



e-ISSN 2798-8260



Jurnal ISO: Jurnal Ilmu Sosial, Politik dan Humaniora Vol: 4, No 2, 2024, Page: 1-8

The Soviet Government's Attitude Toward Waqf Properties

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DOI: <https://doi.org/10.53697/iso.v4i2.2077>

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Received: 10-10-2024

Accepted: 09-11-2024

Published: 16-12-2024



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Abstract: This article discusses the traditional Waqf system in Central Asia, the Soviet government's attitude towards Waqf properties, the contradictions between the authoritarian regime, local population, and religious scholars, as well as the consequences of these conflicts. Additionally, it analyzes the Soviet government's land and water policies and the laws and decrees it issued in this regard.

Keywords: Islam, Faith, Religion, Sharia, Waqf, Spirituality, Education, Culture, Tradition, Heritage, Property, Mutawalli.

Introduction

Waqf is a form of property allocated by the state or individuals for religious institutions, such as mosques, madrassas, and others, in Islamic tradition. In the countries of Central Asia, as in other Muslim states, the income generated from Waqf was used for the livelihood of religious institutions and the clergy working in them, serving the needs of religious organizations. Waqf property played a significant role in strengthening the economic power of Islam and Muslim communities, as well as enhancing their ideological influence among the population. According to Sharia law, the sale, mortgaging, inheritance, or conversion of waqf property into private ownership was prohibited. Thus, waqfs in Muslim states, including in Central Asia, were established simultaneously with the spread of Islam and served as a tool for strengthening religious organizations economically and promoting Islam among the people.

Methodology

In the process of discussing the topic, the dialectical method of understanding and studying social reality was relied upon, based on the principles of scientificity, objectivity, and historical perspective.

Result and Discussion

In the early years, religious individuals and clerics were persecuted as enemies of the Soviet government. From 1917 to 1920, the Soviet government's attitude towards religion was based on atheism. However, the economic and political situation in the Turkestan region made it evident to Soviet authorities that a cautious approach was necessary. Firstly, the Muslim population, whose faith had been trampled upon, entered into a merciless armed struggle against the Soviet government. Secondly, the continuous armed clashes led to famine in the region and completely disrupted the economy. The expropriation of waqf properties, which were the material foundation of religious institutions and organizations, by the Bolsheviks almost led to the cessation of their activities.

A significant portion of the population in Turkestan consisted of waqf landowners (dehqons), who had been cut off from their livelihoods due to the Soviet policies. Educational and cultural institutions were also financed through the income from waqf properties. Recognizing these unique circumstances, the Soviet government was forced to return waqf properties to religious institutions, allowing some degree of freedom to religious people. Madrasa teachers and mosque imams were engaged in reorganizing the educational system. As a result, in 1922-1923, waqfs were returned to religious institutions, and their activities were permitted.

By the late 1920s, strict measures were taken to close down old schools and madrasas in the republic. Their activities were strongly condemned and labeled as "remnants of the past". Under the pressure of the Soviet government in Uzbekistan, efforts were made to prevent the reform of traditional schools, and those that were reformed were eliminated by opening new Soviet schools. The government's directives to close existing old schools were intensified, as many of these institutions, including madrasas and charitable schools, were still operating during this period. Special attention was given to the issue of waqf properties, which were the material basis for these institutions, and measures were taken to eliminate waqfs as well.

Discussion

Waqf lands were divided into two types: religious waqf lands and cultural-educational waqf lands. The income from religious waqf lands was primarily spent on the services of religious organizations. On the other hand, the income from cultural-educational waqf lands was used for educational and charitable purposes. Waqf lands were leased to farmers, and the rental fees were collected by the trustees of mosques, madrasas, and other religious institutions. The income was then used to meet the needs of these institutions and their staff. The mutawalli was the manager of the economic activities of religious organizations, the supervisor of their property, and the accountant of their income and expenses. He managed the economic affairs of organizations such as mosques, madrasas, and other institutions with waqf property, as well as overseeing all matters related to waqf. The income from waqf properties was allocated for the operation of religious, cultural-educational organizations, as well as for various charitable and community services.

Waqf properties were divided into more than 30 categories based on their purposes and functions. One of the most widespread types of religious waqf properties in Central

Asia was the mosque waqf. The income generated from these properties was used to pay salaries to the imam, secretary, muezzin, and other assistant staff of the mosque. Additionally, it was used for purchasing items such as oil lamps, mats, repairing the mosque, and conducting various religious events. In the Khiva Khanate, as in other places, khanqahs (spiritual retreat houses) were the residences or rooms of eshons (spiritual leaders) and sufis, where they engaged in dhikr (remembrance of God) and conducted religious propaganda. Khanqahs were also granted land and other immovable properties as waqf. Additionally, there were various other religious waqf properties, such as chillakhona waqf (retreat for spiritual practices), mazar waqf (tomb or shrine waqf), muhsurakhona waqf (place where Quran was read in memory of deceased individuals), awliya waqf and qorikhona waqf. These properties served to support religious activities, charity, and welfare for the community. Cultural waqfs were more numerous and included waqfs established for madrasas, schools, hospitals, homes for the disabled, libraries, orphanages, roads, bridges, the repair of fountains along major roads, and other similar purposes .

The waqf deed specified which religious or cultural-educational organization was endowed with what kind of property, and under what conditions it could be used. The document outlined the procedure for utilizing the income generated from the waqf property, as well as how much of it would be allocated for specific activities. The waqf deed was drafted in the presence of the waqf grantor and witnesses, confirming the transfer of property such as land, water, agricultural buildings, trade and industrial enterprises, and other income-generating assets to religious organizations or certain religious scholars and Sufi communities. After the approval of the qadi, the waqf deed came into effect. The mutawallis used the income from the waqf property according to the guidelines specified in the deed. Large waqf properties given to religious organizations, clergy, and Sufi orders by rulers, their descendants, wealthy landowners, merchants, and others, as well as the income generated from them, were spent on charitable works, supporting the disabled, orphans, and the poor, repairing roads, bridges, mosques, and madrasahs. This not only enhanced the prestige of Muslim clergy among the people but also strengthened their ideological influence on the population.

Until 1917, the number of religious figures and scholars working in Muslim institutions and organizations in Turkestan, such as madrasas, mosques, charity houses (qorixona), and khanqahs, was considerable. At the beginning of the 20th century, the Turkestan General Governorship had 268 madrasas, 1498 large mosques, and 11,230 small mosques, with a total of 12,499 imams serving in them. Additionally, in the Fergana region alone, there were 236 charity houses (qorixonas) operating. The “Vaqfi xayri” (“General waqf”) and “vaqfi avlodi” waqf lands were significant in the Bukhara Emirate and Khiva Khanate until 1920 .

At the beginning of the 20th century, Bukhara had 360 mosques, 140 madrasas, 360 primary religious schools, and other buildings. Their financial support was provided by waqf lands and properties, which amounted to several hundred thousand tanobs. In the same period, the Khiva Khanate had 120 madrasas, 73 cemeteries, and 71 sacred sites [3].

The Islamic faith has deeply integrated into national customs and traditions, becoming one of the sources of societal order through the sacred Qur'an, the Hadith Sharif, and Islamic jurisprudence.

According to Sharia law, certain individuals, including the state, could not interfere with waqf property. Therefore, religious scholars emphasized that waqf property was sacred, and any violation of it was considered a great sin. The waqf traditions and the public's reverence for them had to be respected by any government or political party.

During the years of Russian imperial colonization (1865-1917), the policies in Turkistan were inevitably influenced by these processes. The imperialist efforts against Islam and Muslim organizations faced strong resistance from society members, leading to widespread protests. As a result, the Russian Empire adopted a policy of "caution" in dealing with these issues.

After the October Revolution of 1917, the Bolsheviks, who seized power, began implementing their atheistic policies and launched a campaign against religion and religious organizations during the early period of Soviet rule. On December 14, 1918, the People's Commissariat for Education of the Turkistan ASSR issued order No. 6486, which led to the cessation of funding for Muslim schools and the confiscation of waqf properties. In Turkestan, the use of waqf properties, which had long been the material foundation of education and culture and managed by mutawallis, was halted from 1918 to 1920.

During this period, waqf properties were incorporated into the state and local organizations' budgets, madrassas and orphanages were closed, and qaziyat courts based on Sharia law were abolished. This policy of confiscation, aimed at nationalizing waqf properties, had a significant negative impact on the activities of religious institutions and organizations. After Islamic institutions were deprived of the privileges granted by the state and their properties were confiscated, they fell into a difficult economic, political, and ideological situation. During these years, religious scholars expressed their dissatisfaction with Soviet rule and primarily demanded the return of waqf properties, including lands, caravanserais, market stalls, artisan workshops, khanaqahs, and mosques, to their rightful owners. Communists, who were against Muslim religious organizations and supported the nationalization of waqf property, waged a fierce struggle to promote their ideals. They sought to undermine Muslim clergy through various methods and tactics. This policy led to resistance from the religious population and scholars, resulting in uprisings and protests in different regions. For instance, in June 1920, there was an uprising in Khiva by madrasa students, teachers, and other religious figures. In Khorezm, the "left-wing" communists, disregarding the region's specific conditions, the spiritual state of the people, and the position of Islam, tried to hastily implement socialist measures. Among these actions, they forced the government of the Khorezm People's Republic and the Ministry of Education to carry out reforms in the madrasas through coercion.

In May-June 1920, a regulation on "Madrasah Reforms" was issued, outlining the use of waqf revenues primarily for addressing the social needs of madrasahs. The regulation also emphasized the need to introduce secular education alongside religious studies in madrasahs. At the same time, to accelerate the enrollment of children into Soviet schools,

the Ministry of Education issued a decree for the registration of boys and girls under the age of 18 and their inclusion in the schools. This naturally led to protests by religious figures, madrasah teachers, and students. They began a campaign against such schools. The Ministry of Education issued an order to compile a list of children of school age, specifically those between 7 and 15 years old. The day after the decree was announced, a meeting was held at the Muhammadamin Khan Madrasah, where imams, oxuns, qozis, and wealthy individuals gathered. The elder, invoking sharia law, called everyone to jihad and ghazavat. The rally was dispersed by the Youth Union. The Ministry of Education revoked the order, and religious figures retained control over the education of children. Around 5-6 thousand people participated in the uprising. The insurgents sent a delegation of 15 representatives to the government. They demanded the annulment of the decree, non-interference in the work of schools and madrasas, and insisted that a government which refuses to recognize sharia law was unacceptable.

The Chairman of the Khorezm People's Soviet Republic, P. Yusupov, and other commissars held a meeting and promised to meet all the demands of the insurgent representatives. However, the insurgents had decided to overthrow the Soviet government and install the khan, a supporter of sharia law, on the throne. The next day, the uprising began with even greater force. The insurgents started marching towards the government headquarters, and it was only with the participation of military units that the uprising was suppressed. The organizers were arrested, and religious figures such as Qozikalon Ibrahim Oxun, Rafi Oxun, Sayidjon Qori, Mulla Muhammadniyoz Bahodirxon, and Muhammad Oxun were executed. Khan Said Abdulla, his descendants, as well as Qozis Askar Hikmatilla Oxun, Obiq Oxun, and others were exiled. In May 1921, during the Second Congress of People's Deputies of Khorezm, the inviolability of the waqf payments was recognized, and at the same time, a state agricultural tax was introduced for all peasants, including waqf landowners. Based on the decision of the congress, religious waqf landowners were obligated to pay taxes both to the state and religious organizations, which led to protests. However, this decision was soon repealed. On October 9, it was annulled at the session of the MIQ. In October 1923, during the Fourth Congress of the All-Khorezm Soviets, the Khorezm Soviet Republic was declared a socialist republic. According to the Constitution adopted at the congress, all lands, including waqf lands, were declared state property. However, this decision did not align with the reality of the time. The predominantly religious population opposed the confiscation of waqf properties, leading to another popular uprising against the Soviets in January 1924.

As a result of the protests and uprisings, the Soviet government was forced to soften its policies somewhat. However, it continued to gradually implement its anti-religious policies, particularly the abolition of waqf properties. By 1924, only mosque waqfs remained among religious waqfs. The income from these religious waqf properties was used for the Sharia Court (religious administration), mosque staff, and the maintenance of mosques. The Central Waqf Administration worked to seize the income from religious waqfs, aiming to deprive the Sharia Court and mosque staff (such as imams, muezzins, and others) of this income. In 1923, Sharia courts existed in Tashkent's old city, Samarkand, Kokand, Andijan,

Margilan, Namangan, and Katakurgan, and 10% of the income from religious waqfs was allocated to them. However, on February 24, 1924, the Council of People's Commissars issued a decree, which revoked the right of the Sharia courts to use funds from religious waqfs.

Under the leadership of the Bolshevik government of the Turkistan Republic, the Soviet authorities, following the central government's religious policy, aimed to weaken Muslim clergy by removing religious waqf properties, which were their economic foundation, from their control. The goal was to reduce their influence on the local population. To achieve this, waqf properties were divided into religious and cultural-educational waqfs, with the latter being taken from the control of the clergy and transferred to the state organization – the Main Waqf Administration. The Soviet authorities gradually transferred the funds of religious waqfs to the Waqf Administration, using them to meet the needs of Soviet schools. The Bolshevik government's religious policy, which restricted Islam and confined the clergy's interaction with the people to mosques, limited the local population's access to the moral and ethical standards, customs, traditions, and values deeply connected to Islam. The Soviet government's policies in Turkestan towards Islam, Muslim clergy, and waqf properties had a negative impact on the values of the Uzbek and other local people, causing significant harm to their cultural and religious heritage.

On November 13-19, 1928, the second convocation of the UzSSR Supreme Soviet held its fourth session, during which a decision was made regarding the closure of "old-style schools and orphanages". According to this decision, starting from 1928, these schools were to cease their activities entirely. As part of these measures, the waqf properties, which served as the economic foundation for these schools and orphanages, were also terminated.

Conclusion

During the period of Soviet rule, due to the brutal clashes in Turkestan, waqf properties suffered significant damage. The material conditions of thousands of peasants living and working on waqf lands worsened, and a large portion of the land lost its fertility, becoming abandoned and neglected. In an effort to restore the peasants to their land and prevent the economic collapse of Turkestan, the Soviet government, once it regained stability and order, was forced to address the issue of waqfs again.

The Soviet government's policy of confiscating waqf properties was carried out gradually. Initially, a government decree on "Waqf" was issued, and based on the situation, waqf properties were returned to religious institutions. However, later, depending on the political situation, all waqf properties in the republic were declared the property of local soviets. This signified the complete liquidation of waqf properties. In conclusion, the religious policy implemented by the Soviet government in Uzbekistan had an extremely negative impact on the development of the Uzbek people's national spirituality. The closure of religious institutions and the plundering of waqfs by the Bolsheviks caused damage to the national and universal values that had developed over centuries.

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