

# **The Assets of Religious Communities and the National Security**

**By Xhavit Shala**

“Traditionally tolerant in religious affairs,<sup>1</sup> the society is nonetheless subject to a range of external influences...., as forms of Islam and Christianity, new to the country, seek to take root,” the 2004 International Religious Freedom Report says<sup>2</sup>. This report is published annually by the government of the United States as part of its efforts to promote human rights around the world. This warning, while not coming for the first time, demonstrates the seriousness with which the Albanian traditional religious communities, the state structures and the Albanians society must follow this matter.<sup>3</sup>

Among other things, the report devotes attention to property restitution and religious education, both issues that have yet to find a definitive solution. The restitution of assets that were confiscated by the communist regime to religious communities would provide a big contribution to the freedom of religion in Albania. The restitution of properties and the resolution of the issue of religious education would provide for a serious investment in our national security and a move toward a more active state policy in the field.

Although the legal framework grants freedom of religion we can not talk about real freedom of religion when religious communities do not possess the financial means to manage their religious activity freely. There can not be real freedom of faith when about 70 per cent of the budget of the biggest religious community in the country is provided from foreign sources<sup>4</sup>. The other religious communities are in a very similar situation also. In such circumstances, the freedom of religious activity for each of the communities is conditioned by the foreign assistance which they can not provide for themselves.

The religious communities in Albania have historically faced such problems before but with the help of the state they have been able to resolve them. Soon after the country became independent, the Albanian patriots took note of the importance of finances and financial transparency for our religious communities. The funding provided for the religious communities was important not only for guaranteeing the religious freedoms but the future of the Albanian state also. The Albanian statesmen put in place an appropriate legal framework that guaranteed the independence of religious communities from foreign

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<sup>2</sup> “International Religious Freedom Report ”.- A publication of the U.S. State Department, November 2005. “Shekulli”, November 09, 2005.

<sup>3</sup> The article, with some small changes was first published in the daily “Korrieri” November 19, 2005, under the title “Religious issues and the national security”.

<sup>4</sup> Audit Report, The Albanian Muslim Community

funding. They determined by law that the clergy would be partially funded by the state, a funding that would be in proportion with the population that each community represented.

The King Zog's administration paid proper importance to this issue and maintained the policy of providing financial assistance to religious communities. The law determined that the books of religious communities would be audited by the Ministry of Justice which also had the right to audit the state of revenue and assets that the religious communities possessed. The audit was conducted by an inspector or state prosecutor who could investigate and ask for an account to be given on the expenses made.

The communist government, recognizing the danger their regime would face if the religious communities came under the influence of foreigners because of lack of funding, decided to continue the policy of providing partial funding for religious communities. They maintained this policy while preparing for and then taking action to ban the practice of religion in the country.

It is interesting to note that all these governments in the different political regimes in the country since 1923 embraced a similar approach to the matter of funding for religious communities. They seem to have understood the importance that funding had not only for the religious communities but for the security of their regimes as well.

It is to be regretted that during the last 14 years the Albanian lawmakers did not make efforts to pass a law on religious communities. The last Parliament did not see it reasonable to pass a draft law that had been prepared passing the ball to the new parliament. The draft law will continue to remain such until the matter of the citizenship of the current orthodox archbishop has been resolved.

The restitution of properties would go a long way toward resolving the financial problems of religious communities. During these years the state has only selectively restituted some of these properties. While some of these assets can not be physically restituted due to the uncontrolled movement of the population in recent years, there are a large number of these assets that have been taken from these communities through manipulated court decisions.

In July of 2004, Parliament passed a new law for the restitution and compensation of properties that were confiscated. A legal determination was made that the same rules of restitution for private citizens would be applied also for religious communities. This is not appropriate as the religious communities and private citizens can not be placed in the same category. The properties of religious communities are assets of entities that have a special importance. The state must create a separate fund for the property compensation of religious communities. There is an urgent need for a complete assessment of the assets of these communities that would allow a determination on how many of them can be restituted and which ones should be compensated.

Another issue that needs to be resolved is the system of religious training in the country and all aspects related with it. As the country is exposed to foreign religious influences, education can play an important role in preserving the inter-religious understanding and tolerant religious traditions. But can we talk about education in our religious traditions when the whole religious education in our country is funded by foreign NGOs whose goal in many cases is to spread these new or utterly foreign forms of Islam or Christianity in Albania. It is necessary that the state have a strategy to deal with the issue of theological education and other aspects related to it. If action is not taken quickly, the cost to our religious communities and national security will be great. The restitution and compensation of properties could go a long way to helping resolve the issues of funding for the system of religious education.

The state structures that deal with the restitution of properties must make sure that all communities are treated in the same way. It would not be in the interests of religious harmony in our country that while the property of one religious community located in the center of the town is restituted and the community is provided by the local authorities with a construction permit to build a place of worship, the other community, though larger in number is refused restitution of a piece of land in the vicinity of the same area. Such actions fuel religious divisions and open the way to negative debates.

A spirit of positive debate between intellectual groups within religious communities has been present in Albania since its independence. On many occasions, Muslim intellectuals themselves who were educated in the west were the initiators of these debates. The Muslim community, though representing the majority population, has always made efforts to promote a consensus view that religious communities were to be treated, represented and made to feel equal. This principle has served as the pillar of inter-religious dialogue and tolerance in our country. We must all together work to preserve and further develop it. Only by preserving these values can we make forward in our path of European integration.

Otherwise, unless attention is paid, negative developments may follow. While at the times of King Zog, the orientalist or the one's belonging to the old school had their minds set on Turkey, new and young faces stand up today against taking their drink the sources of our religious tradition. Considering these old traditional sources dirty they have for many years now been exploring other sources in Arab countries. The absence of a proper legal framework on religious communities, the lack of state control on religious funding and the increase in the level of islamophobia in the west, are all elements that can contribute to an aggravated situation in the field. These developments may lead to the emergence of religious fundamentalism in our communities, a development that would be of grave consequence for our national security. It is the duty of religious communities, intellectuals and the entire Albanian society to preserve and promote the climate of inter-religious dialogue and tolerance that has been handed down to us from generations past.

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