

Constructing Kyrgyz Islam: From Non-Interference Politics to Nationalisation

A thesis submitted in partial fulfilment of the requirements for the degree of Bachelor of Arts in International and Comparative Politics at The American University of Kyrgyzstan.

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Abstract

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The process of development of Islam in Kyrgyzstan has undergone important changes in the last few years. While in the first two decades of independence religious affairs were little, if at all, regulated by the state, current tendencies speak of direct involvement of the state into the process of constructing a new identity on national level – the Kyrgyz Islam. This study focuses on examining the process of nationalisation of Islam in Kyrgyzstan, its causes and dimensions. Among other things, it gives a critical insight on the issue, by challenging the environment of securitisation in which this issue arises.

Key words: Islam, religion, securitisation, nationalisation, constructivism.

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Glossary:

Choor – Kyrgyz traditional wind musical instrument;

Elechek – Kyrgyz female headdress which covers hair and neck;

Fiqh – Islamic jurisprudence;

Hijab – traditional covering for the hair and neck that is worn by Muslim women;

Imam – prayer leader of a mosque;

Imam-khatib – prayer leader of a mosque, who is also eligible to preach the Friday sermon;

Kazy – Muslim judge;

Kiyak – Kyrgyz traditional two-stringed musical instrument;

Kurultai – organ of the people's government in Turkic societies;

Manas – national Kyrgyz epic;

Mazar – Muslim shrine or enshrined tomb;

Mazhab – school of thought within fiqh; the four mazhabs are – the Hanafi, the Shafii, the Maliki, the Hanbali;

Mufti – professional jurist who interprets Muslim law;

Muftiyat – centralised religious organisation, which unites religious institutions and residents of a certain territory for the purpose of joint profession and dissemination of Islam;

Sharia - Islamic law based on the Koran;

Ulama - the religious elite of scholars at the top of the sectarian hierarchy who mainly specialise in fiqh and are considered the arbiters of sharia law;

Yurt – tentlike dwelling of the Mongol and Turkic people of Central Asia.

Introduction

The collapse of the Soviet Union in late 1991 has brought to its former member states territorial sovereignty, self-dominion and... ideological vacuum. The Communist ideology which has been uniting people of fifteen culturally and otherwise diverse states could no longer perform its functions. As a result, nationalist and later religious motions started to develop on the post-Soviet space. In Central Asia the ideological thirst was satisfied by turning back to historical Muslim values, which were widespread in the region before the October revolution. The leadership of Central Asian states chose a “dichotomous policy vis-à-vis the Muslim faith: they have attempted to nationalise and ethnicise Islam while promoting secularism.”¹ Besides the official recognition of Islam as a part of state ideology, these ‘attempts to nationalise’ included institutionalisation in the form of establishing new Muslim regulatory boards – DUM(K)s and State Committees on Religious Affairs. Overall, politicisation of Islam has eventually led to politicisation of a newly born Muslim society.

Unlike its Central Asian neighbours, Kyrgyzstan practiced relatively mild policies in religious affairs since the very beginning of its independence. This has resulted with a wide variety of movements within Islam, which represent “diversity and disunity in the ethnographic frame.”² Because Islam in Kyrgyzstan is not coherent and monolithic, the political framework in which it exists is “a story of threat and danger”.³ Montgomery describes three general ways of categorising Islam on the policy frame – threat, tradition, modern. “Muslim as a threat” in the political circle, according to him, refers to a Muslim who is adherent to the religious practice and has

¹Emmanuel Karagiannis, *The New Political Islam in Central Asia: From Radicalism to the Ballot Box?* (Providence, RI: the Brown Journal of World Affairs, 2012), 71.

²David W. Montgomery, *Towards a Theory of the Rough Ground: Merging the Policy and Ethnographic Frames of Religion in the Kyrgyz Republic* (Pittsburgh, 2014), 32.

³Ibid, 27.

views about the role Islam should play in the society. A prototype for this category in his study is a member of Hizb-ut-Tahrir, an Islamist group banned by the government, which aims at establishing the Islamic state. ‘Traditional Muslim’ is represented by a person, who roots his sense of religious belonging deep within Kyrgyz tradition. Although traditionalists do not call themselves Tengrists (a pre-Islamic belief of Kyrgyz people), they do in fact follow Tengrist practices. This category of people has not been politically involved, or at least not politically involved through an institutional form of Islam that challenges state leadership. The third and the largest category referred to as ‘Muslim as modern’ remains commonly underrepresented. These are people “concerned more with the daily obligations and burdens of their own lives than with devoted political or religious engagement”.⁴

The first two of the above three positive statements on what “a Kyrgyz Muslim” is understood to be like will allow us to comprehend the government formulated normative statement on what “a Kyrgyz Muslim” should be like. Addressing Montgomery’s concern on the underrepresentation of the last “Muslim as modern” group in the policy framework, one may assume that absence of direct engagement of this group into religious activities gives it little practical value in the process of decision making over religious affairs. “Muslim as modern” neither cause threats, nor help to resolve them. While in the case of the first two, one can be balanced by the other. In fact, strengthening the position of “traditional Islam” over “Islam as a threat” in the Kyrgyz Republic is being implemented through the process of nationalisation.

⁴ Ibid, 31.

Considering the Soviet tendency to equate the term “ethnicity” with the term “nation”⁵, I find it necessary to include an important remark on my use of the term “nationalisation” in this work. Whereas “nation” is a state-centric rather than an ethnocentric term, nationalisation refers to governmentalisation or domestication on the state level. Although the process of nationalising Kyrgyz Islam includes adoption of cultural values of titular ethnic group, as addressed in more details later, official Islam is designed for all Kyrgyz nationals, including ethnic minorities residing in the country.

Nationalisation of Islam in Kyrgyzstan is an on-going state-lead process of constructing a defined model of Islamic identity, recognised as the official way of religious practice. As such, state intervention into religious affairs has largely been explained as an attempt to prevent the threat of religious extremism, which arose from the existence of variety of Islamic movements in the country aiming at gaining political power. The process of nationalisation is rather recent, and includes strong promotion of *Hanafi mazhab* of Sunni Islam, which has been traditional to the Central Asian region for the long time, as well as incorporating ethnic elements into the mainstream Islamic doctrine (like ancestor worshipping or *mazar* visiting). Headed by the state as the major legal actor, nationalisation policies are being promoted and implemented by subordinate actors – media, NGOs, and religious educational institutions.

The purpose of this research is to answer the question: *how is the process of nationalisation of Islam carried out in Kyrgyzstan?* For this aim, I critically examine the documents, which serve as legal basis of nationalisation policies, the Presidential Decree “On the implementation of decisions of the Council of Defence of the Kyrgyz

⁵ For more see Walker Connor, *A Nation Is a Nation, Is a State Is an Ethnic Group, Is a...* (Routledge Journals, 1978)

Republic on state policy in the sphere of religion” and the subsequent “Concept Paper on state policy in the sphere of religion of the Kyrgyz Republic”. I also rely on primary data – interviews, opinion surveys, and personal observations. Overall, fifteen in-depth interviews with the observant Muslim students and staff mainly (but not only) from the Islamic University in Kyrgyzstan (henceforth IUK), two interviews with the staff of the Spiritual Administration of Muslims of Kyrgyzstan (henceforth DUMK), one personal interview with a religious scholar, and one more with the state official were conducted. I also attended a number of seminars on the relevant field including research seminar on *Religious Security in Central Asia* (Emil Nasritdinov, March 2014) and presentation of a field report of a research on *Religion and Nationality in Post-Soviet Kyrgyzstan* (Vincent Artman, November 2014). The research hypotheses I have are following:

- 1) State model of Islam is not inclusive in its nature.
- 2) Nationalisation policies in the sphere of religion abuse human rights of certain groups of people, particularly the right for freedom of religion.

The paper is organised in the following way. Introduction gives a basic understanding of the issue and contains information on methodological approaches to the research. Chapter I presents two theories used in the framework of this research. Chapter II provides detailed overview of legal basis of nationalisation policies followed by the analysis in Chapter IV. Conclusion summarises the findings of the study, as well as contains some recommendations of the areas for future research.

Chapter I: The Conceptual Framework: Two Theoretical Approaches In Addressing Nationalisation of Islam in Kyrgyzstan

Securitization

The concept of security has largely been changed since the end of the Cold War from its traditional understanding of military security to comprehensive security. Scholars of international relations mainly led by Barry Buzan substantially widened neo-realist security perspective by proposing five dimensions to security – military, political, economic, societal, environmental.⁶ The necessity to broaden modern understanding of security arose from the change in perception of threat. In bipolar world system the ‘enemy’ state was clearly determined, multipolar system and globalisation drew public attention to different non-state sources of threat, like illegal migration, economic crises, and international terrorism. While security studies theorists differ in terms of qualitative and methodological approaches to the issue, there is one important school of political thought in this regard which needs to be considered for the purpose of this research. The Copenhagen School places particular emphasis upon the social aspects of security and securitisation. According to this approach, “security is understood not as the content of a particular sector (the military), but as a particular type of politics defined by reference to existential threats and calls for emergency action in any sector.”⁷ This definition is more complex than mere equalisation (security equals military security), and addresses the logic of security itself by trying to find out what differentiates security and securitisation within the political. Securitisation therefore is a set of actions in which a policy issue is primarily viewed and acted upon as a security issue. The process of securitisation

⁶ Barry Buzan, *People, States, and Fear: The National Security Problem in International Relations* (London: Wheatsheaf Books Ltd, 1983), 107.

⁷ Barry Buzan, *Rethinking Security After the Cold War* (SAGE Publications, 1997), 5.

goes in three main stages. 1) An actor identifies “something, a referent object” as existentially threatened⁸ 2) the source of the threat is recognised; 3) “extraordinary measures” are taken against the source of the threat, such as “secrecy, additional executive powers, and activities that would otherwise be illegal.”⁹ For securitisation to be successful, these ‘extraordinary means’ need to be legitimized by public support. It is of highest priority for an actor then to construct a proper image of existential threat, which would commonly be accepted. This can be done through the use of various tools of influence – media, educational institutions, NGOs.

By applying Copenhagen School theory of securitisation to the case of religious identity-building in Kyrgyzstan, I try to set a perspective from which the process of constructing national model of Islam may be understood. It is important to consider that practical application of the theory does not aim to identify the validity of the threat as such, but rather puts emphasis on understanding the process, which perfectly complies with the purpose of this research. As Buzan puts it:

For the analyst to grasp this [i.e. security discourse], the task is not to assess some objective threats that ‘really’ endanger some object that is to be defended/secured. Rather it is to understand the process of constructing a shared understanding of what is to be considered, and collectively responded to, as a threat.¹⁰

I regard nationalisation policies in the sphere of religion in Kyrgyzstan as a direct product of securitisation in the societal sector. That is to say, because the variety of Islamic movements in the country is perceived as an existential threat, the government tries to promote a single ‘national’ form of Islam, which would ‘truly’ represent popular identity. In doing so, it mobilizes exceptional resources and political

⁸ Barry Buzan, Ole Wæver, Jaap de Wilde, *Security: A New Framework for Analysis* (London: Lynne Rienner, 1998), 36.

⁹ Barry Buzan, *Rethinking Security After the Cold War* (SAGE Publications, 1997), 14.

¹⁰ *Ibid*, 19.

powers to combat security threats, which are represented by ‘alien’, that is non-traditional, ways of practicing Muslim identity. Such allocation of resources and powers is usually not proportionate to security challenges, and is sometimes manipulated for political purposes in order to create fear or curtail freedoms. Notably, the Copenhagen School scholars, too, take rather critical standpoint on excessive securitisation, arguing that it moves issues from ‘normal’ (accountable/democratic) politics to ‘emergency’ politics. As Buzan puts,

“Wide-ranging securitization stifles civil society, creates an intrusive and coercive state, cripples (eventually) the economy, and maximizes the intensity of the security dilemma with neighbours who do not share the ideological project. Avoiding excessive and/or irrational securitization is thus a legitimate social, political and economic objective of considerable importance.”¹¹

Securitising an issue – practitioners of ‘non-official’ Islam in our case – does not necessarily result in positive outcome for the human rights of these people. In contrast, de-securitisation is viewed as a more effective tool of bringing the issue back into the normal policy arena.

Before moving to the content analysis of one of the most prominent legal documents on constructing national Islamic identity, there is a need to understand the relevance of one more important theory to security studies.

¹¹ Ibid, 19.

Constructivism

Emerged as a critical International Relations (IR) theory, constructivism is primarily concerned with how the world politics is 'socially constructed'. The term 'constructivism' was first coined by Nicholas Onuf in his *World of Our Making* (1989). Among contemporary theorists Richard Ashley, Friedrich Kratochwil, John Ruggie, and Alexander Wendt are best known. Much of the theoretical work of the discipline challenges basic neo-realist assumptions of causal structuralism. While neo-realists think that social structures are made only of a distribution of material capabilities, constructivists argue they are also made of social relationships, based on shared knowledge, material resources, and practices.¹² In security discourse distribution of material capabilities is defined by shared understanding of enmity or amity of a different party. Thus, material resources only acquire meaning for human action through the structure of shared knowledge in which they are embedded.

As mentioned earlier, theory of constructivism functions in the framework of IR in which states are major actors. The use of the theory on national level in this research should then be properly justified. Because the state-religion relationship takes place in security realms, religion can be perceived as a sovereign actor and, consequently, as a non-state source of threat in 'comprehensive security' terms. This is especially true given the secular nature of the Kyrgyz Republic, where religion has been set apart from political decision-making process, and by so, has been developing quite independently for a substantial amount of time. Constructivism therefore may be helpful to understand the nature of relationship between the Kyrgyz state and Islam and the consequent emergence of the Kyrgyz Islam. From this perspective, state efforts to construct national model of Islam may be viewed as an example of social

¹² Alexander Wendt, *Constructing International Politics* (The MIT Press, 1995), 73.

structure, which evolved on the basis of publicly shared knowledge of enmity of ‘outer’ forms of Islam. It is important to consider, that according to constructivists, “social structures are real and objective, not ‘just talk’”.¹³ If securitisation has to be understood as essentially intersubjective process, a “speech-act”¹⁴, the existence of which is only determined by actor’s subjective perception of threat, social structures do really exist in practices.

In our case, a “speech-act” of securitising Islam in Kyrgyzstan has led to the construction of a “real” structure designed to counter the perceived threat. The chapter below describes nationalisation of Kyrgyz Islam as it proceeds in the legislature.

¹³ Ibid, 77.

¹⁴ Barry Buzan, *Rethinking Security After the Cold War* (SAGE Publications, 1997), 18.

Chapter 2: Overview of Legal Sources of Nationalisation Policies

On Feb 7, 2014 the President of the Kyrgyz Republic Almazbek Atambayev has signed¹⁵ a Decree “On the implementation of decisions of the Council of Defence of the Kyrgyz Republic on state policy in the sphere of religion”. The Decree states, that within the framework of National Sustainable Development Strategy for the Kyrgyz Republic for the period of 2013 - 2017¹⁵, on Feb 3, 2014 the Council of Defence of the Kyrgyz Republic considered the issue of state policy in the religious sphere and admitted the practice of distancing public authorities from regulating the processes in the sphere of religion, which developed in the first years of independence, as erroneous. The need to form a clear system of regulation of the activities of religious organisations, on the basis of the provisions of the Constitution of the Kyrgyz Republic on human rights and religious freedom, is defined as a priority of the state. According to the Decree, civil society organisations, religious organisations, and the Spiritual Administration of Muslims of Kyrgyzstan (DUMK) are recommended to actively interact with the state bodies in completing the tasks arising from the decision of the Council of Defence of the Kyrgyz Republic.¹⁶

Before looking at the ‘Decision’ section of the Decree, it is necessary to bring in the reasons which, according to the Council of Defence, entailed reconsideration of state policy in the sphere of religion. As the secretariat of the Council stated:

Analysis of recent events in the world, our own experience in the years of independence, when the Kyrgyz Republic has faced extremism, gangs invasion of the

¹⁵ NATIONAL

SUSTAINABLE DEVELOPMENT STRATEGY FOR THE KYRGYZ REPUBLIC, National Council for Sustainable Development of the Kyrgyz Republic, 2013, available in English at http://www.president.kg/ru/news/ukazy/1466_tekst_natsionalnoy_strategii_ustoychivogo_razvitiya_kyrgyzskoy_respubliki_na_period_2013-2017_godyi/

¹⁶ The Decree “On the implementation of decisions of the Council of Defence of the Kyrgyz Republic on state policy in the sphere of religion”, 2014, available in Russian at http://www.president.kg/ru/news/ukazy/3468_podpisan_ukaz_o_realizatsii_resheniya_soveta_oboronny_kyrgyzskoy_respubliki_o_gosudarstvennoy_politike_v_religioznoy_sfere/

Islamic Movement of Uzbekistan in 1999-2000, and the terrorist attacks have shown that the position of non-interference, the weakening of the regulatory functions of the state in religious matters are erroneous as a strategy. [...] Insufficient attention to the religious situation in the country can lead to negative consequences in the form of conflict, inter-religious clashes and the threat of a split state.¹⁷

From this one may conclude, that non-interference politics has become a fertile ground for Islamic extremism to grow to such an extent that it would threaten the integrity of the Kyrgyz Republic. It is therefore in the *raison d'état* of Kyrgyzstan to provide adequate regulations in its religious policies to preserve security.

The Islamic Movement of Uzbekistan (hereafter IMU), mentioned in the citation, is a militant Islamist organisation formed in 1996 by the former members of several banned political parties and movements in Uzbekistan, including Adolat (Justice), Islamic Renaissance Party, Islamic party of Turkestan, Islom Lakshlari (Warriors of Islam) and others. Following a period of repressions in early 1990s many Islamic militants were forced to flee the Fergana valley. The IMU's political leader Tahir Yuldashev travelled to Afghanistan, Pakistan and Saudi Arabia to establish links with other Islamic militants, while the co-founder and the head of the military unit Juma Hojiev (Namangani) fled to Tajikistan, where he participated in Tajik civil war on the side of the United Tajik Opposition¹⁸. In August 1999 the IMU troops headed by Juma Namangani (approximately 1000 people) invaded territories of Northern Tajikistan and Southern Kyrgyzstan. The last incursion received the name of *Batken events*, by the name of the region in the South of the Kyrgyz Republic it took place at. Threatening the lives of hostages, IMU militants demanded from the Kyrgyz

¹⁷ Ibid

¹⁸ Syante Cornell, Michael Jonsson, *Conflict, Crime, and the State in Postcommunist Eurasia* (Philadelphia: University of Pennsylvania Press, 2014), chapter 4, The Islamic Movement of Uzbekistan

government financial means and a corridor for free access to neighbouring Uzbekistan. They left the territory of the Republic in October of the same year. Following the US launched 'war on terror' and 2001 invasion in Afghanistan, the group was almost destroyed; its military leader Juma Namangani was killed during a drone strike in November 2001. Tohir Yuldoshev and the remaining members of the group were forced to move eastward toward Pakistan's tribal areas. Later in 2009, Tohir Yuldoshev was also killed during an air strike; members of the IMU denied this information until 2010.¹⁹ Karagiannis argues that at present the IMU has much weakened its position and does not represent threat to Central Asia (Karagiannis, 2012).²⁰

As the then advisor on international affairs to the President of the Kyrgyz Republic Askar Aytmatov reported, "At that time, Kyrgyzstan was not ready for military action on neutralisation on its territory of armed bandit groups of the Islamic Movement of Uzbekistan"²¹. Today, almost 15 years after the attacks, the Kyrgyz government chose to introduce revolutionary changes into the structure of domestic Islam in an attempt to combat international terrorism.

The chart below is a summary of the decisions taken during the meeting of the Council of Defence. For the convenience of the reader, the table is divided into four sections. The first column introduces the sphere in which regulation is proposed to be made; the second column describes policy initiatives which need to be taken; institutions, responsible for the implementation of policy initiatives are in the third column; the last contains reference to the document.

¹⁹ *The Islamic Movement of Uzbekistan: New emir elected with regard to the death of Tahir Yuldashev*, Aug 16, 2010, available in Russian at

<http://www.fergananews.com/news.php?id=15388&mode=snews>.

²⁰ Emmanuel Karagiannis, *The New Political Islam in Central Asia: From Radicalism to the Ballot Box?* (Providence, RI: the Brown Journal of World Affairs, 2012), 74.

²¹ Askar Aytmatov, *The Shade of Extremism Over Central Asia*, available at <http://sam.gov.tr/wp-content/uploads/2012/01/ASKAR-AYTMATOV.pdf>.

Regulation sphere	Policy Initiative(s)	Responsible Institution(s)	Reference
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legislature	<p>- to amend legislative acts on religious affairs, including the law “On Freedom of Conscience and Religious Organisations in the Kyrgyz Republic”, and Code of the KR “On administrative responsibility” ;</p> <p>- to envisage amendments to the Penal Code of the KR in point of solitary confinement of persons convicted of religious extremist and terrorist activities</p>	<p>The government of the KR;</p> <p>State Penitentiary Service of the KR</p>	<p>§4.4</p> <p>§13</p>
finance	<p>- to consider the possibility of financing public policy in the sphere of religion and support for religious leaders</p>	<p>The government of the KR</p>	<p>§6.1</p>
culture	<p>- to support media projects aimed at promoting positive cultural traditions of the Kyrgyz people and other ethnic groups;</p> <p>- to resist implanting alien to Kyrgyzstan models of behavior, dress and appearance</p>	<p>Ministry of Culture, Information and Tourism of the KR;</p> <p>DUMK</p>	<p>§11</p> <p>§19.8</p>

religious school of thought	- to appoint <i>imams, imam-khatibs,</i> and <i>kazys</i> , to elect members of the Council of <i>ulems</i> and the <i>mufti</i> only from adherents of traditional to Kyrgyzstan <i>Hanafi mazhab</i>	DUMK	§19.7
dress code	- to accelerate the process of amending the statutes of educational institutions with regard to establishing the requirements for student uniform;	Ministry of Education and Science of the KR	§9.4
religious education in KG	- to establish a coordination committee for the examination of informational materials and public statements on the signs of extremist content; - establish the system of control over the content of education in religious schools; - to analyze the content of religious subjects in foreign-sponsored higher education institutions, in order to consider the advisability of further instruction	The government of the KR; Ministry of Education and Science of the KR	§6.3 §9.2

<p>religious education abroad</p>	<p>- to prevent uncontrolled departure of citizens abroad to receive religious education; - to create and publish a list of religious schools, recommended for the citizens of the Kyrgyz Republic; - to inform citizens wishing to leave for religious instruction to foreign countries on the feasibility of entering the recommended educational institutions</p>	<p>Ministry of Education and Science of the KR in accordance with State Commission for Religious Affairs, Ministry of Foreign Affairs, DUMK (by agreement)ⁱⁱ</p>	<p>§10 §10.2 §10.3</p>
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Chapter 3: Analysis of Legal Sources for Nationalisation Policies

The data in the summary above allows me to consider construction of Kyrgyz Islam as a process which goes in two directions – what I call ‘inner’ and ‘outer’ nationalisation. The first refers to shaping religious identity from within, by promoting one religious school of thought on a state level and discouraging the public from adhering alternative ways of interpreting the Islamic law. The Hanafi mazhab which has been dominant in the Central Asian region for decades is considered by Islamic scholars to be the most flexible among the four schools of thought in Sunni Islam in the areas of criminal law, treatment of non-Muslims, individual freedoms, marriage and guardianship, and ownership and use of property.²² Such amenability allowed it to preserve itself in the era of Soviet atheism when religion was explicitly banned and was mainly practiced underground, as a latent identity of individuals and families rather than community. In the questions of authentic faith, the Hanafi mazhab is no different from the other three – Shafii, Hanbali, and Maliki schools. All the mazhabs share same aqeeda (the creed, or set of beliefs), but differ in fiqh (jurisprudence). Needless to say, the legal sources on which Islamic legislation is based are also identical in the four mazhabs, these are the Koran (Muslim holy scripture) and the Sunna (tradition of the prophet Muhammad). What differentiates them however are ways of legal reasoning, and as a result, status of certain practices. For example, both the Hanafi and the Hanbali mazhabs prescribe that the financial debts of the dead must be paid by his relatives, while the Shafii and Maliki believe it is not mandatory. Another example illustrates standpoint on compulsory charity (zakat). The adherent of Hanafi mazhab, a man or a woman, should give charity on

²² Christie S. Warren, *The Hanafi School*, available at <http://www.oxfordbibliographies.com/view/document/obo-9780195390155/obo-9780195390155-0082.xml>

their jewellery (amount of money equal to 2.5 % of the cost of the jewellery each year), while the followers of other religious schools do not pay zakat on jewellery.²³

Many distinctions among mazhabs concern motions during the ritual prayer, norms of taking ablution, and fasting. These differences exist primarily in the nature of anthropological Islam and have little relevance to political Islam. Moreover, all mazhabs are considered valid in their positions by the Islamic ulama, and represent the flexibility of interpreting Islam rather than its inconsistency.²⁴

Belongingness to a particular mazhab is usually not self-chosen, but is defined by the geographic area of birth. It has been traditional for Central Asian Muslims to follow the legislation of Imam Abu Hanifa, the founding father of the Hanafi mazhab. However, democracy and globalisation have stimulated the free flow of religious literature from other Muslim majority countries to Kyrgyzstan, as well as allowed Central Asian Muslims to travel abroad, which increased capacities to the interchange of the Islamic thought. As a result, a generation of ‘modern’ Muslims arose (not in the Montgomery’s sense), substantially among the post-Soviet youth, which abandoned traditional practices and started successfully adopting ‘foreign’ Islam on the level of daily praxis.

A student of the Islamic University in Kyrgyzstan, who preferred to remain anonymous, shared her story of changing mazhab:

“I learned that I belong to the Hanafi mazhab during one of our regular classes, when we were given an introductory lecture on Islamic jurisprudence. I was also told that the Hanafi mazhab is the best, and that all the rest are also correct. Later we learned how to pray in accordance with the order of the mazhab. But I also knew I am a Muslim, obedient to God and His messenger. When I read a book of hadith, I

²³ Interview with Saliha Almambetova, professor of Islamic Jurisprudence in the IUK.

²⁴ Interview with Kadyr Malikov, director of the analytical centre “Religion, Rights, and Politics”.

discovered that there is firm evidence that Prophet Muhammad, peace be upon him, prayed himself and taught his disciples to pray differently than we do at the university. I changed the way I pray, and subsequently my mazhab, to the one I consider to be more reliable.”

Despite the commonly accepted idea that ‘all the rest are also correct’ Kyrgyz Muslims who follow the legislation of a non-traditional school undergo public condemnation. The same respondent added:

“At home I pray as I want. But in the university or in the mosque I can’t pray this way. Even professors think that you become radicalised if your way of practicing differs from that of the mainstream.”

Another respondent, an alumnus of the IUK told:

“I personally do not understand fanaticism which stands behind following one mazhab. We are all Muslims, brothers and sisters in faith, this we should not forget. What is wrong if one keeps his hands differently during the prayer if we all pray to the same God? I saw people quarrelling in the mosque because of that.”

The hostile attitude among the majority of the population to the alternative ways of thinking and practising Islam is projected by the exclusiveness of the state policy on inner nationalisation. In an attempt to securitise Islam, it leaves no room for diversity of religious thought and praxis, which is tolerated by the religion itself. As a result, the strengthening of the positions of traditional Islam on the state level has led to labelling followers of non-official Islam as extremists at local levels.

Outer nationalisation is another dimension in which domestication of Islam is conducted. It includes incorporation of certain ethnic practices into general religious belief, as well as promotion of Kyrgyz culture and values. It is not accidental that the Presidential Decree on state policy in the sphere of religion contains a section on

culture. Since the concept of worship in Islam is all-inclusive and regulates nearly every aspect of life of the follower²⁵, some of these regulations directly or indirectly contradict to Kyrgyz culture. Among obvious contradictions one may name a custom of burial. If in Kyrgyz tradition the body of the dead is buried on the third day after the death, Muslim practice prescribes immediate burial on the same or the next day after the death. Both of these traditions have logical reasoning behind them. The hot climate of the Arabic peninsula, where Islam was founded, required quick disposal of the body in order to prevent natural decomposition. The understanding of Kyrgyz custom comes from the knowledge of tribal relationship in the nomadic society. Death, as well as marriage, was one of these large scale events which gathered all the relatives of the clan together. Considering the dispersion of the tribes and poor means of communication and transportation, a three day period was sufficient to unite all members of the clan. Both Muslim and Kyrgyz customs are alive in modern Kyrgyz society, which creates tensions in the process of contesting ethnic or religious identity.

In his press commentary on the State Concept of Religious Policy, The President of the Kyrgyz Republic Almazbek Atambayev described the role of culture in Kyrgyz society and its interrelation with religion in a following way:

“What do we mean when we talk about the national spiritual values of Kyrgyz people? First of all, the epic of Manas the Magnanimous, our legends, komuz, Kyrgyz songs, dances, the yurt, kiyak, choor, national dishes, folk costumes and, of course, native language. It is important that these spiritual riches and national characteristics would not be obscured by other norms, including religious ones. Otherwise, it is very easy to lose your roots. If we do not give it a value and follow those who lead us to

²⁵ interview with Ravshan azhy Ergashev, deputy mufti.

the abandonment of the national dress, national characteristics, spiritual wealth, we will gradually lose our national identity.”²⁶

It is the fear of ‘losing national identity’ which drives policy initiatives in the sphere of religion like abandoning non-traditional clothing and creating a single school uniform. The ‘non-traditional’ clothing includes but not limits to garments worn by members of Tablighi Jamaat – a long male shirt and galligaskins, and black *hijabs* carried by some observant Muslim women. Felix Kulov, a leader of ‘Ar Namys’ faction in the Kyrgyz Parliament has been quoted saying:

“Whoever read the Koran knows that it refers to the need for a woman to cover certain areas of her body. But it's not about wearing the hijab. It [hijab] is a traditional Arab clothing, not ours. Kyrgyz women were never completely closed. This is contrary to our culture.”²⁷

The opposite position is taken by the former Mufti and a senior scholar of Islam in Kyrgyzstan, Chubak Jalilov. In a personal interview he said:

“He who says hijab is not in Kyrgyz tradition does not know our traditions. Look at our *elechek*! Is it not a hijab? Our women were traditionally modest. These are jeans and shorts, which are not traditional to our culture, not the hijab.”²⁸

One way or another, the Kyrgyz Islam was able to discover itself on the intersection of religious and cultural. At the beginning of academic 2014, the Islamic University of Kyrgyzstan – by far the country’s major higher Islamic education institution – adopted a single uniform to its statute. Female hijabs are now certain in

²⁶ Anna Yalovkina, *President Supports Tightening of Control Over Religion*, Vecherniy Bishkek, Nov 3, 2014, available in Russian at http://www.vb.kg/doc/292176_prezident_podderjal_ysilenie_gosydarstvennogo_kontrolia_nad_religi_ey.html

²⁷ Tolgonay Osmongazieva, *Ar-Namys Disputes the Issue of the Imposition of Hijab question on the Referendum*, Vecherniy Bishkek, September 12, 2014, available in Russian at http://www.vb.kg/doc/286335_v_ar_namyse_posporili_o_vynesenii_na_referendym_voprosa_o_hidjabe.html

²⁸ Interview with Chubak Jalilov, former mufti and a scholar of Islam

colour, depending on the year of study, and contain traditional ethnic ornaments. Another example of integration is the Manas TV channel. Named after the national hero and the main constituent of state ideology, Manas, the TV channel mainly broadcasts on religious issues on national level. In general, Manas remains an acute topic of modern day public debates between religious and nationalist elites.²⁹ While religious leaders argue Manas was a Muslim, nationalists (or traditionalists) argue he was professing historical Kyrgyz belief of Tengrism. Despite the academic guess that Manas probably did not at all exist,³⁰ his religious views are of considerable importance in giving authoritative credits to either of the two fighting ideological camps.

The reaction of the OSCE/ODIHR (Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, to which Kyrgyzstan is a part of) on the state concept in religious has been unambiguous. The Comments prepared by the Panel of Experts on Freedom of Religion or Belief in March 2014 on “The concept paper on state policy in the sphere of religion of the Kyrgyz Republic” states a concern that “the Concept Paper does not fully apply the key principles of secularism and state neutrality, as it appears to favour particular religions, while seeking to suppress the activities of religions new to the Kyrgyz Republic.”³¹

The Comments includes several recommendations in this regard which would help the national legislature in the sphere of religious affairs to comply with the

²⁹ Tyshynyk: Manas Muslimby je Tenirchibi? (*Understanding: Is Manas a Muslim or a Tengrian?*) available in Kyrgyz at <https://www.youtube.com/watch?v=0oEfsOU0PcE>.

³⁰ Chris Rickleton, *Kyrgyzstan: Manas Rebranding Drive Stirs Worries About Money, Nationalism, Scorn*, Aug 18, 2011, available at <http://www.eurasianet.org/node/64063>.

³¹ OSCE/ODIHR: *Comments on “The Concept Paper on State Policy in Sphere of Religion in the Kyrgyz Republic”*, Warsaw, 27 March 2014, available at file:///C:/Documents%20and%20Settings/TEMP/My%20Documents/Downloads/245_FOR_KYR_27%20March%202014_EN.pdf.

standards set by the Universal Declaration of Human Rights, the ICCPR (International Covenant on Civil and Political Rights), and the OSCE commitments. Among the most prominent are:

- 1) Considering the inherent vagueness of terms such as ‘religious extremism’, and the risk of excessive restrictions on human rights and fundamental freedoms not linked to violence due to the broad scope of this term, it is recommended to refer instead to the concepts of terrorism and violent extremism throughout the Concept Paper, and to sharply distinguish these terms from religion(s), and religious activities as such.³²
- 2) The measures contemplated in the Concept Paper which are aimed at restricting the ‘extremist’ activities of religious associations could significantly affect the freedom of religion or belief and the freedom of association. It is noted here that interferences with these freedoms, including measures taken against religious associations themselves, such as denying their access to legal personality or banning them, should be prescribed by law, and necessary and proportionate to a legitimate aim contained in international human rights instruments. In particular, care should be taken to ensure that criminal and/or administrative liability is attributed to those responsible for violations of the law and not to a particular religious community as such.³³
- 3) It is recommended to reconsider the focus on co-operation only with traditional religions, and to broaden the scope of such co-operation to

³² Ibid, 8

³³ Ibid, 9

include voluntary co-operation and consultative mechanisms between the State and other religious or belief communities as well.³⁴

To sum up, the State Concept on Religious Affairs sets a direction in which the process of nationalisation of Kyrgyz Islam goes. From one hand, the official Kyrgyz Islam is restricted to legal practises of the Hanafi mazhab, which has been traditionally practiced in the region for centuries. Inner nationalisation faces challenges in terms of emergence of alternative movements, largely due to globalisation and integration. These challenges are met by strengthening the position of the Hanafi mazhab on the state level at the expense of basic religious freedoms. On the other hand, the State Concept on Religion enshrines promotion of ethnic and cultural values as a part of religious identity. In action this process encourages the accepted religious identity to search grounds for its legitimate existence in the Kyrgyz culture. Policies on nationalisation of Islam as contemplated in the Decree “On the implementation of decisions of the Council of Defence of the Kyrgyz Republic on state policy in the sphere of religion” and the “The Concept Paper on state policy in the sphere of religion of the Kyrgyz Republic” which are aimed at restricting the ‘extremist’ activities of religious associations could significantly affect the freedom of religion or belief and the freedom of association.

³⁴ Ibid, 12

Conclusion

The process of constructing national model of Islam in Kyrgyzstan is largely constructed by the government. State efforts to shape Islam can be traced in two complementary ways – one on internal level, where within Sunni Islam one particular school of thought is given the status of official, and the rest are neglected; and the other on external level, by incorporating ethnic practices to the notion of Kyrgyz Islam. Politicisation and securitisation of Kyrgyz Islam is a way to protect national interest – secular nature of the state and its territorial integrity against the threat of religious extremism both within the state and from outside. At the same time, excessive securitisation involves what Buzan calls ‘extraordinary measures’ – censorship, set rules of dress code, travel restrictions. As such, exclusiveness of state policies on nationalisation of Islam affects negatively on human rights of adherents of non-traditional forms of religious beliefs. As in accordance with the theory of securitisation, de-securitising the issue is recommended.

Considering the limitations of the research in time and scope, as well as relative recency of the subject, the following areas may be considered for future investigation.

- 1) Practical implementation of the nationalisation policies as accomplished by responsible institutions on the state level (mentioned in the Responsible Institutions section of the charter) as well as non-state actors of nationalisation – the muftiyat, Islamic educational institutions, NGOs.
- 2) Reaction to nationalisation policies in the circle of Islamic intelligentsia.

Without being a major focus of my study, during the fieldwork I noticed strong resistance to the nationalisation process among some groups of civil society.

Although not quite developed and manifested only in small confidential meetings, these alternative approaches have strong ideological constituent and may transform into a more advanced movement.

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ⁱ The decree comes into force from the date of publication, i.e. Feb 7, 2014

ⁱⁱ Since DUMK is an NGO, the provisions of the Decree addressed to it are advisory in nature
