

# MUSLIMS IN UKRAINE: IS THERE FREEDOM OF FAITH?

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Since the early 1990s, the number of Muslims in Ukraine has been increasing by leaps and bounds: the traditionally Islamic peoples are regaining their faith; the demographic and migration processes are being intensified; and the Crimean Tartars are flocking back to their historical homeland, while a certain number of ethnic Ukrainians and Russians embrace Islam every year. In the wake of the Soviet Union's disintegration, religious life in Ukraine has been following a more or less normal course within the democratic standards of the freedom of faith. In 2004, there were 445 legally registered Muslim communities in the country with charters and rules of their own and 22 non-registered communities (operating strictly within the Ukrainian laws), the corresponding figures for the Crimean Autonomous Republic

being 349 and 20. There are seven Islamic educational establishments with 276 students, 90 Sunday schools, and 5 periodicals. They employ 433 clerics, 20 of whom are foreign citizens. It should be said that the Muslim communities have 160 mosques and prayer houses at their disposal, 44 of them belong to Muslims, 18 are used by them, and 98 were adjusted for religious purposes. Ten out of 160 buildings are architectural monuments (the Ibn Fadlan, An-Nour and Ar-Rakhma mosques being the best known among them). Fifty-four mosques date to 1992-2003; twenty-three mosques have not yet been completed. The Muslims are guided by the Spiritual Administration of the Crimean Muslims, the Spiritual Center of the Muslims of Ukraine, and the Spiritual Administration of the Ukrainian Muslims. There is also the possibility of new organizational structures appearing.

Until recently the Ukrainian academic community betrayed no interest in the state of affairs among this important, large and highly dynamic religious group, or in its social orientations. Nobody knew how many Muslims lived in Ukraine. In the absence of state support such costly sociological studies are hard to organize.<sup>1</sup>

In 2003, the Arraid Association of Public Organizations launched a sociological poll called "Muslims in Ukrainian Society" to fill in the blank spots and obtain reliable information about the social life of the local Muslims. The poll and preliminary analysis were completed in 2004. The sociologists employed the focus group methods, the groups being composed of Muslims in places of their compact settlement (the Crimean Autonomous Republic, Donetsk, Lugansk, Kharkov, Zaporozhie and other regions, and in Kiev). Sunni Muslims mainly associated with the Hanafis were polled. A complete analysis of 3,589 questionnaires will make our knowledge about the Ukrainian Muslims' social ideas about contemporary developments and worldviews related to their right to the freedom of faith more specific.

The respondents admitted that in the post-1991 period the newly independent country experienced important positive shifts. They all agree that the political, economic, and ideological system has changed a lot and that Ukraine has positioned itself as a sovereign state moving toward democracy and good, equal, and friendly relations with its neighbors. All those polled positively assessed the downfall of the totalitarian system and their experience of being citizens of an independent European state; they pointed to positive changes in the cities' outlook and the way the people dressed; they approved of the developed food industry and large-scale construction projects. Naturally enough, they all hailed the newly established freedom of faith and conscience and said that the Muslims persecuted under Soviet power gained even more from the new state of things than other religious groups.

The respondents pointed to the following positive changes: 15.62 percent were pleased with the possibility of building more mosques; 8.66 percent approved of the Sunday schools; 6.96 percent rejoiced at the ever increasing number of Muslims; 4.24 percent considered public Muslim organizations to be a great achievement; 3.23 percent are satisfied with the genuine freedom of conscience; 2.89 percent believe that Islam can be freely promoted; 2.5 percent point to the increasing number of Muslims performing all religious rituals; 2.21 percent are satisfied with Islamic books becoming accessible; and 1.7 percent are convinced that an Islamic revival did take place. In addition, 1.53 percent pointed out that an ever increasing number of people are embracing Islam; the same share of people are aware of the fact that new Muslim communities are being formed, that the economic situation has stabilized, that Muslim newspapers and books are being published and that the radio broadcasts Muslim programs; 1.36 percent say that mutual understanding and religious and ethnic tolerance are facts of people's daily life; 1.19 percent are satisfied with the Islamic spiritual centers; 1.02 percent like the fact that they can freely perform religious rites, the same share of people are pleased they can organize Muslim summer youth camps.

About 1 percent of the questionnaires pointed to other positive changes: the country is acquiring a more democratic make-up; the deported people are able to return and settle in old places; there is free access to scientific and religious knowledge; women can wear hijabs, which invites fewer comments from non-Muslims; people are becoming more interested in Islam; there are Islamic events; the state returned the earlier confiscated mosques; people are free to celebrate religious holidays and to develop their spir-

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<sup>1</sup> R. Zhanguzhin's articles are the only exception: "Islam in Ukraine," *Central Asia and the Caucasus*, No. 2 (8), 2001, and "Problemy radikal'nogo Islama v Tsentral'noy Azii: vzgliad iz Ukrainy," *Kontekst*, No. 11, 2002 (in Ukrainian).

itual awareness; there are Islamic universities; the country has acquired the opportunity to join Europe, the standard of living is gradually improving, unemployment is down, etc.

People pointed to other changes, not all of them positive: the traditional Muslim culture is no longer oppressed; the public thinks better of the Ukrainian Muslims; the crime level is steadily declining; the number of teachers of Islam is on the increase; the ideology of Muslims has changed; Ukrainian intellectuals are displaying more interest in the Muslims; the non-Muslim population is coming to a better understanding of Islam; openness has been partly preserved; an increasing number of Ukrainians are demonstrating greediness and other negative traits; the Ukrainian Muslim Party was set up; the mosque in Simmeiz (the Crimea) and elsewhere was returned to the faithful; the nation should be given more freedom of faith in the future; the Ukrainian Muslims have acquired the opportunity to make a hajj to Mecca; the deported Crimean Tartars are returning to the Crimea; there is an organization called Arraid for helping the infirm and orphans; azan (Muslims prayer call) can be heard everywhere; and people with a higher cultural level embrace Islam. People are glad that they are no longer arrested for calling on people to adopt Islam; Ukraine is developing contacts with the Muslim states, while the local people can freely meet foreigners.

The following facts were pointed to as positive: better conditions for the development of Islam; there is a Hafises Center in the Crimea, and the Ukrainian media offer more reliable information about Islam; TV never fails to inform the public about Muslim holidays; open ethnic conflicts have so far been averted; private enterprise is permitted; the public is growing more and more intolerant of discrimination and the violation of human rights; voters are free to choose their candidates; public Muslim organizations are engaged in charities; and Islamic public activity is becoming more noticeable.

At the same time, 42.78 percent of the polled did not answer the question about the positive changes in Ukraine that had taken place while they were living there; 2.21 percent failed to detect positive changes. A small group (within 1 percent) believes that either positive changes are few or not positive enough; 1.87 percent believe that the situation has worsened. Some of the respondents find their life even harder, their wages are too low from the economic and moral viewpoint and trail behind prices and transportation fares. The rest of the polled pointed out that the people in general are not cultured and do not know how to behave and that Ukraine is slowly but steadily moving toward its decline; 2.89 percent did not know how to answer this question, while 1.36 percent pointed out that they found it hard to answer it.

The poll revealed that there were still legal and administrative barriers between the Muslims and their right to freedom of conscience. The question: "Are the main freedoms and rights of the Muslims ensured and are all religions are equal before the law?" drew 33.28 percent of positive answers; 27.84 percent of negative answers (the same number was undecided), and 11.04 percent failed to answer it. It was said that hijab-wearing women find it hard to find a job and work among people belonging to different confessions; Muslim women are not always allowed to be photographed for official documents in hijabs.

The polled pointed out that in cities and towns it was hard to get plots of land to build mosques on. It was emphasized that the local administrations helped to build or restore Christian Orthodox churches and for a long time refrained from interfering with Christians in the Crimea wishing to erect their symbols close to the Muslim religious symbols. It was also pointed out that the Islamic organizations found it hard to obtain time slots on state TV and radio; that certain state agencies put pressure, directly or indirectly, on these organizations, their leaders, families, and employees. (This is done in the form of denying licenses to the media and exit visas; exit visas can be annulled without explanations; people can be denied citizenship or refugee status.) Those who work find it hard to accept that Friday visits to mosques during working hours have still not been regulated; there are also problems with providing food suitable for Muslims in the army and in prisons, as well as with permitting people pray breaks during working hours. The polled want the government to recognize not only Sundays for the Christians and Saturdays for the Jews, but also Fridays for the Muslims as non-working days. They also believe that return of the mosques on the Crimean Southern coast should be carried out at a faster pace and that the future of the waqf lands in the Crimea should at least be discussed.

The question: "Have you as a Muslim experienced discrimination or infringement of your rights by officials and power bodies in the past five years?" was answered in the negative by 58.74 percent of the

polled. They confirmed that the Ukrainian state was drawing closer to the norms of a law-based society. At the same time, 19.35 percent confirmed that they had had this experience; 12.73 percent were undecided, while 9.17 percent gave no answer. The fact that nearly 20 percent of the polled spoke openly about their problems as members of a certain confessional group shows that the problem is real. This has been confirmed by the answers to the question: "Which legal problems do the Muslims encounter in Ukraine when defending their rights?" It was 8.32 percent that said that they were unaware of this problem; 68.59 percent failed to answer; 2.39 percent found it hard to answer. Certain related problems have been identified: there is a hijab problem in educational establishments and places of work; the hijab-wearing women find it next to impossible to find work; the rights of Muslim servicemen are virtually unprotected; the Labor Code still lacks an article on the right to pray during office hours; and the problem of the waqf lands in the Crimea has not yet been settled.

Local officials were caught being prejudiced against Muslims personally or collectively. There was a lot of talk about political rehabilitation of the clerics repressed in the Crimea in the 1920-1940s and the need to open departments of Islamic studies in secular higher educational establishments.

There are even more problems: law enforcement officials treat Muslims unfairly and extort money from them; the same officials tend to pay more attention to foreign Muslims; the lack of a clear mechanism for lodging complaints against officials who infringe on the rights of Islamic leaders and functionaries and against local structures that delay decision-making related to building new mosques and the functioning of old ones, as well as educational institutions and new spiritual administrations, and registering at the place of residence.

The polled came up with specific suggestions designed to protect the rights of the Muslim minority: public human rights organizations and other NGOs; state support for communities wishing to organize normal religious proceedings in prisons; and the organization of separate swimming pools, sports facilities, hairdressing salons, etc. for men and women in places where Muslims live in compact groups (Donetsk, Lugansk, Zaporozhie regions, in the Crimean Autonomous Republic, Kiev and Sevastopol).

People also wanted to be able to set up Shari'a courts for the Muslim community; a state supervisory body to control imported religious literature and foreign sham Islamic missionaries; and a state program designed to fight everyday racial discrimination and to control the militia (some people said that Allah, rather than the state protected the faithful).

The discussions that flared up in some European countries about the right of Muslim women to wear the hijab at places of work or study raised the question: "What do you think about women not wearing the hijab in public places?" It was 44.48 percent of the polled who were negative; 12.56 percent did not attach great importance to the problem; 10.02 percent believed that women had the right not to wear the hijab in public places; 19.02 percent were undecided, while 6.96 percent offered no answer. Some of the respondents believed that women had the right not to wear the hijab in secular social-cultural milieu because of the psychological problems caused by lack of understanding in places of work or study. Some people believed that this was a personal choice or evidence of the still weak faith of recently converted women. Some people believe that wearing the hijab is a tradition preserved from childhood. However, there was the opinion that the hijab should be worn at all times—an abandonment of it may cause regret, rejection, irritation, or even denouncement.

Some people were tolerant in their opinions and tended to feel compassion for those who could not follow this important religious rule. For example, 0.68 percent of the polled pointed out that the decision to wear or not to wear the hijab should be the woman's prerogative, who would have to answer for it before the Allah. Many of the polled said that they regretted that the norm was not observed yet, being convinced that each woman had her own serious reasons, they refused to condemn them. In other words, even though rejection of the hijab should be condemned, tolerance should be demonstrated in each particular case. The hijab-wearing women attract a lot of unfavorable comments in public places, therefore temporarily the women should be allowed to decide whether they want or do not want to wear the hijab. This is a matter of her conscience and faith.

The Muslim women are aware that the hijab should be worn, yet cannot wear it for obvious reasons. They offered the following comments: "I do not approve of not wearing the hijab, yet I myself cannot

wear it because of the work I do,” or “We should take into account the specific conditions: the faith of recently converted women is not strong enough.”

The majority believed that women should be patiently taught to wear the hijab and that their faith should be gradually strengthened. Such people say: “I do my best to explain that the hijab is a must,” “Women will wear the hijab if Allah wills it,” “I would like to see our women suitably dressed,” “All of us started with small things—we should move forward toward ensuring that the hijab is worn and never removed again. Women with weak convictions tend to abandon the hijab.” According to some of the polled, much depends on how the issue is treated at home, in communities, and in Sunday schools. Some of the faithful believe that it is their duty to help women to wear the hijab of their own free will. They wrote: “It makes me sad to see women without the hijab; if we continue explaining our religion in the right way, fewer women will be reluctant to wear the hijab,” “When I see a woman without a hijab I realize that I am not doing enough,” “These cases prompt us to pay attention to such women and to patiently explain everything to them.”

Many Muslims are convinced that the issue should have a legal framework and the public should be taught to accept the hijab. Progress in this respect will help the Muslims to put down roots in Ukraine.

There are other political and legal issues: the legal status of the Mejlis of the Crimean Tartars should be specified; and the social and religious activities of the Muslim public organizations need specification (in Europe, Islamic cultural centers have places for prayer). Some other issues are abstract: the use of the norms of fiqh and Shari‘a and legalization of the Hizb ut-Tahrir Party.

The pilot poll (which was of a semiotic nature based on the attitude toward basic Islamic features) demonstrated that some of the problems were settled, while others should be legally and administratively regulated so that Ukrainian Muslims can realize their constitutional right to freedom of faith.