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THE NORTHERN CAUCASUS: THE STATEHOOD ISSUE AS TREATED BY THE NATIONAL, ISLAMIC, AND POLITICAL MOVEMENTS

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In the 1990s, the Northern Caucasus was swept by ideas of setting up different kinds of statehood which to a large extent determined the directions of the national, Islamic, and political movements. The problem of statehood assumed its most complicated form in Chechnia.

National Movements

In the early 1990s, when Islam had just resumed its former place in the Northern Caucasus, but the Muslim leaders had not yet gained political weight and had no money to speak of, national movements pushed to the fore. Judging by their leaders' political statements, the statehood issue was one of the priorities. In Kabardino-Balkaria (KBR), for example, the law passed by the R.S.F.S.R. Supreme

Soviet, On the Rehabilitation of Repressed Peoples, added impetus to the local and similar movements elsewhere in the region. The law not only stipulated that the formerly repressed peoples should receive privileges—it was a political document. The national movements in the republic developed “within the framework of restoring Kabardinian and Balkar statehood.”¹ In the first half of the 1990s, the national movements still thought of the statehood issue as a national-territorial principle of state organization and so-called national-political self-identification. These were two major instruments of political struggle in the Caucasus.

In 1991, the leaders and supporters of the Balkar national movement adopted a Declaration on Setting up the Republic of Balkaria and the National Sovereignty of the Balkar People, the main principles of which were formulated in the Key Provisions of the Conception of the National-State Organization and the Reform of the Political System of Kabardino-Balkaria.² In 1992, the leaders of the Kabardinian national movement, being convinced that “the statehood of the Kabardinian people was restored in 1921,” responded with a similar decision On the Restoration of the Kabardinian Republic.³ Even though both movements spoke about the peoples’ cultural resurrection and partially implemented corresponding programs,⁴ they were political movements first and foremost.

At the early stages of the national movements, they were actively used by the local authorities, who were pursuing their own political aims. These could be described as wider functions and wider powers transferred to them by the federal center. This is why the following republic-level documents entitled Resolution on Establishing a Memorial Day for the Adighe-Victims of the Caucasian War and of Forced Deportation Abroad and Resolution on Establishing a Memorial Day for the Victims of the Forced Deportation of the Balkar People were drafted and adopted. Later the Supreme Soviet of the KBR invited all political parties and public movements “to refrain from any actions designed to change the republic’s national and political order.”

It should be added that there were also purely political structures acting in Kabardino-Balkaria, such as the Democratic Party of the KBR, the Republican Party of Kabardino-Balkaria, and the Communist Working Party of the KBR, which concentrated on political struggle yet failed to properly organize it. We can say, therefore, that in the first half of the 1990s the leaders and followers of the Kabardinian and Balkar national movements were the only real political force able to change the republic’s socioeconomic and political context. After failing to accomplish this they gradually left the political scene.

In 1996, at the First Congress of the Balkar People, the Balkar National Movement began to decline: at its fifth stage the congress elected Sufian Beppaev as chairman of the National Council of the Balkar People, and on 17 November adopted a fairly radical Resolution on Measures to Execute the Declaration on Setting Up the Republic of Balkaria and the National Sovereignty of the Balkar People. Ten days later, on 28 November, the newly elected chairman addressed the people of Kabardino-Balkaria with a statement that marked a turning point in the history of the Balkar National Movement. He said that, first, by the end of 1996 the KBR government had “settled many of the problems related to the rehabilitation of the Balkar people,” second, that by that time the Balkar people had carved an adequate niche in the republic-level power bodies, and that, third, he had met with KBR President V. Kokov who, having examined the remaining rehabilitation problems in detail, promised to settle them in the near future. By arguing in this way, Beppaev invited the nation to retreat from the

¹ *Etnopoliticheskaia situatsia v Kabardino-Balkarii*, Compiled and edited by I.L. Babich, Vol. 1, Moscow, 1994, p. 16.

² Documents related to the activities of the National Council of the Balkar People, 1994-1998, from the author’s personal archives.

³ See: *Etnopoliticheskaia situatsia v Kabardino-Balkarii*, Vol. 2, Moscow, 1994, p. 13.

⁴ See: *Ibid.*, pp. 55, 91, 104.

too rigid and radical course for the Balkars' sovereignty embraced by the previous leaders of the national movement. He said, in particular: "In view of the current situation in the republic and around it and having become convinced that inside the republic and outside it (in Moscow, in particular) there are forces wishing to build up tension in the Northern Caucasus, I, as the leader elected unanimously at the congress of our people, believe it expedient to suspend the activities of the National Council of the Balkar People and its executive committee to avoid escalated tension."⁵ At essentially the same time, the Public Prosecutor's Office of KBR instituted a criminal charge (Art 79 of the RF Criminal Code) against the activities of the National Council of the Balkar People.⁶ This greatly weakened the Balkar movement; the Kabardinian national leaders also curtailed their activities, since their structure had been set up to counterbalance the Balkar organization. All efforts to set up new public organizations, such as Malk'ar Auzy (The Voice of Balkaria), failed.⁷ The Kabardinian public political organization Adighe Khase with Valeri Khatazhukov as its leader is struggling to retain its political role in the republic.⁸

It seems that the national-political movements of Kabardino-Balkaria share one common mistake which weakens them and their leaders: they are too busy fighting each other to pay attention to concerted efforts to oppose the conservative authorities and the still prevailing old economic conditions in the republic (the republic's official leaders have fanned their squabbles).

The situation in Kabardino-Balkaria and the correlation between its national and political leaders in the first half of the 1990s was fairly typical: the movements blended into one national-political movement, while national culture, traditions, and languages were not merely defended—they were used as instruments of political struggle waged to bring about more or less radical changes in the political system, as well as in the foundations and the structure of power. Later this role shifted to Islam. Late in the 1990s and early 2000s, some of the activists of these movements tried (and are still trying with no effect) to appeal to ethnic North Caucasian traditions. For example, I. Basova has pointed out that one of the models of Chechnia's future statehood "is associated with the ancient Chechen clan structure—the system of teips—which has recently acquired purely ideological overtones. Attempts are being made to build up new political institutions using the revived teips as the cornerstone. The ideas of Chechnia's historical predestination and its future have been put in a nutshell as 'Chechnia's future is its distant past.'⁹ Some Chechen ideologists, including "wanted" Kh.-A. Nukhaev, believe that this conception serves its aim. Nukhaev has offered his own plan for setting up a Chechen state based on the clan structure and the adat law in Chechnia's mountainous area and transferring the valley part of the republic to the Russian Federation.¹⁰ This is an anachronism rather than a well-substantiated political position, although it has found supporters in the academic community of Russia, Sergey Arutiunov, Corresponding Member of the RAS, being one of them.

Islamic Movements

It was around the mid-1990s that the North Caucasian leaders started looking for different forms of political struggle, picking up Islam as a newly discovered tool of political influence. Political Islam

⁵ Documents related to the activities of the National...

⁶ See: *Kabardino-Balkarskaia pravda*, No. 220, 1996.

⁷ Documents related to the activities of Malk'ar Auzy, 1997-1999, from the author's personal archives.

⁸ Documents related to the activities of Adighe Khase, 1997-2000, from the author's personal archives.

⁹ I.O. Basova, *Gosudarstvenno-pravovaia ideologia islama i praktika stroitel'stva musul'manskikh gosudarstv*. Ph.D. thesis, Stavropol, 2000, p. 102.

¹⁰ See: Kh.-A. Nukhaev, "Chechnia i Rossia: odno tsennostnoe prostranstvo—dve obshchestvennye sistemy," in: *Rossia i Chechnia. Poiski vykhoda*, St. Petersburg, 2003.

acquired a new form of a public movement first in Daghestan. D. Khalidov, Ph.D. (Philos.), himself an active supporter of this movement, has pointed out that it aims to build up public Muslim political organizations as “constructive opposition to and cooperation with the state structures and institutions of power; this cooperation should bring to light the specific interests of the Muslim ummah.”¹¹ Several new Islamic political parties appeared in the region at the same time: the Union of Muslims of Russia headed by N. Khachilaev; the Nur movement; the Islamic Party of Daghestan headed by S. Asiati-lov; and the Islamic Party of Russia headed at that time by Daghestanian S. Raja-bov, etc.

The first step taken in the Islamic political activities in the Northern Caucasus was to spread the idea that Islam should be recognized as a state religion of the Russian Federation. Russia is a secular state in which religion is separated from the state. Nevertheless, Christian Orthodoxy merges with the state on many occasions to the extent that people look at Christian Orthodoxy as the religion of all Russian citizens. This explains why the Islamic leaders out to boost the impact of the Islamic norms and institutions on the state and constitutional field are calling for making Russia’s two traditional religions—Orthodoxy and Islam—state religions. The most radical changes in this respect took place in the Northern Caucasus when Chechnia amended its Constitution in 1992 to make Islam the state religion in the republic. In 1997, the Chechen rulers passed a Law on Amending the Constitution of the Chechen Republic of Ichkeria: Item 4 made Islam the state religion in the republic. The Muslim youth of other regions, the northwestern Caucasus in particular, has willingly embraced these ideas.¹²

An “assault” on the Caucasian culture was another step taken by Islamic politicians. Until the mid-1990s, the national-public structures extended their “political” support to the national traditions; when this practice proved disappointing, Islamic ideologists shifted their support to Muslim culture. They have discarded all the Caucasian traditions of the mountain dwellers, in particular their ethnic dress and dances.¹³ The Islamic leaders of Kabardino-Balkaria, Adigey, and other republics started talking about abandoning the adat custom of bride-abduction as banned by the Muslim laws, which permit only matchmaking.¹⁴

The efforts to extend the sphere of the Shari’a as a legal system and to accept it as an alternative to Russia’s judicial system was the third step taken by Islamic politicians.¹⁵ Muslim civil law, especially those branches which deal with the family and inheritance practices, stirred up a lot of interest. The northeastern Caucasian republics (Ingushetia, Chechnia, and Daghestan) embraced more of its elements than the rest of the Northern Caucasus. D. Makarov has pointed out that individual Shari’a norms are used in the family, landowning, and economic spheres of the Muslims’ everyday life.¹⁶ In the northwest of the region (in Adigey and Kabardino-Balkaria), Muslim law is used unofficially mainly by the young and more or less radically-minded Muslims.¹⁷

¹¹ D. Khalidov, “Otvet na dva istoricheskikh vyzova,” *NG-religii*, No. 11, November 1997; idem, “Islamskiy terrorizm v Rossii: mify i real’nost,” *Musul’mane*, No. 1, February-March 2000, p. 25.

¹² See: I. Babich, A. Iarlykapov, “Islamic Movement in Kabardino-Balkaria: Trends and Problems,” *Central Asia and the Caucasus*, No. 4 (22), 2003, pp. 167-168.

¹³ See: I.L. Babich, “Islamskie organizatsii i religioznaia politika vlastey,” in: *Islam i pravo v Rossii*, Issue 3, *Pravovoy status islama na Severnom Kavkaze*, Compiled by I.L. Babich, 2004, pp. 107-108.

¹⁴ See: I. Babich, “The Republic of Adigey: Islam and Society at the Turn of the Century,” *Central Asia and the Caucasus*, No. 6 (30), 2004, p. 58.

¹⁵ See: K.M. Khanbabaev, “‘Shariatizatsia’ postsovetского Daghestana: Mify i real’nost,” in: *Islam i pravo v Rossii*, Issue 1, *Materialy nauchno-prakticheskogo seminarā “Problemy realizatsii zakonodatel’sтва o svobode sovesti i religioznykh ob’edineniakh v otnoshenii rossiiskikh musul’man (Severniy Kavkaz, Povolzhie)*, Compiled and edited by I.L. Babich, L.T. Solovieva, Moscow, 2004, p. 163; A.M. Rajabov, “Vo imia naroda,” *Istinny put. Obshchestvenno-politicheskaya i dukhovno-prosvetitel’skaia gazeta*, June 2003, p. 1.

¹⁶ See: D.V. Makarov, *Ofitsial’niy i neofitsial’niy islam v Daghestane*, Moscow, 2000, pp. 14, 74.

¹⁷ See: A.E. Astemirov, “Sovremennaya praktika primeneniya musul’manskogo prava v Kabardino-Balkarskoy Respublike,” *Islam i pravo v Rossii*, Issue 2, *Materialy nauchno-prakticheskogo seminarā “Musul’manskoe pravo v mire i Rossii (Severniy Kavkaz, Povolzhie)*, Compiled and edited by I.L. Babich, L.T. Solovieva, Moscow, 2004, pp. 183-184.

In Chechnia, the 1996 decree on the reorganization of the secular (Russian) courts of justice and on introducing the Shari'a (Akhmad Akhtaev was appointed the first Qadi of the Supreme Shari'a Court) launched the process of transforming the republic into an Islamic state. This was followed by a decision on a new state-religious body—the Shura—which appeared in 1998; in February 1999, the rule of the Shari'a was proclaimed, under which all laws should be adjusted to the Koranic and Shari'a norms. The parliament and the republic-level muftis were instructed to come up promptly with a draft Shari'a constitution.¹⁸

In 1998-1999, there were attempts to set up the rule of Islam and Muslim law in some of the Daghestanian regions (the Kadar zone of the Buynaksk District). The leaders of the Salafi jamaats proclaimed the zone to be "Islamic territory ruled according to the Shari'a" and annulled all of Russia's laws. Village Shari'a courts were set up across the entire zone. They survived until the fall of 1999 when the federal troops liquidated the power of the Salafi leaders.¹⁹ In 1998, similar courts were set up in the village of Kirovaul (Kiziliurt District) where, as D. Makarov wrote, "the Shari'a was introduced not only under the pressure of public opinion (social pressure) and the religious leaders' authority, but also because there was a special structure of coercion in the form of a Shari'a armed unit; this was not typical of all Daghestanian villages though."²⁰ By the end of 1998, the inter-district office of the public prosecutor liquidated the court.

The Islamic leaders and deputies of the republic-level parliaments shared the desire to legalize some of the Muslim legal norms. In 1997, Ingushetia adopted a law on justices of the peace, which replaced the village courts with Shari'a courts expected to observe the following legal procedures: oaths on the Koran accepted as evidence; Muslim laws applied to cases of property and inheritance division, divorce, slander or insult, as well as traffic accidents. In May 1999, the Shari'a court became the republic's official juridical body composed of the qadi (alim A. Sh. Martazanov), elected for life by a two-third majority of the republic's Council of the Alims, and five more alims appointed by the qadi from among the people well-versed in Muslim law. The court used the native tongue of the citizens to deal with divorces and division of property (primarily landed property) and issued its decisions in writing. In 2001, after examining over 1,000 cases, the court stopped functioning as a juridical body and continued as a consultation structure for physical entities.

In Adigei and Kabardino-Balkaria, the Islamic leaders and jurists apply Muslim family law; Muslim marriage rites are performed and registered in the mosques.²¹ In the 1990s, not only marriages, but also divorces and related Muslim legal norms attracted the local Muslims (especially their female members). In Daghestan, Ingushetia, and sometimes in Kabardino-Balkaria, the imams perform Islamic divorces and the property division procedure. In Ingushetia, they issued corresponding documents identical to those issued by the Shari'a courts during the period of their official functioning.²² It was back in 1994 that then President of Ingushetia Ruslan Aushev suspended the articles of the RF Criminal Code that envisaged criminal liability for polygamy, and for abducting and redeeming brides, which he described as local customs prompted by demographic problems. This brought together the adat (bride redemption) and Shari'a norms (polygamy). Later, on 9 October, 1998 Ingushetia acquired

¹⁸ See: V. Akaev, "Religious-Political Conflict in the Chechen Republic of Ichkeria," in: *Political Islam and Conflicts in Russia and Central Asia*, ed. by L. Jonson, M. Esenov, Stockholm, 1999, p. 48.

¹⁹ See: R.G. Gajiev, *Wahhabizm: Osobennosti ego proiavlenia na Severnom Kavkaze*, Makhachkala, 2002, p. 216.

²⁰ D. Makarov, "Opyt vvedeniia shariata na mikrourovne: primer daghestanskogo selenia Kirovaul," in: *Islam i pravo v Rossii*, Issue 2, p. 166.

²¹ See: I.L. Babich, A.A. Iarlykapov, *Islamskoe vozrozhdenie v Kabardino-Balkarii: perspektivy i posledstvia*, Moscow, 2003, p. 90.

²² See: Archives of the Qadiat of the Republic of Ingushetia, the 1999-2001 cases.

a law on polygamy annulled by the federal powers in 2000. Scores of such marriages were contracted in the republic while the law was in force.

The Muslim law on inheritance is cultivated mainly in Daghestan; in Adigey, the Adighes who recently resettled there from Kosovo where no limits were placed on Muslim rites and customs are trying to apply the Muslim inheritance-related laws. They still stick to the practice of Muslim last will and testament.²³ Anzor Astemirov, one of the young Islamic leaders of Kabardino-Balkaria, pointed out that the local Muslims are showing an interest in this practice and gradually embracing it.²⁴

Muslim law was successfully applied in the 1990s when practically all the North Caucasian republics were beleaguered by land conflicts created by the wide-scale redistribution of the arable lands and pastures (including those which belonged to collective and state farms). V. Bobrovnikov wrote that, early in 1991, three villages (Sasitli, Kedi, and Sildi) of the Tsumada District of Daghestan went to the Shari'a court chaired by S.-M. Abubakarov (he also chaired the Shari'a court at the main mosque of Khasaviurt). His colleagues—S.G. Pirmagomedov from the village of Agvali and M.-S. Gaziev from the village of Khushtada—were members of the court.²⁵ Umar Arapkhanov, imam of the Galashki village, wrote that the Shari'a court, which was officially functioning in Ingushetia in 1999-2001, had to sort out, quite often on the basis of the Shari'a, land-related conflicts.²⁶

The problem of the restoration of *waqfs*—the institutions of Muslim property—proved to be especially acute. In some of the settlements of the Tsumada District of Daghestan, the village mosques managed to revive the earlier *waqfs*.²⁷ According to V. Bobrovnikov, the local administration in scores of mountain and piedmont villages returned to the mosques, sometimes secretly, the larger part of the lands (privately owned arable lands and orchards—*waqfs*) taken from them during collectivization. The norms of Muslim law applied to this property were restored.²⁸ However, in the 1990s, even in Daghestan, the *waqfs* were not restored to their old role in the life of the Muslim communities. The *waqf* payments were no longer obligatory—they became community-controlled voluntary donations. Not supported by the Russian laws, the *waqf* lost its legitimacy with Muslim law as well.²⁹

The northwest of the region also has a mosque *waqf* property problem. In 2003, for example, the government of Adigey offered land to Muslim communities; in April the Council of the Spiritual Administration of the Republic of Adigey and the Krasnodar Territory discussed this at one of its sittings. Nurbi Emij, the republican mufti, called on “all those who want to work on these lands to cover the costs of running their local mosques to lodge applications saying how much land they are prepared to till and where.” The Adighe Muslims, however, were not prepared to introduce the system of mosque *waqf* landed property for several reasons. First, as I have already written above, the republic lacks the historical experience of using *waqfs* for the needs of the mosques; second, despite the command from above, in some places the local administrations refused to transfer land to the mosques. Finally, land-tilling is not profitable in the Northern Caucasus today. Significantly,

²³ See: *Islam i pravo v Rossii*, Issue 3, p. 35.

²⁴ See: A.E. Astemirov, op. cit., pp. 183-184.

²⁵ See: V.O. Bobrovnikov, “Shariatskie sudy na Severnom Kavkaze,” *Otechestvennye zapiski*, No. 5, 2003, p. 426.

²⁶ See: U.A. Arapkhanov, “Pravo i islam v Ingushetii,” in: *Islam i pravo v Rossii*, Issue 1, p. 79.

²⁷ See: P.A. Ibragimova, “Sud'ba waqfnoy sobstvennosti v Daghestane (protsess razvitiya i transformatsii),” *Gosudarstvo i religia v Daghestane: Informatsionno-analiticheskiy biulleten*, Makhachkala, No. 2, 2003, p. 114.

²⁸ See: V.O. Bobrovnikov, “Islam i sovetskoe nasledie v kolkhozakh Severo-Zapadnogo Daghestana,” *Etnograficheskoe obozrenie*, No. 5, 2000, pp. 137-138.

²⁹ See: V.O. Bobrovnikov, *Musul'mane Severnogo Kavkaza: Obychay, pravo, nasilie. Ocherki po istorii i etnografii prava Nagornogo Daghestana*, Moscow, 2002, p. 275.

the Adighes from Kosovo, where they had land and rented it out to pay for the mosques, refused to accept the waqfs in Adigey.³⁰

Other norms of the Muslim law on property are accepted more willingly. The mosques are maintained at the expense of *zakiat* (*zakat* in the Adighe language), even though during the years of Soviet power the North Caucasian mosques lost the skill of collecting and distributing *zakiat* money among those categories for whom the money was collected in the first place. A. Iarlykapov pointed out that many of the Adighe Muslims are aware of this duty and are doing their best to perform it. Voluntary distribution of alms—*sadaqa*—is more widely known and practiced. There are no special periods for it—it can be given when people feel inclined to do this. Normally the money goes to the poor, disabled, orphans, and children.³¹

Only the Chechens and Dagestanis showed an interest in Muslim criminal law. In 1996, Zelimkhan Iandarbiev, who headed Chechnia, issued a decree which enacted the Shari'a-based Criminal Code of the Chechen Republic of Ichkeria (CRI). Its purpose was described as "cementing the foundations of state independence and the rule of law according to the principles of the Shari'a, that is, the Law given by Great Allah, gracious and merciful, ruler of the worlds."³² This Criminal Code was patterned after the Criminal Code of Sudan.³³ Akaev, one of the leading students of Islam in Chechnia, pointed out that the Criminal Code was expected to regulate social and legal relationships in Chechen society according to the Shari'a.³⁴ I. Gerikhanov, who headed the Constitutional Court of the Chechen Republic of Ichkeria, never tired of saying that the Code provided the only opportunity to curb crime. He compared this with the executions of robbers and bandits in post-war Russia.³⁵ The Criminal Code contained such punishments as fines, imprisonment, exile, death, etc.³⁶ In 1997, the Supreme Shari'a Court of the republic sentenced several criminals to public executions for first-degree murder and adultery. Some of them were executed. Six leaders of criminal groups and drug barons were also sentenced to death. The sentenced people were either hanged, or their throats were slashed, or they were stoned to death.³⁷ The Shari'a courts were expected to punish thieves by chopping off their arms—after a while this practice was abandoned in favor of large fines: too many young Chechens were losing their arms, while the number of thefts was not diminishing. The Shari'a courts looked into the cases of drinking and selling liquor—the guilty were whipped.

Under the Muslim law that was in force in Dagestan in 1998 those, mainly young people, caught drinking liquor were punished with 40 blows of the stick in the Kadar zone.³⁸ R. Gajiev described the procedure: "The imam of the Karamakhi village announced his intention to punish any specific person after the morning namaz; the punishment was carried out in the square in front of the local administration. Before the people gathered, the culprits were kept locked in the building that used to house the militia precinct. More than once, Jarullah Gajimagomedov, known as the 'four-star' general with merely eight years of school behind him, personally delivered the punishment."³⁹

³⁰ See: Archives of the main mosque of Maykop. Verbatim report of the sitting of the Council of the SAM RA and KT of 9 April, 2003.

³¹ See: A.A. Iarlykapov, "Religioznoe povedenie," in: *Islam i pravo v Rossii*, Issue 3, pp. 56-58.

³² Z. Iandarbiev, "Ob UK ChRI," *Ichkeria*, No. 25, 1996, p. 2.

³³ See: "Ugolovny kodeks Chechenskoy respubliki—Ichkeria," *Ichkeria*, No. 24-26, 1996.

³⁴ See: V. Akaev, "Sufiiskie bratstva i Wahhabity," in: *Religii, verovania, kul'ty*, Moscow, 1997, p. 54.

³⁵ See: *Nezavisimaia gazeta*, 25 September, 1997.

³⁶ See: V.Kh. Akaev, "Religiozno-politicheskiy konflikt v Chechenskoy respublike—Ichkeria," *Tsentral'naia Azia i Kavkaz*, No. 4 (5), 1999, p. 102.

³⁷ See: N. Pulina, "Shariatskiy sud stal pravit sud'bami," *Nezavisimaia gazeta*, 5 September, 1997, p. 1.

³⁸ See: K.M. Khanbabaev, "Vozrozhdenie musul'manskogo prava v Dagestane: teoria i praktika," in: *Islam i pravo. Materialy nauchno-prakticheskogo seminara "Musul'manskoe pravo v mire i Rossii (Severniy Kavkaz, Povolzhie)*, Issue 2, RUDN, Moscow, 2004, p. 128.

³⁹ R.G. Gajiev, op cit., p. 215.

The Kirovaul village of the Kiziliurt District also lived according to Muslim criminal law: in 1998 alone over 30 people were sentenced to imprisonment or stick beating for drinking or stealing.

The idea of the Islamic state was the fourth, and by far the most important step of Islamic political propaganda among the North Caucasian Muslims. In fact, this is one of the key postulates of a corresponding doctrine which speaks of the interrelation between Islam and an Islamic state. The most radical of the Islamic leaders are therefore convinced that the efforts to spread Islam far and wide inevitably suggest that political struggle for the right to introduce a new constitution and a state order as loyal as possible to Islam and Muslim law is inevitable. In the 1990s and early 2000s, the idea of an Islamic state in individual republics or across the Northern Caucasus was greatly inflated by the idea of restoring the Arab Caliphate, in which Chechnia was supposed to play the leading role, in the Northern Caucasus. It was this aspect of Islamic political activities that evoked the most obvious negative response from the authorities and power-wielding structures of the Russian Federation and negatively affected Muslim developments in Russia as a whole and the Northern Caucasus in particular. Some of the North Caucasian republics, for example, adopted legal documents which gave a much wider interpretation of the concept of “destroying the foundations of the RF constitutional order” than the Criminal Code of the Russian Federation. In 1998, the People’s Assembly of Ingushetia passed a Law on the Regulation of Certain Aspects of the Religious and Missionary Activities in the Republic of Ingushetia, which included the concept of an “extremist religious organization” identified, in particular, by the intention “to use force to change the foundations of the constitutional order of the Republic of Ingushetia.” In 1999, the authorities of Dagestan adopted the Law on Banning Wahhabi and Other Extremist Activities on the Territory of the Republic of Dagestan. It banned, in particular, all Islamic organizations working toward “changing the constitutional order of the RF by force.” The Council of the Muftis of Russia and the Spiritual Administration of the Muslims of the RF European Part supported this by issuing Basic Provisions of the Russian Muslims’ Social Program in 2001, in which they outlined the Muslims’ legal position in the secular Russian state and expressed their official conviction that the Muslims are completely loyal to the state and its laws.⁴⁰

It should be said that the discussions and promotion of the idea of a Muslim state revealed a schism inside the Muslim community of Russia rather than between Russia’s authorities and the Muslims. On the one hand, the official clergy, primarily the leaders of the republican spiritual administrations, were completely loyal to the RF Constitution, the authorities, and the Russian state as a whole. They entirely support its course and the local administrative structures by actively cooperating with them. Nurbi Emij, the Mufti of the Spiritual Administration of the Muslims of the Republic of Adigey and Krasnodar Territory, is the best example of loyalty and cooperation. The leaders of the official Islamic organizations are not so much willing to set up the foundations of Islamic statehood as to raise the “political and legal status” of Islam by “pursuing political activities of their own.”⁴¹ On the other hand, the young Muslim leaders of the North Caucasian republics are insisting on the idea of Islamic statehood. They are convinced that they need time and skilful political and religious maneuvering. This process was actively unfolding in Chechnia; in other republics, too, the ideas of an Islamic state and purely political aims are obviously interconnected. This can be clearly seen in Dagestan⁴² and Kabardino-Balkaria.⁴³ In the latter half of the 1990s, it was the Muslim youth organizations (the Youth Islamic Center, which described its ultimate goal as achieving the “Islamization of the people and power,” and others) undertook the task of promoting the idea of an Islamic state in the northwestern Caucasus, in Kabardino-Balkaria among other places. The Center’s leaders were quite open about their

⁴⁰ See: *Osnovnye polozhenia sotsial'noy programmy rossiiskikh musul'man*, Moscow, 2001.

⁴¹ D.V. Makarov, *Ofitsial'nyi i neofitsial'nyi islam v Dagestane*, p. 15.

⁴² See: M.O. Osmanov, “Dagestan—glukhaia provintsia v musul'manskom mire,” *Nash Dagestan*, Nos. 189-191, September-October 1999, p. 15.

⁴³ See: I. Babich, A. Iarlykapov, “Islamic Movement in Kabardino-Balkaria: Trends and Problems,” p. 168.

political aims. At first they tried to gain a foothold in the republic's Spiritual Administration of the Muslims, then they moved to spreading their influence to the republic-level authorities.⁴⁴ They use all opportunities to plant the ideas of an Islamic state and Islam as a state religion in the minds of the young mountain people during prayers, at all kinds of courses, in Sunday schools, etc. Some young men have already become imbibed with the idea that the future of Islam and the Islamic state are inseparable.⁴⁵

Political Movements

In 2001-2005, the authorities and the power-wielding structures raised an offensive against those Islamic movements either preaching the idea of an Islamic state or engaged in corresponding political activities, and undermined their drive to a great extent.

There is a more or less widely accepted, yet fairly debatable, opinion that the North Caucasian mountain societies will not accept democracy; the Islamic leaders are actively exploiting it, while promoting the idea of a Muslim state. I have already written that in such a state, power and the Shari'a are inseparable; Prof. M.-N.O. Osmanov, a well-known translator of the Koran into Russian, suggested the term "Shari'a statehood." This power does not rely on democracy in its Western interpretation, but is a highly special form of power—nomocracy, or the power of the law—according to L. Sjukijainen, who is widely known in Russia as an expert on Muslim law. There is a fairly substantiated idea favored by many of the Islamic leaders that the North Caucasian mountain peoples are much closer to the Muslim principles of statehood and that, if implemented, these principles would usher in modernization of all sides of the local peoples' existence, including the nearly ruined economy. The economic changes launched in the late 1990s-early 2000s in the Russian Federation are stalling in the Northern Caucasus.

It seems that the political leaders of the region's republics look at the conception of Islamic statehood as part of the political process unfolding before them rather than as a necessary process and part of the Muslim faith as a whole. L. Sjukijainen has also emphasized the political aspects of the idea of the Shari'a and an Islamic state. He has pointed out in particular that, as distinct from the Chechen radicals, the Daghestani Islamic radicals "looked at the Shari'a as a weapon to be used primarily to fight corrupt power rather than crime."⁴⁶ At the same time, K. Gajiev has pointed out: "They [the Islamic leaders of Daghestan.—*I.B.*] are essentially openly preaching the pan-Islamic ideas of bringing together all Muslims of the region to push Russia away from the Northern Caucasus and to set up an Islamic state there ruled by the Shari'a."⁴⁷

It seems, however, that the Russian Muslims could resolve many of their social, economic, political, national, and cultural problems with the help of the Shari'a. The specifics of the mountain dwellers mentality more willing to accept the "dictatorship of the Shari'a" than the "democracy of Russia's laws" should not only be reckoned with when creating a new legal field in the Northern Caucasus: it should be used to establish (de facto and de jure) law and order in the region to put an end to the era of lawlessness which partly dates back to the Soviet period and which reached its heyday in the 1990s.

The history of Islam in the Northern Caucasus has taught us that, on the one hand, its advance among the local peoples was a torturous process and that, on the other, the efforts of the Russian au-

⁴⁴ Talks with the Director of the Islamic Center of the KBR (today the Islamic Institute) Musa Mukozhev in July 2002, from the author's personal archives.

⁴⁵ See: I.L. Babich, A.A. Iarlykapov, *Islamskoe vozrozhdenie v Kabardino-Balkarii: perspektivy i posledstvia*, p. 57.

⁴⁶ L.R. Sjukijainen, "Naydetsia li shariatu mesto v Rossiiskoy pravovoy sisteme?" in: *Islam na postsovetskom prostranstve: vzgliad iznutri*, ed. by A. Malashenko and M. Brill Olcott, Moscow, 2001, p. 30.

⁴⁷ K.S. Gajiev, *Geopolitika Kavkaza*, Moscow, 2001, p. 34.

thorities to create alternative state and legal mechanisms to bring law and order and develop the mountain nations failed. The centuries-old rivalry between the Russian and Ottoman empires interfered with the latter's intention to set up an Islamic order there. Starting in the late 18th century, Russia began setting up its own power and power-wielding structures, which could barely cope with the local temperaments and traditions. Even if the authorities and the legislative bodies of the Russian Federation provide the local nations with the possibility of using those Muslim legal norms which do not contradict the Russian laws, the process of incorporating them into everyday life in the mountains with the aim of modernizing this life will be a long, complex, and rather painful process: on the whole, North Caucasian society is not ready to travel this road. V. Bobrovnikov has justly written: "Those who think that the absolute majority of the local North Caucasian nations have returned to the strict observation of Islamic norms and have patterned their lives according to the Shari'a are wrong." From the viewpoint of "legal options," therefore, the use of Muslim legal norms in the region will for a long time remain a declaration rather than a reality.

In the 1990s-early 2000s, new people emerged as national religious leaders in the Northern Caucasus. Obviously, the time has come to form purely political movements pursuing political goals and free from nationalist claims or religious slogans. One wonders to which extent the local mentality, way of life, and other factors will promote (or interfere with) the process of setting up new political parties and the emergence of new political leaders and whether purely political parties which have nothing to do either with national or religious issues are possible in the specific conditions of the Northern Caucasus.