

5 May 2010

RUSSIA: Does Dagestan need its anti-Wahhabi law?

By Geraldine Fagan, Forum 18 (<https://www.forum18.org>)

Rasul Gadzhiyev, departmental head of Dagestan's Ministry for Nationality Policy, Information and External Affairs, defends the southern Russian republic's 1999 local law banning Wahhabism: "no one's talking about annulling it – no way," he insisted to Forum 18 News Service. Yet he could not state definitively why it was needed in addition to Russia's 2002 Extremism Law. Local scholar of the Russian Academy of Sciences Shamil Shikhaliyev told Forum 18 that many in Dagestan now believe the Law to be a mistake "because in practice it determines the state's priorities in the religious sphere". By outlawing Wahhabism as a religious trend, he explained, the state in effect endorsed other forms of Islam. "But who gave the state the right to judge what is correct and what is incorrect in Islam?"

Government and Muslim establishment representatives in the southern Russian republic of Dagestan have defended to Forum 18 News Service the need for a local law banning Wahhabism. While some specialists now suggest removing this term from the current law's title, "no one's talking about annulling it – no way," Rasul Gadzhiyev, departmental head of Dagestan's Ministry for Nationality Policy, Information and External Affairs, insisted to Forum 18 in the republican capital Makhachkala on 22 April.

Critics of the law - in force since September 1999 - believe its failure to define Wahhabism other than as an "extremist trend" contributed to the hounding of peaceful Salafi Muslims and indirectly stoked Dagestan's insurgency (see F18News 4 May 2010 http://www.forum18.org/Archive.php?article_id=1439).

Dagestan – a republic in Russia's troubled North Caucasus which borders Azerbaijan and Georgia – is highly ethnically diverse. Most of the population is of Muslim background, the majority of them Sunnis but with a Shia minority.

In Dagestan, Forum 18 found that Salafis - advocates of what they regard as a pure form of Islam as practised by the earliest Muslims – are often referred to as Wahhabis regardless of whether they reject violence.

Elsewhere in Russia, Wahhabism is usually understood as the belief in the legitimacy of violence in the pursuit of Islamic ideals. The term derives from the surname of Mohammed ibn Abdul-Wahhab, whose radical teachings form the religious basis of the present-day kingdom of Saudi Arabia (see F18News 8 August 2007 http://www.forum18.org/Archive.php?article_id=1004).

Is anti-Wahhabi law needed?

Although he defended the 1999 Law, Gadzhiyev of the Ministry for Nationality Policy, Information and External Affairs could not state definitively why it was needed in addition to Russia's 2002 Extremism Law. On the one hand, he explained that the Law proceeded from the assumption that Wahhabi ideology inevitably leads to violence, and gave the example of a teenage suicide bomber shouting "Allahu Akbar" ["God is great"] - "This young man uses religious terminology to justify terrorist action, and the law finds its niche in these questions."

But he also acknowledged that the suicide bomber would be committing the criminal offence of terrorism regardless of what he shouted beforehand, and remarked that he personally did not entirely agree with the idea of banning Wahhabism without defining it. The term had been used, he told Forum 18, "with consideration of the opinion of our clergy".

Press secretary of the Spiritual Directorate of Muslims of Dagestan, Magomedrasul Omarov was certain Wahhabism as an ideology posed a threat to Dagestan which it did not in its homeland of Saudi Arabia. There, he explained to Forum 18 on 21 April, its refusal to submit to the rule of unbelievers could have no impact. "They have power already, they have nothing more to achieve. All their criteria are met. Who are they going to kill? But here in the Caucasus, it's different."

Omarov criticised law-makers for rendering the 1999 Law powerless by failing to include a mechanism for its implementation. "If it had been finished off it wouldn't have been bad, there wouldn't have been as many explosions (..) it was the great fault of our politicians that it wasn't completed."

Such a mechanism, he told Forum 18, should take into account the borderline between peaceful Wahhabi and terrorist: "If the state

cannot make this distinction, the state will lose". Asked to illustrate it, however, he chose examples from opposite ends of the spectrum: an 80-year-old man following Wahhabism in his own home and a self-declared Wahhabi suicide bomber - "he's a violator".

When pressed on this point, Omarov switched to preferring Dagestan's centuries-old code of honour over a law: "Reconciliation and dialogue in disputes - it would be much more practical and realistic if I go to a person and shake his hand rather than having a law stopping and scaring me."

Law "exists only on paper"

Rector of Makhachkala's state-sponsored Institute of Theology and International Relations, Maksud Sadikov also broadly defended the need for the 1999 Law as "fulfilling a certain psychological function [by] stating categorically that Wahhabism is not something good."

While also noting to Forum 18 on 20 April that the law "exists only on paper" as it has no mechanism for implementation, Sadikov maintained that it could not possibly have any effect against someone "who sits at home and prays differently from everyone else or reads different books" unless this activity was accompanied by criminal acts. "The state isn't clairvoyant."

Sadikov also defended the 1999 Law as drawn up "to try to curb this phenomenon somehow" within weeks of a major incursion by Chechen rebels seeking to support the leaders of a self-proclaimed Islamic state based on the Dagestani village of Karamakhi. Gadzhiyev of the Ministry for Nationality Policy, Information and External Affairs similarly justified the Law's adoption as a legitimate response to this separatist movement, maintaining that it "allowed us to stabilise the situation in the republic in an efficient and timely manner".

A Makhachala-based lawyer working with the Russian human rights organisation Memorial, Ziyautdin Uvaisov told Forum 18 on 15 April that the 1999 Law had not been directly enforced in practice, however. Its appearance was sooner the result of local practice than the reverse, he suggested, as local practice – such as the alleged planting of weapons during house searches - "doesn't need formal laws".

State endorsement of some forms of Islam?

Head of the Oriental Manuscripts Department at the Institute of History, Archaeology and Ethnography of the Dagestan branch of the Russian Academy of Sciences, Shamil Shikhaliyev pointed out that many in Dagestan now believe the 1999 Law to be a mistake "because in practice it determines the state's priorities in the religious sphere".

By outlawing Wahhabism as a religious trend, he explained to Forum 18 on 16 April, the state in effect endorsed other forms of Islam. "But who gave the state the right to judge what is correct and what is incorrect in Islam? Even top scholars of Islam say you can't divide it into pure and impure."

Shikhaliyev also rejected legal categorisation of advocates of so-called "pure Islam" as a potential danger: "Whether a convinced Salafi visits a cemetery or not, reads a mavlid [verse in honour of the Muslim Prophet Mohammed] or not, he's expressing his right to freedom of conscience guaranteed by the Constitution." If such a Salafi were to incite or commit violent acts against the state authorities, he explained, this would in any case be dealt with by other laws or the Criminal Code. "So this law wasn't needed at all in Dagestan." (END)

For a personal commentary by Irina Budkina, editor of the <http://www.samstar.ru> Old Believer website, about continuing denial of equality to Russia's religious minorities, see F18News 26 May 2005 http://www.forum18.org/Archive.php?article_id=570.

For more background, see Forum 18's Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1196.

Analysis of the background to Russian policy on "religious extremism" is available in two articles: 'How the battle with "religious extremism" began' (F18News 27 April 2009 http://www.forum18.org/Archive.php?article_id=1287 and 'The battle with "religious extremism" - a return to past methods?' (F18News 28 April 2009 http://www.forum18.org/Archive.php?article_id=1288).

Reports on freedom of thought, conscience and belief in Russia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

A printer-friendly map of Russia is available at

<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=russi>.

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