and I were trapped in one of those nightmarish episodes of the *Twilight Zone* in which everyone around us behaved as if they were living in some alternate reality, in a refugee camp, and not in a Marseilles suburb.

⁴⁴² Letter of sponsorship

By the time we took it to the French consulate in Istanbul, the *garantno pismo* had taken on magical powers. As soon as we tugged it out of the brown “*par avion*” envelope, which had been clumsily taped after being opened by some nosy Turkish postman, we felt vindicated in our obsession with France: the beautiful cursive handwriting in blank ink which reminded me of the fountain-pen with which I had written in my own *Dnevnik*, and the rough-edged watermark which bore the signature of some important French official, whom Edisa had described “as a close friend of Bernard Kouchner⁴⁴³,” gave our abstract dream a tangible form. I often felt anxious at the thought of the letter disappearing in the stack of papers on the desk of some anonymous, stern looking French bureaucrat. At least while it was safely ensconced in its nylon wrap inside our document bag in our room in the camp, we retained some sovereignty over our dream. We could pull it out of the bag, unfurl it on the table, gather around it, and plan our future French life. When we had visitors, my father would often talk about his job at a Renault factory in southern France as if he was evoking some precious memory. Soon, my father’s stories became ever more elaborate: my mother obtained employment as a loan officer at the bank in a nameless town, which we somehow all knew was close to Marseilles; my brother would soon graduate with honors from the school of architecture; and I would get tenure teaching languages at a university. To prove to the guest that this life was real, my father would often take the document out of the bag, place it in front of the guest, and, like an archeologist proudly showing his historic find to the world, point to the watermark and the signature of “Bernard Kouchner’s friend,” documenting the existence of the life he was narrating.

Some evenings my father would tell the stories of our vacations to the French Riviera when after a day-long fishing trip with a buddy he would rejoin the rest of us for dinner at some tiny restaurant overlooking the Mediterranean. It was only much later, after looking through my

⁴⁴³ Bernard Kouchner is a famous French Socialist politician who during 1992-1993 was the Minister of Health.

diary and discovering that my father invented his vacation story just a few days after we had heard that Edisa's husband had been killed in Mostar that I began to suspect that the buddy in this story was none other than Dražen. Thus, the French life offered my father what even God could not: a chance to go on another fishing expedition with Dražen and to drink wine with him not in our socialist apartment, as they had done many times before the war, but somewhere on the French Riviera. The French Dražen would for that brief moment silence the memory of my mother receiving that phone call after which she let out a terrifying bellowing moan, which muted the noise of the plastic receiver shattering as it hit the floor. The French Dražen momentarily turned my mother's gut-wrenching bellow of grief into laughter uttered at the French Riviera over a fancy seafood dinner. To turn over the *garantno pismo* to some bureaucrat could potentially kill the French Dražen with same callousness with which the HVO killed his Mostar double.

The terror I felt as I watched my father disappear behind a leather-upholstered door in the French consulate resembled the terror I had felt while watching the peephole deformed faces of the HVO soldiers in that both times I felt my stomach turn into knots before giving out loud grumbles. This time, instead of my father being taken away to the concentration camp, the scene that brought me to the brink of a bowel movement was that of a French official examining the *garantno pismo*, puffing on his fancy thin cigarette, while rummaging through the memories of our French life. My father's job at the Renault factory, my mother's career as a loan officer, my brother's reputation as a famed architect, and my university tenure, were all scrubbed away by the officer's pudgy thumb with which he repeatedly trudged across the beloved watermark as I was trying to keep my bowel movement at bay. This pudgy finger invaded the sovereign territory of our French existence and methodically erased the memories of our vacations to the

French Riviera, our evenings at the beach, and my father's fishing expeditions with his murdered brother-in-law.

When my father finally emerged out of the office, his face looked like a smoldering battlefield. His sunken eyes looked like trenches from a war in which he had made a courageous last stand for his right to dream with the *garantno pismo* as his only weapon. His hunched posture, his gawking blue eyes, and his trembling hands gave him the look of a shell-shocked warrior. Momentarily distracted by this image of my father, I let my guard down and allowed the grumblings of my stomach to turn into a bowel movement. The warm diarrhea liquid poured out in surprisingly consistent waves. Still shell-shocked, my father helped me to the bathroom where we stuffed my soiled underwear into a toilet which had already been clogged by floating feces. In his last stand for our dream, my father flushed the toilet and we hurriedly left the building. Our French life brutally suffocated in the shit-clogged toilet, we limped onto the bus to Hayrabolu and went back to our *Twilight Zone*.

My ignominious act in the consulate's waiting area could not have been caused by being shocked that neither the fancy watermark nor the signature of "Bernard Kouchner's friend" had forced the hand of the French bureaucrat to stamp entry visas into our passports because this was only one in a string of our abandonments at the hands of European bureaucracies. The first one happened around the time my father was hiding in our TV stand when the convoy of the Spanish UN peacekeepers roared its way out of our neighborhood, past the HVO tanks on the *Brkanovo* hill, and past the soldiers whose deformed faces I would see through the peephole just a few days later. This abandonment felt all the more personal because in the preceding several months we had struck up a friendship with our neighborhood "blue helmets," selling them mundane things they considered souvenirs—my father's *titovka*, a friend's military boots, my brother's comic

strips—and chatting with them in our broken English while sitting on their white armored vehicles, our skinny legs dangling over the black “UN” letters.

The second abandonment, which seemed less personal but more callous, came a few hours after we had walked into UNHCR’s Zagreb office, not even an hour after my mother’s uncle had asked us to leave his house, and begged for a home only to be placed in the Ivankovo “wagon village” within the range of the Serbian artillery.

The third and the final abandonment before my ignominious incident was caused by the indifference of the few EC “observers” who while sitting at a hotel near Ivankovo refused the pleas of our German driver and camp director to give us some gas for our car whose empty tank had caused it to lurch to a halt in the middle of the Slavonian countryside. Of course, the EC “observers” could not have known that just a few minutes earlier a wild hog had splattered itself across our windshield, causing the German driver to swerve uncontrollably, and my father to shout “*još treba da poginemo u ovoj vukojebini!*”⁴⁴⁴ They could not have known that a few hours before that we had been told by the Bosnian consulate officials to come to the Zagreb airport by the following morning if we wanted to leave for Turkey. But they could have known, and probably did, that the Croatian railroads had declared a general strike that day, making the German camp director Christopher our only remaining hope in reaching Zagreb in time. They also could not have known that their groans of disapproval at our request meant that we would spend that night in the van while our German driver paced up and down the nearby gas station furious at the tardy attendant who opened it some twenty minutes *after* five. Thus, by the time we entered the French consulate on Taksim—after we had been herded along with a mass of people into a tiny cage at the entrance in which everyone kicked and shoved like enraged bulls

⁴⁴⁴ “We will die in this shithole!”

before being let out into the arena—we had endowed the *garantno pismo* with the qualities of a genie lamp convinced that rubbing its watermark could erase these past disappointments.

A few months after my incident at the French consulate and in the same broken English with which I had chatted with the “blue helmets”, I wrote our last appeal to Europe, the letter I today read as my last-ditch effort to rekindle a lapsed friendship. Having had our French life flushed down the toilet and being bombarded on a daily basis with the news of the raging war in Bosnia, I used the absence of our friend—who had gone with his family to visit Istanbul—to borrow his English dictionary and compose the following letter:

Dear Gentlemen!

We heard for your organization and we are converting to you with hope [sic] that you will help us.

We are here in camp more than 12 montas [sic] and we are on border of madness, BECAUSE we live in very bad and difficult conditions. In the name of god and our children helpus [sic] that we go in your some other country.

We are waiting for your answer!

GOD A BLESS YOU!

Our names and our address:

Miro Burić—husband—1949

Snježana Burić—wife—1952

Vanja Burić—son—1974

Feđa Burić—son—1979

Address:

Kamp Bosna-Hersek

Misafirhanesi

Hayrabolu/ 59400 Tekirdağ

Türkiye

Tel. 0282 3154898⁴⁴⁵

The generic nature of the letter suggested our multiple audiences—the Belgians, the French (again), the Germans, the Swiss, the Red Cross, and at the advice of a friend, the New Zealanders, as our only non-European alternative—and the clumsy Christian-format of the God references was designed to coax the bureaucracies into letting us emigrate and prevent a repeat

⁴⁴⁵ *Diary*, Notebook IV, 1 August 1994.

of our French debacle, which we were certain had occurred because we were Muslims, a conviction which silenced my mother's *Croatness*. The only response came from the Red Cross headquarters in Geneva where the Deputy Head of Europe Desk Anne-Sophie Lundberg responded in an equally generic tone: "We acknowledge receipt of your request and regret to inform you that matters relating to the granting of asylum or emigration do not fall within the competence of the International Committee of the Red Cross."⁴⁴⁶ They suggested we contact the UNHCR unaware of the latter's penchant for placing refugees into rusty trains in the vicinity of battlefields. In all its brevity, formality, and anonymity the letter marked the end of our story-telling, bringing my diary to an abrupt stop on 26.8.1994.

Conclusion

Why does this autobiographical story belong in a history dissertation? After all, the story's substantive findings have already been recovered and discussed by the mainstream historiography on Yugoslavia's disintegration: the two wars—the first between the Yugoslav/Serb Army and the Croat/Muslim forces (April-July 1992), and the second one between the former allies, Croats and Muslims (May 1993-February 1994)—that pummeled Mostar in the first half of the 1990s and turned it into a wreck, resembling more a junkyard than a late 20th century European town; the indiscriminate persecution of the remaining Serb civilians in Mostar by the HOS militia whose random, vicious, and public acts of violence coupled with their black uniforms and fascist insignia mimicked the Nazi SS; the massive refugee crisis, caused by some two million former Yugoslavs who crowded Europe's borders just at the time when the European Union was under construction; the confused, ineffective, and often counterproductive response of the so-called international community as evidenced by the powerlessness of the UN peacekeepers to halt the violence—most infamously symbolized by the

⁴⁴⁶ Anne-Sophie Lundberg, Deputy Head of Europe Desk, Central Tracing Agency, 23 August 1994.

Srebrenica genocide—and the increasingly strict immigration policies of Western European nation-states as the war dragged on. Given the thousands of pages written by hundreds of scholars on these very subjects, what is the novelty of yet another autobiographical witness account of the country’s breakup?

It is my contention that the genre of autobiography allows us to excavate a particular type of subjectivity at a historical moment when the escalating demands of nationalism on private lives mandated that “mixed” individuals engage in creative identity acrobatics of the kind my mother so successfully utilized during her trip to rescue us from Montenegro. More specifically, autobiography makes possible a reconstruction, however imperfect, of a type of a *feeling* of being mixed at the moment of Yugoslavia’s disintegration. The genre’s tolerance of more diverse type of sources and the less restrictive prose allows us to go beyond the arguments, which have already been clichéd by overuse, which see the Yugoslav mixed marriages as either symbols of the country’s melting pot identity or pariahs in the newly formed nation-states. Thus, in using my own diary as an historical source and with the help of my memories and those of my family I am able to highlight the lies the diary told, the secrets it kept, and investigate the motivations behind my fabrications of my own history. The main principle behind my methodology has been transparency in that I gave in to memory’s penchant for fragmentation and rather than following the calendar time chronology, I followed memory’s own messy way of rummaging through the past, trying to organize my narrative, as much as possible, on its own terms. Of course, the very act of emplotment of my past implies a heavy handed intervention in its authenticity—although I would not go as far as Hayden White and completely erase the boundaries between fiction and history—⁴⁴⁷ but I believe that this is more than offset by the

⁴⁴⁷ Hayden White, *Metahistory: Historical Imagination in Nineteenth Century Europe*. (John Hopkins University Press, 1975).

collaborative nature of autobiography that briefly turns my family into my fact-checkers and editors, as well as the richness of the final product.

In attempting to excavate a particular type of historical subjectivity, I am heavily indebted to Carolyn Steedman's *Landscape for a Good Woman* in which she uses the disconnect between her mother's working-class life and her Conservative politics "as a device that may help to explain a particular childhood, and out of that childhood explain an individual life lived in historical time."⁴⁴⁸ For Steedman the misfit between her memories of her own mother and the latter's representation in the Marxist interpretation of working-class motherhood is an occasion to explore the stories of her childhood in arguing against the axiom that painted working class women as selflessly devoted to the idea of motherhood. Although Steedman's is only one of many autobiographies written by historians⁴⁴⁹, with her unconventional methodology, which includes the psychoanalysis of a recurrent childhood dream, Steedman's work is particularly important for our purposes for its use of childhood stories in reassembling a historical subjectivity. For example, pointing to the memory of a health inspector excoriating her mother for the poor conditions of her apartment as the foundational event in her understanding of class, Steedman argues for the need to recognize "the social specificity of our understanding" of the "stories we make for ourselves."⁴⁵⁰ It has been my goal in this chapter to reassemble the stories my family and I made for ourselves in order to recover how it felt to be mixed during Yugoslavia's disintegration.

Similarly to Steedman's focus on the fragmented selves, I use the misfit between the self I presented in my diary, the one entrenched in my family's story repertoire, and the one I

⁴⁴⁸ Carolyn Kay Steedman. *Landscape for a Good Woman: A Story of Two Lives*. (New Brunswick: Rutgers University Press, 1987), 8.

⁴⁴⁹ The most comprehensive, if not the only, study of historians' autobiographies is by Jeremy D. Popkin, *History, Historians, and Autobiography*. (Chicago: Chicago University Press, 2005).

⁴⁵⁰ *Ibid.*, 5.

remember while writing, in order to assemble a *feeling* of mixedness and go beyond the clichéd understanding of the category as it has been represented in the historiography. Contrary to the oft-repeated image of mixed marriages as symbols of a Yugoslav identity or nationalist exclusivity, the preceding exploration shows the agility of mixed individuals to navigate between identities through continuous storytelling and often melt into the new nation-states. As I hope the chapter makes clear, storytelling here is not simply a way to deceive a suspicious border guard, a drunken soldier, or a bored bureaucrat, but also a way of life, an effort to tinker with the everyday routine in such a way as to affect history. For example, the story of Drago the Serb spy was not *only* our method of coping with boredom, but also a part of my larger campaign to shed the *Serbness* I feared I had acquired during our trip to Montenegro. My mother's identity acrobatics during her stint as a Yugoslav James Bond were not *only* lies she told to get us back to Mostar, but the beginning of her re-engagement with her past that eventually resulted in my grandfather's transformation from a card-carrying Communist to a Blaiburg survivor. The stories I told in my diary were not only accidental memory slips, but lies I used to re-invent myself following our final escape from Mostar, collapse of "our" alliance with the Croats, and my increasing disillusionment with Islam. Finally, "France the promised land" was not simply a fantasy which kept us from despairing during our refugee life, but an everyday routine, which endowed us with a certain status in the eyes of the Bosnian consulate officials and whose suffocation in the toilet of the French consulate led us to abandon our life in Europe, emigrate to the United States, and follow the transformation of millions before us and become Americans. Thus, the general characteristics of the *feeling* of mixedness at this precise historical moment—between 1991 and 1995, from the moment my father covered up his brotherhood and unity tattoo on the beach to the moment we arrived at the JFK airport—were: a survivalist thirst for

storytelling, the belief that even stories invented on the spot could affect the conjectures of history, and the post-modernist understanding of the constructed nature of these very stories.

But what is particularly useful about autobiography is that in addition to these general characteristics, the feeling of mixedness is preserved in all its complexity. To put differently, this feeling can *only* be recaptured through the tastes, images, sounds, and smells of the historical moment in which it is trapped. For example, my experience of Islam is made inextricable from the taste of the Yugoslav version of *Nutella*, the smell of the prayer rug, and the shouts of the *Refah* party leader in Istanbul. The claustrophobia of living in the disintegrating Yugoslavia is made concrete by the heavily accented refusal of the Slovenian border guard to let us in, the bench at the border we shared with the *hijab*-veiled woman, and the tiny *Fićo* which took us into Croatia. The terror of the HVO raids on the Muslims of Mostar becomes all the more vivid by the memory of my father hiding in our TV stand, my brother listening to the sound of boots from the inside of his grandfather's apartment, and the threat by my uncle's best friend that he would kill everyone if my brother and father continued to hide in the apartment. The ineffectiveness of the international community's response to Yugoslavia's implosion and our perception of this ineffectiveness as indifference is made clear by the image of the roaring UN trucks as they left our neighborhood in the midst of an HVO raid, the groans of refusal by the EC observers to refill our gas tank on our way to Zagreb, and the Red Cross' pithy refusal of our clumsy pleas for help. Thus, by respecting the fragmentary and messy process of memory, autobiography allows us to represent scenes from the past along with the physical and psychological infrastructure in which they are forever trapped. In this way, we are able to account for "the specificity of place and

politics,” which in the words of Steedman “has to be reckoned with in making an account of anybody’s life, and their use of their own past.”⁴⁵¹

Finally, as a historian of mixed marriage I had no choice but to end with this story. Obviously, the war in Yugoslavia profoundly changed my life and was the primary motivation for my interest in history in general and nationalism in particular. More specifically, for a child who became mixed during this war, not to explore my memories and their repercussions for my understanding of Yugoslav history would have been as equally dishonest as my diary’s attempts to silence my complicity in nationalist hatred. Whether or not my telling of the story has successfully made the case for the use of autobiography in the study of mixed marriage, I can rest assured that at least, to my readers I have extended the courtesy of honesty which the thirteen year old boy denied me.

⁴⁵¹ Steedman, 6.

CONCLUSION

Ibro Bijavica shouted at the Shari'a authorities, begging that he be left alone and threatening a hunger strike. Husein Kulenović Busovača told his Shari'a interrogator that he could raise his children "any way he wants," including turning them over to his Catholic mother-in-law, since religion was only of "secondary importance" to him. Sulejman Hrenovica refused to answer the questions by a Shari'a judge regarding his romance with Višnja Smiciklaš, calling it a "private matter." On the other hand, Nejra Čordić asked the *Reis-ul-ulema* to charge her son Ilijas, who had married a Serb woman, with apostasy, declare him a *murtad*, and prevent him from inheriting his father's property. The railway clerk Džemal Alendar wrote from his post in Slovenia of "emotional depression, bordering of desperation" as he asked the *Reis* for a transfer to a Muslim town. Facing the Serbian Interior Ministry official my mother told him of her father's Serbian childhood, our uncertain future in a Croat-run Mostar, just before she enthusiastically picked up our Serbian passports. A few months later, my Serbian passport safely discarded, I stole the icon of Saint *Sava* to test my friends' rock throwing skills.

To an extent, the preceding story of mixed marriage is "the history of individuals who stood outside or on the margins of [their] communities,"⁴⁵² to borrow Tara Zahra's words, but instead of finding people who "remained aloof to the nation's appeal,"⁴⁵³ I found individuals actively engaged in the drama of nationalism. In fact, precisely because they were branded "indifferent" by the nationalist elites, these individuals were forced to participate in nationalism even more animatedly than the rest of the population. As the dissertation shows, and the few examples above summarize, the purportedly indifferent individuals shouted, talked back, wrote petitions, invented pasts, and became vandals, all in order to navigate the sudden flood of

⁴⁵² Zahra, 97.

⁴⁵³ Ibid., 96.

ethnicity in their lives. Rarely, did they emerge unscathed from their encounter with nationalism: moved to reexamine their religious devotion, rearrange plans for the custody of their children, made to renounce their right of inheritance, inspired to relocate their residency, forced to rummage through their own pasts, or seduced into profiting from ethnic cleansing, these individuals show how impossible it was to remain indifferent to the twentieth century drama of nationalism.

The *longue durée* approach to mixed marriage has illuminated a surprising number of consistencies in the way elites, in different periods of time and out of different ideological convictions, related to mixed marriage. The Austro-Hungarian official who worried about the safety of Andromaha and Sabit in 1912, *Reis* Spaho who, in 1938, described it as “a cancer on the body” of Muslim community, the Communist Salim Ćerić who feared it was causing a revival of an ideology he branded “a petty bourgeois disbelief in the future of socialism,” and the SDA ideologue Džemaludin Latić who termed it “a banner of misunderstood ethnic coexistence,” all defined mixed marriage as a problem, social, political, and ideological. Their motivations were certainly different: the Austro-Hungarian official may have genuinely feared for the safety of the two teachers; the *Reis* was echoing the chorus of calls for tighter religious discipline at a time of ethnic polarization; the Communist intellectual was protecting the legitimacy of the recently recognized Bosnian Muslim identity; and the SDA ideologue was trying to de-secularize the Muslim identity which he saw as having been diluted by the Communists. Nevertheless, the anxiety which spans the entire twentieth century confirms the importance of marriage in nation-building projects.

Although the literature reviewed in the Introduction has noted the link between mixed marriage and national identity, less has been said about the material factors which make this link

so pronounced. Property rights, financial obligations, and economic discrepancies all seem to play a prominent role in ethnic disputes discussed in this dissertation. For example, Husein Kulenović Busovača decided to turn over his children to his Catholic mother-in-law because this would “spare [him] huge expenses.” Nejra ČordiĆ disowned her son Ilijaš in order to remove him as a claimant to his deceased father’s property and win a property dispute which had divided the family for at least ten years prior. Hakija Karadža petitioned the *Reis* to move back to Sarajevo as much for religious reasons as for his desire to live with his parents so that he could go to school and get a promotion. At a 1968 meeting, the Bosnian Communists blamed “unsolved property disputes” for the outbreak of violence between Kiseljak’s Muslims and Croats, and echoed the fear that the deteriorating economic situation of the 1960s was behind the worsening of ethnic relations. The HVO soldiers who ignored my mother’s *Croatness* in looking for my father eventually moved into our apartment, as did thousands of other soldiers in other parts of the town, setting up a battle over property-rights that has only recently been resolved. Thus, the salience of material factors in making mixed marriage easy to politicize cannot be ignored and mandates a more thorough investigation.

To argue for the importance of marriage in nation-building, however, is not to claim that mixed marriage is central to these efforts. Another consistency the study has identified is that in all these periods mixed marriage figured mostly as an afterthought, albeit an important one, in the larger drama of nationalism. The Austro-Hungarian anxiety over mixed marriage was a part of the occupation regime’s more existential struggle against the increasingly bold Muslim and Serb communities in Bosnia-Herzegovina that challenged the regime’s legitimacy. The civil war within the interwar Islamic establishment touched upon mixed marriage only in the midst of the campaign to define more precisely the bounds of permissible Muslim behavior. The Communist

theoretician worried that mixed marriages were leading to the revival of chauvinistic Yugoslavism only after the Party had abandoned both the ideology and the statistical archivization of Yugoslavs. My family and I were forced to flee Mostar only two years after my father had covered his tattoo on that beach and well after the ideological foundations of Yugoslavia had given up under the weight of democracy-invigorated nationalisms. Džemaludin Latić and his colleagues at *Ljiljan* may have dedicated several of their newspaper's issues in 1994 to battling mixed marriage, which one of them described as being "worse than rape,"⁴⁵⁴ but this was more than a year after my mother had tinkered with the letters of her name, the HVO soldiers had read out my grandmother's obituary on our front door, and I had learned all the *raka'ahs* and *suras*. In other words, the intense politicization of mixed marriages that certainly occurs during these moments seems like a delayed reaction to the already escalating demands of nationalism. The argument that the Communist regime pro-actively encouraged mixed marriage in defining a Yugoslav identity ignores the reactionary nature of the politicization surrounding the practice.

But because mixed marriage most often emerges as an issue in an already overly politicized environment, extricating it from that environment is extremely difficult and requires innovative methodologies. The anxieties, fears, hatreds, and hopes regarding mixed marriage are tucked away in the inheritance disputes, the Shari'a court records, the petitions to religious leaders, the few sentences at a Communist Party Congress, the pages of a diary, and in a few fragments of a family's collective memory. For for each of the periods, I tried to use the methodology which would excavate the most amount of the "cultural stuff,"⁴⁵⁵ in the words of

⁴⁵⁴ Mustafa Spahić Miljki, "Gore od Silovanja," *Ljiljan* 10 August 1994, st. 22.

⁴⁵⁵ Barth, 15.

Frederik Barth, that surrounds mixed marriage and then analyze it against the larger context of Yugoslavia's seventy-three year old history.

The diversity of methodologies I employed stemmed from the diversity of the sources I had available. A microhistorical approach for both, the pre-Yugoslav and the interwar periods, was not only necessary in illuminating the tens of individual comedies and tragedies but was the only available tool I could use to uncover the veil of politicization over this subject. When placed within the larger social context of the drama of nationalism, which stubbornly accompanied Yugoslavia for her entire life, this approach allowed me to break through the clichéd understandings of mixed marriage. But no twentieth century history of mixed marriage in Yugoslavia would have been complete without a story about its fate during the country's disintegration, the story which presented me with a difficult choice.

The decision of whether to use autobiography in exploring my own mixedness is the one I agonized over the course of this project. The danger of being seduced by my narcissistic impulses, of producing yet another politicized manifesto in defense of mixed marriage, and the fear that the inclusion of my relatively short life in a history dissertation would seem too presumptuous all weighed against the use of *ego histoire* in the study of mixed marriage.

However, during my research and the early writing phase I realized the extent to which my own experience impacted my original hypothesis and shaped my conclusions. More specifically, my initial assumption (shared by many Western scholars) that mixed marriage had been widely accepted in Yugoslavia and that ethnic identity was irrelevant for the overwhelming majority of good intentioned people soon gave way to the discomforting realization about the relative marginality of mixed marriage throughout Yugoslavia's life and the salience of ethnic identities even in socialism. Investigating the reasons behind the huge discrepancy between my

initial assumptions and my conclusion led me right back to my diary, the letters, our family stories, and my memories. Suddenly, my experience of Yugoslavia's death seemed like a source no good historian would ignore as it allowed me to excavate a particular kind of historical subjectivity, which influenced the very dissertation I was writing. Giving in to the temptation presented by these sources I decided to follow the fragments of my memory and the pages of my diary no matter where they would lead. That the final chapter reveals some of my most ignominious moments proves, I hope more than anything else, my devotion to finding historical truth, no matter how elusive, fragmentary, and uncomfortable.

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