

1 February 2008

RUSSIA: Islamic book promoting tolerance banned

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

Russia has outlawed another moderate Islamic theological text, Forum 18 News Service has learnt, following a similar ban on works by the moderate Turkish Muslim theologian, Said Nursi. Muhammad Ali al-Hashimi's "The Personality of a Muslim" - which Forum 18 has read - is a staple religious text for tens of thousands of Muslims across Russia. Its sole emphasis is on kindness and generosity, including towards non-Muslims. Under the Extremism Law the Criminal Code can be invoked, so that mass distribution, preparation or storage with the aim of mass distribution of the book could now result in a five-year prison term. The City Court which ruled the work extremist has refused to provide Forum 18 with copies of its verdict or related expert analyses. Shortly before the ban was announced, a Muslim was nearly detained after he handed out a copy of "The Personality of a Muslim" outside St Petersburg's historic mosque. "If Islamic books are banned today, tomorrow they will be Jewish, the day after tomorrow Catholic, the day after that Orthodox," Mufti Mukadas Bibarsov, Council of Muftis co-chairman and head of the Volga Spiritual Directorate, commented to Forum 18.

Russia has outlawed another moderate Islamic theological text, Forum 18 News Service has learnt. Two weeks earlier, a Muslim narrowly escaped arrest after handing out the book near St Petersburg's historic mosque.

The move follows a similar ban on works by the moderate Turkish Muslim theologian, Said Nursi. Days before their inclusion in the Federal List of Extremist Materials, procuracy officials and the FSB secret police searched homes of Nursi readers across Russia (see F18News 13 December 2007 http://www.forum18.org/Archive.php?article_id=1061).

Published on 29 December 2007, the latest instalment of the Federal List has "The Personality of a Muslim" by Muhammad Ali al-Hashimi among 16 Islamic titles ruled extremist by Buguruslan City Court (Orenburg Region) on 6 August 2007. Under the Extremism Law, mass distribution, preparation or storage with the aim of mass distribution of the book can result in Criminal Code Article 282 ("incitement of ethnic, racial or religious hatred") being invoked. This carries a penalty of up to five years in prison.

"The Personality of a Muslim", which Forum 18 has read, is a staple religious text for tens of thousands of Muslims across Russia. A manual of Koran-based advice on how Muslim men should relate to themselves, their families, neighbours and society, its sole emphasis is on kindness and generosity, including towards non-Muslims. Such an attitude, believes al-Hashimi, will return Muslims – presently "lost in the labyrinths of intolerance" – to the original intentions of Allah.

"How can people who understand anything at all ban these books?" Mufti Mukadas Bibarsov, Council of Muftis co-chairman and head of the Volga Spiritual Directorate, exclaimed to Forum 18 from Saratov on 29 January. Russian Muslims are already indignant at the ruling against Nursi, he noted. But the addition of "The Personality of a Muslim" – plus such titles as "The Foundations of Islam", which could refer to any number of texts – "leaves us baffled", said Bibarsov.

The chairman of Buguruslan City Court, Valeri Naumov, refused Forum 18's request for copies of the unpublished decision that ruled the works extremist and the expert analyses upon which it is based, the Court's press secretary, Tatyana Panchikhina, apologised on 30 January.

Declining to answer questions about the case, Valeri Naumov, the chairman of Buguruslan City Court, directed Forum 18 to its website. Religious studies and psycholinguistic expert analysis concluded that "The Personality of a Muslim" and another 15 titles are "literature with an ideological content, namely Wahhabi-fundamentalist," the website announced on 28 September.

In fact a narrow theological term, the looseness with which "Wahhabi" is often used by Russian state representatives casts doubt upon the allegations in which it appears (see F18News 8 August 2007 http://www.forum18.org/Archive.php?article_id=1004).

Experts from the Tatar Encyclopaedia Institute in Kazan (Tatarstan Republic) conducted the two analyses in the Buguruslan case, Panchikhina told Forum 18. Employees at the Tatar Encyclopaedia Institute told Forum 18 on 31 January that they had no idea who was responsible for the psycholinguist analysis, but that Rafik Mukhametshin probably conducted the religious studies assessment.

Rafik Mukhametshin agreed that no one else from the Tatar Encyclopaedia Institute could have conducted the religious studies

analysis, but stated categorically that he had not provided any formal assessment. He thought that representatives of Buguruslan City Court may have approached him in connection with the case some three years ago, but could not recall any further details when contacted on 31 January.

Also rector of Kazan's Russian Islamic University, Mukhametshin told Forum 18 that there is nothing extremist about "The Personality of a Muslim" or Said Nursi's works. "A lot of strange things" have appeared in the Federal List of Extremist Materials, he remarked, "it's not clear what principle they are working by." Mukhametshin also had no idea who at the Tatar Encyclopaedia Institute could have conducted the psycholinguistic assessment.

Paraphrasing a since-amended definition of extremism in the 2002 Law, Buguruslan City Court's website also maintains that the outlawed texts display "those characteristics of extremism which incite religious hatred and the humiliation of national dignity on the basis of a person's attitude towards religion."

Previous rulings on alleged Islamic extremism have relied upon expert literary analyses which commonly confuse a justifiable definition of extremism in the 2002 Law – "propaganda of exclusivity, superiority or inferiority of citizens according to their attitude towards religion or religious affiliation" (Article 1) - with claiming the superiority of the religion itself. The freedom to make claims about the relative merits of religious or non-religious views is a central part of freedom of religion or belief (see F18News 20 April 2006 http://www.forum18.org/Archive.php?article_id=765).

Indeed, every religious belief views itself as superior, Mufti Mukadas Bibarsov pointed out to Forum 18. "If Islamic books are banned today, tomorrow they will be Jewish, the day after tomorrow Catholic, the day after that Orthodox."

The ban's impact has yet to be widely felt. Distributing Islamic literature outside St Petersburg's only mosque on 14 December, however, Jamaletdin Makhmudov narrowly avoided arrest when he produced a copy of "The Personality of a Muslim" in response to a request. Police seized the book and ushered Makhmudov into a police car, he told Forum 18 on 28 January, but fellow Muslims managed to drag him out and drive him away. There was no further attempt to detain him.

Makhmudov intends to hand out books as before. As president of Al-Fatkh, a local Muslim religious organisation, he explained to Forum 18, "it is our duty to ensure that the mosque is not just a place of prayer, but a fully fledged spiritual centre where people can be educated about fear of God, charity and tolerance." Since even basic Islamic literature is not available inside the mosque, he maintained, Al-Fatkh's mobile library allows Muslims to borrow books in return for a small deposit.

Makhmudov suggested to Forum 18 that Mufti Jafyar Ponchayev, who heads the Muslim organisation which controls the mosque, uses the local law enforcement agencies against those who oppose him. In a recent conversation, he maintained, the head of St Petersburg's Petrograd District Law and Order Department told him that the police who tried to detain him had been responding to a written request from Mufti Ponchayev.

Nikolai Chetyrbok, the Law and Order Department head, is adamant that neither Mufti Ponchayev nor the law enforcement agencies initiated the attempt to detain Makhmudov, however. "Someone must have requested it - but I don't know who," the official remarked to Forum 18 on 29 January. The police acted not due to the nature of the literature, he insisted, but because Makhmudov did not have state permission to distribute it. Authorisation is required under a municipal decree, Chetyrbok explained, but was unable to identify it. He stressed, however, that while "our people would never set foot inside the mosque," Makhmudov had been distributing books outside, "on district territory, where Islamic laws don't apply."

Enquiring about the near arrest at the general number for Mufti Ponchayev's Spiritual Directorate of Muslims of St Petersburg and North West Russia on 30 January, Forum 18 was directed to a number where "the person who answers is from the FSB; he'll explain everything." At the number, a man who would identify himself only as the Spiritual Directorate's administrator maintained that there had been no attempt to detain Makhmudov, but only to check his documents. "I don't know what he was trying to do, distribute literature or what," the man remarked, pointing out that the mosque has a designated place for the sale of literature. "This isn't a collective farm, you know!" While he claimed that people try to distribute "Wahhabi-extremist literature", he said he did not know where this takes place. "All I can say is that the situation is calm in and around the mosque."

Representatives of the 200-strong Al-Fatkh community – which is affiliated to the Russia-wide Council of Muftis chaired by Ravil Gainutdin – have told Forum 18 that the St Petersburg authorities prevent them from organising separately from the city's mosque, which comes under the rival Central Spiritual Directorate of Muslims led by Talgat Tadzhuiddin (see F18News 6 June 2005 http://www.forum18.org/Archive.php?article_id=576). Such rivalry typically underpins accusations of extremism (see F18News 8 August 2007 http://www.forum18.org/Archive.php?article_id=1004).

Jamaletdin Makhmudov believes the ban on "The Personality of a Muslim" is purposely directed against Islam. "They don't ban what really humiliates other religions and nationalities," Al-Fatkh's president pointed out to Forum 18. "What about Tolstoy on Christianity, or what Dostoyevsky says about Jews in his 'Diary of a Writer'?" [In the latter, for example, merchants are described as "always being ready to get together with kikes to sell off Russia."]

What should happen to the hundreds of tons of banned books is the question vexing Mufti Mukadas Bibarsov. Following Islamic practice, he explained to Forum 18, Muslims themselves must either bury or burn them. "But the idea of burning books at the beginning of the 21st century is from the realm of fantasy!"

In a 15 January forum entry on the Islam.ru Russian Muslim website, Ildar notes the passing similarity of this prospect to the burning of books not approved by Nazi Germany's Propaganda Ministry. "Brothers and sisters! It's about time we did something," he concludes. "I'm not calling for violence. But we must defend our civil rights and freedoms. Who can decide how we Muslims should live in our own country?"

The Council of Muftis will discuss how to fight the latest ban once Mufti Ravil Gainutdin, currently away in Malaysia, returns to Moscow, Mukadas Bibarsov told Forum 18. Islam.ru has already posted a sample petition letter addressed to President Vladimir Putin. It asks him to ensure that the court decisions which placed Islamic literature on the Federal List of Extremist Materials, particularly "The Personality of a Muslim" and those with ambiguous titles, are overturned.

First issued on 14 July 2007, the four instalments of the Federal List published to date contain 79 titles. Most appear to be racist or Russian nationalist. Some Islamic entries – such as seven issues of the Hizb ut-Tahrir journal "Al-Vai" – could contain extremist statements (see F18News 10 April 2006 http://www.forum18.org/Archive.php?article_id=755).

The Federal Registration Service, which produces the Federal List, is not legally authorised to evaluate court rulings on extremist materials, a spokesperson at its press service told Forum 18 on 31 January.

The Buguruslan City Court website notes that the titles it ruled extremist were seized from the library and storeroom of the Al-Furkan madrassah as part of a criminal investigation. Orenburg Regional FSB has maintained that several ex-pupils of the Buguruslan-based madrassah – which has not functioned since 2004 after explosives were discovered at it – went on to participate in terrorist attacks in Russia (see F18News 8 February 2006 http://www.forum18.org/Archive.php?article_id=723). However, the madrassah's founder, Mufti Ismagil Shangareyev, insists that the explosives and incriminating material from other raids were planted (see F18News 24 April 2006 http://www.forum18.org/Archive.php?article_id=767).

FSB and procuracy officials confiscated "The Personality of a Muslim" and a number of other theological works during a late 2002 check-up on Rakhman Muslim organisation in the Urals city of Yekaterinburg. On that occasion academics from the city's Urals State University were unable to find anything in the publications which could form the basis of a criminal case (see F18News 14 September 2004 http://www.forum18.org/Archive.php?article_id=410). (END)

For a personal commentary by Irina Budkina, editor of <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=947.

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 printer-friendly map of Russia is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=russi>.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY