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UZBEKISTAN: Why were some Tabligh members given lesser jail terms than others?

By Igor Rotar, Forum 18

Six month jail sentences imposed on Muslim Tabligh members were less than the five year jail terms imposed on group members earlier in the year by the same judge, Forum 18 News Service has learnt. This is possibly, a local human rights activist suggested to Forum 18, as a result of the court being visited the previous day by the US Commission on International Religious Freedom. The Tabligh Jama'at movement has been, outside of Uzbekistan, linked with radical Islamists and with Al-Qaeda. But local Uzbek Tabligh members told Forum 18 that the Tabligh emphatically distances itself from politics and is entirely focused on religious missionary work, insisting that they had heard nothing about military training in some foreign affiliates. The Uzbek authorities are highly suspicious of Islamic religious movements and frequently seek to obstruct their activity. However, Tabligh members told Forum 18 that they can freely operate in neighbouring Kyrgyzstan. A Kyrgyz government official agreed with this, but told Forum 18 that "so far at least, its activity in the country is minimal."

Over the past six months three known trials have taken place in Uzbekistan against members of the international Muslim missionary organisation Tabligh Jama'at - all three in Uzbekistan's section of the Fergana [Farghona] valley. Following the five-year prison sentences imposed on 11 Tabligh members by Andijan [Andijon] regional court in mid-October, the same judge imposed more lenient sentences on 23 November on two other group members. Akmal Yusupov and Abdurashid Muminov were each given six months' imprisonment. Given that Yusupov and Muminov have detained since 30 June, they should be released on 31 December.

One explanation for the more lenient sentences, suggested to Forum 18 News Service by Lutfulla Shamsiddinov, a local human rights activist, is that members of the US Commission on International Religious Freedom had visited the town's court the previous day. "Evidently, the authorities were frightened of international publicity." This consideration does not appear to have affected the authorities' treatment of Christian and Jehovah's Witness religious minorities (see F18News 28 October 2004 http://www.forum18.org/Archive.php?article_id=440 and 17 November 2004 http://www.forum18.org/Archive.php?article_id=455).

The two latest sentences – as with the previous 11 prisoners – came under Article 244 of the country's criminal code, which punishes setting up, leading or membership of banned organisations. The 11 Tabligh members sentenced on 18 October were: Lutfulo Maksudov, Farkhod Tajibayev, Rakhmon Kasimov, Abdulbek Mamayusupov, Khalid Urinbayev, Tokhir Akhmedov, Utkarbek Yusupov, Shukrulo Ikromjanov, Saib Begmatov and Fakhriddin Isakov.

The first sentence pronounced on a Tabligh member was in Margelan, a suburb of Fergana. On 14 June Margelan's criminal court sentenced devout Muslim Khabibulo Khadmarov to six years' imprisonment under article 159 (undermining the constitutional basis) and Article 244 (2) (establishment of, leadership of or participation in religious extremist organisations) of the criminal code. The judge agreed that a manuscript found when Khadmarov was searched was "extremist" (see F18News 23 June 2004 http://www.forum18.org/Archive.php?article_id=347).

The Tabligh Jama'at movement (literally, a society for spreading faith) first emerged in India in 1927, initially maintaining a marked distance from politics and concentrating entirely on missionary work. The stated aim of the movement's founder Maulana Ilyas was to convert lapsed Muslims who were thought to have lost their spiritual roots after Britain's colonisation of India and consequently fell under the influence of the Hindu majority. He advocated the separation of Muslims from religious believers of other faiths and Tabligh members had to adopt an ascetic way of life and from time to time go on missionary expeditions. By the 1970s, the Tabligh movement had reached the whole of the Islamic world.

At times followers of the Tabligh movement have also adopted political aims. According to the centrasia.ru website, in the mid-1970s several Tabligh affiliates in Europe sponsored the military training of French citizens of North African origin in Pakistan for subversive activity in Algeria and Morocco. In Zanzibar in 2004 Tabligh have been associated with radical Islamists and with Al-Qaeda. In autumn 1999, the organisation opened a recruitment point in Karachi, from which recruits from among local citizens and Afghan and Tajik refugees were sent to fight in the North Caucasus, particularly with Chechen rebels. It is also reported that the movement sent recruits to fight in 2001-2 in Afghanistan.

The Tabligh movement's presence in Central Asia dates from the early 1990s, when local Muslims were given the opportunity of studying in religious establishments abroad. (Interestingly, several of the Tabligh members sentenced in Andijan studied at medressehs in India and Bangladesh.) At first, the Uzbek authorities did not obstruct Tabligh activity in the country. Andijan residents, who preferred not to be named, told Forum 18 that in 1994 Tabligh members came to the town from India with Uzbekistan's then chief mufti Muhamad Sadyk Muhamad Yusuf, who stated publicly that the organisation was engaged in work pleasing to God.

The London-based Institute for War and Peace Reporting links the current campaign against Tabligh to a recent speech by Uzbek president Islam Karimov, who included the group in a list of extremist organisations.

However, Tabligh members in Andijan who preferred not to be named told Forum 18 that their organisation emphatically distances itself from politics and is entirely focused on missionary work. They insisted they had heard nothing about the training of recruits in some foreign affiliates of their organisation. They also stressed to Forum 18 that one of the founding principles of their organisation was "not to judge one's neighbour". "We don't impose our views on anyone. For example, even if a Muslim-born person drinks alcohol and commits adultery, we have no right to judge them. We believe that such a sinner has not yet seen the light," Tabligh members told Forum 18. They explained that they travel around the villages and towns of the Fergana valley and talk to people in mosques about the meaning of the Koran.

From the perspective of current Uzbek law, the activity of Tabligh members is unlawful. In violation of international human rights agreements, the 1998 religion law bans missionary work (Article 5), as well as the teaching of Islam or any other faith in a private capacity (Article 10). The code of administrative offences and the criminal code prescribe punishments for those who violate these bans. Article 241 of the administrative code and, for repeat offenders, Article 229 (2) of the criminal code punish illegal teaching of religion (see F18News 23 November 2004 http://www.forum18.org/Archive.php?article_id=460), while Article 240 of the administrative code and, for repeat offenders, Article 216 (2) of the criminal code punish missionary work with a fine or imprisonment.

Unlike believers of other faiths, Muslims are almost never sentenced under these articles. If the authorities wish to punish Muslims for illegal teaching or missionary work they tend to find other excuses to imprison them.

Nevertheless, the authorities sometimes turn a blind eye to the private teaching of Islam. On 27 November Forum 18 visited a khanaka (a kind of Sufi monastery) in Kokand, a town in Uzbekistan's section of the Fergana valley, where the leader of the Sufi Naqshbandi order in the country, Sheikh Ibragim, teaches his murids (Sufi pupils). Sheikh Ibragim told Forum 18 that he has no difficulties with the authorities.

However, the authorities are preventing members of the Naqshbandi order from opening a khanaka in Bukhara [Bukhoro]. Because there is no khanaka there, Sufi believers have to meet in private apartments. Naqshbandi followers who preferred not to be named told Forum 18 that security police sometimes raid such meetings and warn believers that religious meetings in private homes are not allowed. The National Security Service secret police is particularly suspicious of the system of muridism, seeing it as a potential base for creating terrorist organisations (see F18News 1 November 2004 http://www.forum18.org/Archive.php?article_id=441).

Andijan Tabligh members told Forum 18 that their organisation is free to operate across the border in the neighbouring Osh region of Kyrgyzstan (Osh is situated 70 kilometres or 45 miles east of Andijan). "Missionary work is not forbidden under Kyrgyz law and Kyrgyzstan's muftiate has even established a daavat department (literally, the Islamic call to prayer)," Muhammed Malabayev, specialist at the Osh branch of the Kyrgyz government's religious affairs committee, told Forum 18 on 1 December. "We have a particularly large number of davaatists (Islamic missionaries) in southern Kyrgyzstan, as the population here is much more devout than in the north of the country." He reported that members of Tabligh are among the davaatists, who are mainly Kyrgyz citizens who studied in religious educational establishments in Pakistan. "The Tabligh movement is not forbidden in Kyrgyzstan but, so far at least, its activity in the country is minimal," Malabayev told Forum 18. (END)

For background information, see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=105 and Kyrgyzstan latest religious freedom survey at http://www.forum18.org/Archive.php?article_id=222

For a personal commentary on the Uzbek government's approach to Islam, see F18News 10 June 2004 http://www.forum18.org/Archive.php?article_id=338

A printer-friendly map of Uzbekistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki> and a printer-friendly map of Kyrgyzstan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=kyrgyz>

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