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Zemfira Gogueva

# Between Tradition and Fundamentalism

## Muslim Women's Rights in the North Caucasus

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CES, The Master's Programme in Human Rights and  
Democratisation in the Caucasus

ZEMFIRA GOGUEVA

BETWEEN TRADITION AND FUNDAMENTALISM  
MUSLIM WOMEN'S RIGHTS IN THE NORTH CAUCASUS

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This publication includes the thesis *Between Tradition and Fundamentalism: Muslim Women's Rights in the North Caucasus* written by Zemfira Gogueva and supervised by Maria Hristova, Lewis and Clark Liberal Art College (USA).

#### BIOGRAPHY

Zemfira earned a Master's degree in Human Rights and Democratization from Yerevan State University in 2021 and a diploma of Specialist as an EFL Teacher, from Karachay-Circassian State University in Russia in 2008. Her research interests include the intersectionality of women's and religious rights as well as rights to education in the Caucasus.

#### ABSTRACT

At present, a significant number of young people in the North Caucasus, especially in urban areas, turn to Islamic fundamentalism. This undermines the influence of the traditional framework, *adat*, which tends to be supported by the older generation, as well as by those in power. While mass media and the official state narrative paint Islamic fundamentalism as a terrorist movement, supported by a small, marginalised group, the reality on the ground is much more complex. The aim of this study is to develop a better understanding of the religious and social changes taking place in the North Caucasus at the present moment, with a special focus on the rights and status of local women. The conclusions and recommendations offered by the study are based on 25 interviews with young women from Karachay-Cherkessia, Kabardino-Balkaria and Dagestan, conducted in summer 2021. The survey results indicate that women's access to education and employment is often severely limited not only by social pressure and *adat* customs but also by internalised patriarchal ideas about gender roles. The other main finding of the study is that religious devotion often overcomes the *adat*'s influence in situations related to marriage and family life. Furthermore, North Caucasian women consciously choose fundamentalism as a way for self-improvement. As a result, women aspire to be active participants in the economic life of their republics, receive education and depend less on the traditional family hierarchy. From a theoretical perspective, the study uses the concept of Islamic feminism to articulate the possibility of fundamentalism as a conduit of women's rights in the region.

TABLE OF ABBREVIATIONS

ICCPR	International Covenant on Civil and Political Rights
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
ICESCR	International Covenant on Economic, Social and Cultural Rights
UDHR	Universal Declaration of Human Rights
NGOs	Non-governmental organisations

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## INTRODUCTION

The North Caucasus is the most diverse and unique region of the Russian Federation. However, it is also the most complex region in terms of the socio-economic situation, public administration and the resolution of various ethnic, territorial and other contradictions and conflicts. The most acute regional issue for the Russian Federal government in recent years is the rise of Islamic radicalism. The North Caucasus is characterised as a multi-confessional region, with a predominance of Muslims. The official state position declares that the local Islam practices in the region are that of traditional Islam compatible with the secular state. Since 2000, however, there is also a non-traditional strand of Islam whose supporters, generally from the younger generation, appeal to the fundamentals of Islam and are in favour of purging it of heretical, regional innovations, which, in their opinion, are rooted in local *adat* traditions. This new strand of Islam is criticised by the state and often termed ‘fundamentalist’ or ‘radical’ and its supporters are called ‘terrorists, murderers’.<sup>1</sup> This gap can be characterised as a conflict between Islam, which becomes the main reference for the younger generation, and tradition/*adat*, which is more important for the older generation. This study is dedicated to the functions of the *adat* and their interaction with the new wave of Islam in the region. To narrow down the topic, I will focus on the conflict between these two regulatory systems and their impact on women’s status and rights in North Caucasian society.

<sup>1</sup> Irina Gordienko, ‘The Salafists, who are next to us’ (*Novaya Gazeta*, 8 August 2012) <<https://novayagazeta.ru/articles/2012/08/08/50922-salafity-kotorye-ryadom>> accessed 18 July 2021.

The position of Muslim women in the Caucasus has caused and continues to cause ambivalent assessments by historians, ethnologists, sociologists, human rights activists and other researchers engaged in the study of the peoples of this complex region. On the one hand, scholars such as Nadezhda Blejkh and Zairat Kumakhova claim that even if North Caucasian women are powerless within the family, they have a high social position and Caucasian etiquette dictates a chivalrous, respectful and deferential attitude towards them.<sup>2 3</sup> On the other hand, according to Saida Sirazhudinova's research, despite the fact that women in Caucasian society are nominally given a 'great', 'high', 'important' and 'worthy' place, it is not about equality; men deny any possibility of gender equality and note that such equality should not exist at all.<sup>4</sup>

The situation is further complicated by the gradual popularisation of Islamic fundamentalism in the region. Although it is often seen as oppressive towards women, especially because of such requirements as heavy veiling, sex segregation and widespread polygamy, the changes that it has brought to the North Caucasus cannot be defined as unequivocally negative. The hypothesis of the study is that certain aspects of Islamic fundamentalism can improve the status of women by mitigating, to an extent, the rigid and often misogynistic framework of North Caucasian *adat*.

It is crucial to better understand what so-called 'fundamentalism' means in the context of the North Caucasus and how it impacts social relations because in the last 20 years Islam has increased its influence in almost all spheres of North Caucasian society. With the weakening of secular law, the solutions to improving women's rights have to be related to Islam, in one way or another. Consequently, this paper suggests that using Islamic feminism, the religious discourse directed against the dominance of patriarchal culture, to rethink and reshape the power dependencies and stereotypes of traditional culture has the potential to enhance women's status in the region.

<sup>2</sup> Nadezhda Blejkh, 'The position of a woman-mountaineer in the family and society (19th century)' (2016) 3(42) Bulletin of Surgut State Pedagogical University 7.

<sup>3</sup> Zairat Kumakhova, 'Understanding the social status of the Adyghe woman in the studies of European authors of the 7th-19th centuries' (2019) 19(1) Bulletin of the Vladikavkaz Scientific Center 34.

<sup>4</sup> Saida Sirazhudinova, 'Gender Equality as a Condition for Civil Society Development in the North Caucasus' (2010) 4 Sociology of Power 170.

*Literature review*

This study's theoretical framework is mainly based on the research of Irina Starodubrovskaya, Head of the Political Economy and Regional Development Department at the Gaidar Institute for Economic Policy. In her article 'The Crisis of the Traditional North Caucasian Family in the Post-Soviet Period and its Consequences', she claims that the Caucasus is currently going through a specific, but not unique, historical stage of complex transformations of social relations, when traditional norms and established behavioural patterns are being destroyed, and society finds itself at a crossroads.<sup>5</sup> The search for new norms is painful and traumatic and gives rise to many of the negative phenomena that are now associated with the North Caucasus. Irina Starodubrovskaya explains that Islamic fundamentalism has found support among younger generations as it opposes the local clan-based corrupt system that is no longer capable of ensuring order in the post-Soviet period. In her research, she emphasises the difference between peaceful forms of fundamentalism in the Caucasus (non-traditional Islam, Salafism) and radical organisations. More importantly, she argues that using force against the moderate wing of non-traditional Islam is ineffective. It only contributes to their radicalisation and triggers more violence and radicalisation.

Another researcher, Saida Sirazhudinova, analyses such features of the North Caucasus as Islam, traditionalism and the problem of gender inequality, which have a decisive influence on the process of forming civil society in the region. Considering Islam as a specific feature of the North Caucasus, the author focuses on the problem of interaction between religion and civil society, determining their compatibility and inconsistency, and comes to the conclusion that religion, whose importance has increased dramatically in recent years, is an integral part of civil society.<sup>6</sup>

Akhmet Yarlikapov, a Senior Fellow at the Center for the Caucasus and Regional Security at the Moscow State Institute of International Relations, argues that the current development of Islam in the North

<sup>5</sup> Irina Starodubrovskaya, 'The Crisis of the Traditional North Caucasian Family in the Post-Soviet Period and Its Consequences' (2019) 17(1) *The Journal of Social Policy Studies* 39 <<https://doi.org/10.17323/727-0634-2019-17-1-39-56>> accessed 2 July 2021.

<sup>6</sup> Saida Sirazhudinova, 'Gender Equality as a Condition for Civil Society Development in the North Caucasus' (2010) 4 *Sociology of Power* 170.

Caucasus is very uneven. The division of the region into western and eastern parts is distinct and, most likely, will continue to deepen, as in the rest of the world, Islam in the Caucasus, which is becoming more and more mosaic. To an extent, this can be explained by Yarlikapov's observation that, unlike Christianity, Islam has no ecclesiastical hierarchy. Islam is a religion of interpreters and scholars, whom Muslims are free to follow or not follow.<sup>7</sup>

This tradition of different interpretations creates room for such a movement as Islamic feminism. According to Dr Margot Badran, a graduate of Al-Azhar and Oxford Universities, Islamic feminism aims to reclaim the notion of gender equality, radical for its time, represented through Quranic revelations, in patriarchal seventh-century Arabia. The equality of all human beings, from which gender equality is inseparable, was not well understood or supported in the essentially patriarchal cultures where Islam was first introduced and began to spread. Dr Badran sees Islamic feminism as pursuing a twofold task: first, to reveal and debunk patriarchal ideas, which are unquestioningly accepted as primordially Islamic, but which are mostly remnants of medieval misinterpretations; and second, to restore to Islam the basic idea of gender equality, inseparable from the equality of all people proclaimed in the Qur'an. Dr Badran came to the conclusion that Islamic feminism with its gender-egalitarian discourse and practices has an important role in the empowerment of Muslim women – and of men and society as a whole – and should be used in the development of policies, strategies and tools.<sup>8</sup>

### *Study importance*

The importance of studying women's status in the North Caucasus is due to the need to improve women's rights in the region. In several republics of the region, including Chechnya and Dagestan, women face such crimes as 'honour killings', forced marriages, female genital mutilation and sexual abuse by close relatives. Many women are not aware of their rights, do not try to use them, and, moreover, do not even want to, and do not consider it possible and necessary to achieve legal equality with men. Additionally, women who have been brought up in traditional families have formed and internalised patriarchal gender stereotypes that limit all

<sup>7</sup> Ahmet Yarlikapov, 'Adat, Shariah and Russian Law in the Modern North Caucasus: Results and Prospects' (2015) 1(271) *Russia and the Muslim World* 60.

<sup>8</sup> Margot Badran, *Feminism in Islam: Secular and Religious Convergences* (Oneworld Publications 2009).

women's activities to the domestic sphere. Under such conditions, it is very difficult for a woman to lead a fulfilling life without fear of physical and mental abuse. However, without a profound understanding of the current changes in the cultural and religious life of North Caucasian women, it is impossible to make any significant improvements to their situation in the foreseeable future. This study contributes to clarifying the trends shaping gender relations in the Islamic cultural space of the North Caucasus at the present time.

*Novelty of the study*

There is a significant gap in the study of the confrontation of customary law and the post-Soviet religious transformations of the peoples of the North Caucasus. Moreover, there is no study of how Islamic fundamentalism affects women's rights in the region compared to traditional frameworks. This study is intended to fill this gap.

The aim of the research is to provide a comprehensive understanding of the religious and social changes currently taking place in the multi-ethnic North Caucasus region, with a focus on how they affect the rights and status of local women.

*Objectives of the study*

- To describe the international and domestic mechanisms for the protection of women's rights;
- To provide an overview of the so-called 'legal triangle';
- To identify the main divisions within Islamic fundamentalism;
- To assess Islamic feminism's understanding of women's rights;
- To compare the level of independence/autonomy in traditional and Islamic fundamentalism families; and
- To develop recommendations for the improvement of women's rights in the North Caucasus.

*Scientific and practical value of the study*

- Theoretical provisions, conclusions and recommendations considered and proposed during the study contribute to the addition of scientific knowledge about the relationship between religion and the current state of affairs with women's rights in the North Caucasus.
- The findings of the study can be used by policy-makers and policy advocates (women's non-governmental organisations (NGOs), non-profit local organisations and international partners) for promoting legislative acts against gender discrimination.

### *Methodology*

A qualitative approach is used to identify spheres where women's rights improved after they stopped the following *adat* in favour of Islamic fundamentalist ideology, as well as analyse the perception of women's rights from Caucasian society. Case studies are taken from the Republics of Karachay-Cherkessia, Kabardino-Balkaria and Dagestan. The project comprises a comparative analysis between women's positions in families with traditional ways of living and those in families adopting the new Islamic ways. The data for this study was collected by interviewing women of the three North Caucasian republics as well as from contemporary scholarly research on the topic.

### *Limitations*

Limitations include the shortage of quantitative data. The compilation of interviews does not represent all the republics of the region and it may not be representative of all social strata.

This study is comprised of the following sections:

- Abstract, which gives a brief overview of the paper and its findings;
- Introduction, which provides some information about the topic, its importance, and novelty, literature review, aim and objectives of the research, methodology, as well as scientific and practical value of the research and limitations.
- The main body, which consists of four chapters:
  1. Chapter One provides an overview of the international and domestic legal frameworks for ensuring gender equality;
  2. Chapter Two offers context-specific background on the history of legal practices in the North Caucasus;
  3. Chapter Three examines in detail the Islamic revival in the region, the different dimensions of Islamic fundamentalism and its conflict with customary law;
  4. Chapter Four explores the various reasons why North Caucasian women choose Islamic fundamentalism, based on the results from the qualitative analysis of the interviews. Additionally, this chapter contains a subsection on Islamic feminism as a potential conductor of women's rights.

- Conclusion and recommendations highlight the main findings of the research and give suggestions of effective measures that can help stabilize the region and improve women's rights.
- Bibliography provides a full list of the resources used for the study.
- Appendix provides a list of questions for the survey in English and in Russian.



## 1.

## LEGAL FRAMEWORK

The regulatory legal framework of this study includes several international legal instruments such as the Universal Declaration of Human Rights (UDHR),<sup>9</sup> the International Covenant on Civil and Political Rights (ICCPR),<sup>10</sup> the United Nations Human Rights Committee (HRC) CCPR General Comment No 28,<sup>11</sup> the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)<sup>12</sup> and the Constitution of the Russian Federation (the Constitution).<sup>13</sup> In addition, this paper contains the Concluding Observations on the Eighth Periodic Report of the Russian Federation from the Committee on the Elimination of Discrimination against Women (the CEDAW Committee).<sup>14</sup>

<sup>9</sup> Universal Declaration of Human Rights (adopted 10 December 1948 UNGA Res 217 A(III) (UDHR).

<sup>10</sup> International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR).

<sup>11</sup> HRC, 'ICCPR General Comment No 28: Article 3. The Equality of Rights Between Men and Women' (adopted on 29 March 2000) CCPR/C/21/Rev.1/Add.10 (ICCPR General Comment) <[www.refworld.org/docid/45139c9b4.html](http://www.refworld.org/docid/45139c9b4.html)> accessed 15 July 2021.

<sup>12</sup> Convention on the Elimination of All Forms of Discrimination against Women (adopted on 18 December 1979, entered into force 3 September 1981) (CEDAW) <[www.ohchr.org/en/professionalinterest/pages/cedaw.aspx](http://www.ohchr.org/en/professionalinterest/pages/cedaw.aspx)> accessed 13 July 2021.

<sup>13</sup> Constitution of the Russian Federation (adopted on 12 December 1993) <[www.constitution.ru/en/10003000-02.htm](http://www.constitution.ru/en/10003000-02.htm)> accessed 15 July 2021.

<sup>14</sup> Committee on the Elimination of Discrimination against Women, 'Concluding observations on the eighth periodic report of the Russian Federation' (20 November 2015) CEDAW/C/RUS/CO/8 <<https://undocs.org/en/CEDAW/C/RUS/CO/8>> accessed 23 July 2021.

### 1.1. INTERNATIONAL LEGAL FRAMEWORK

The problem of legal equality between men and women arises in different spheres of society in all countries of the world; therefore, the international legal regulations of this issue acquire universal significance.

Gender equality issues are part of the protection of human rights and fundamental freedoms, and a number of conventions, declarations and covenants provide an international legal framework. Before analysing the norms of individual instruments, special attention should be paid to the basic principles of contemporary international law.

First, the universal international document is the UDHR of 1948, whose preamble emphasises the importance of equality of men and women for universal peace and order. According to article 2 of this document, everyone is entitled to all the rights and freedoms proclaimed by the UDHR, without distinction, including that of gender. Thus, the UDHR is the first comprehensive international normative legal act of a universal character, which defines the content of fundamental human rights and freedoms and enshrines the principle of gender non-discrimination.

The ICCPR and the International Covenant on Economic, Social and Cultural Rights (ICESCR)<sup>15</sup> should also be considered as universal international legal instruments specifying the principle of equality between men and women. Unlike the UDHR, the 1966 international covenants regulate the obligation of states to ensure gender equality. For example, article 2(1) of the ICCPR establishes the obligation of states to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the covenant, without distinction of any kind, including with regard to gender. Article 2(2) of the ICESCR states that the states have undertaken to guarantee that the rights recognised in the covenant will be exercised without discrimination of any kind, including on the basis of sex. The 1966 international covenants, therefore, set forth the obligation for state parties to respect and ensure civil and political human rights, as well as the obligation to guarantee the realisation of economic, social, and cultural rights. These differences in the wording of the obligations are directly related to the legal nature of the rights referred to in the covenants. It is also important to note that both covenants, in their article 3, set forth the obligation of states to

<sup>15</sup> International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 999 UNTS 171 (ICESCR).

ensure the equal right of men and women to the enjoyment of all rights set forth in the covenants.

Moreover, the HRC CCPR General Comment No 28: Article 3 (The Equality of Rights Between Men and Women) defines the ways in which tradition, history and culture, and religion affect women's rights:

Inequality in the enjoyment of rights by women throughout the world is deeply embedded in tradition, history and culture, including religious attitudes. The subordinate role of women in some countries is illustrated by the high incidence of prenatal sex selection and abortion of female fetuses. States parties should ensure that traditional, historical, religious or cultural attitudes are not used to justify violations of women's right to equality before the law and to equal enjoyment of all Covenant rights. States parties should furnish appropriate information on those aspects of tradition, history, cultural practices and religious attitudes which jeopardize, or may jeopardize, compliance with article 3, and indicate what measures they have taken or intend to take to overcome such factors.<sup>16</sup>

Additionally, paragraph 32 in the CCPR General Comment No 28 specifically identifies that:

in respect of their language, culture and religion do not authorize any State, group or person to violate the right to the equal enjoyment by women of any Covenant rights, including the right to equal protection of the law. States should report on any legislation or administrative practices related to membership in a minority community that might constitute an infringement of the equal rights of women under the Covenant and on measures taken or envisaged to ensure the equal right of men and women to enjoy all civil and political rights in the Covenant.

Another important international document is the CEDAW adopted by the UN in 1979. It comprehensively defines women's rights and is the primary international instrument for addressing gender discrimination. For example, article 2 of the CEDAW establishes the obligation to include the principle of equality for men and women in the constitutions of the participating states and to create other legal mechanisms to ensure it, including the annulment of existing laws, customs, regulations and practices that discriminate against women.

<sup>16</sup> HRC, 'ICCPR General Comment No 28: Article 3. The Equality of Rights Between Men and Women' (adopted on 29 March 2000) CCPR/C/21/Rev.1/Add.10 (ICCPR General Comment) <[www.refworld.org/docid/45139c9b4.html](http://www.refworld.org/docid/45139c9b4.html)>.

In addition, article 5(a) imposes a positive obligation on states parties:

to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

Moreover, it establishes a set of rights based on the principle of gender equality in political and related public rights (articles 7 and 8), in the field of citizenship (article 9), in the field of education (article 12), in the field of labour relations (article 13), in the field of healthcare (article 12), in the field of civil and family-marriage relations (articles 15 and 16) and special rights related to childbirth.

Thus, CEDAW requires states parties to incorporate the principle of equality of men and women into national law, if this has not yet been done, and to ensure its implementation. The implementation of these obligations by states must ensure that women are able to exercise their rights.

## 1.2. DOMESTIC LEGAL FRAMEWORK

Russia is a party state to different international conventions, including those mentioned above. According to article 15 (4) of the Constitution, the generally recognised principles and norms of international law and international treaties of the Russian Federation are an integral part of its legal system, and if an international treaty of the Russian Federation establishes rules other than those provided for by law, the rules of the international treaty apply. Thus, ensuring gender equality of men and women in the Russian Federation should be carried out not only in accordance with the norms of domestic legislation, but also in accordance with the provisions of international normative legal acts.

The principle of equality of human and civil rights and freedoms is enshrined in parts 2 and 3 of article 19 of the Constitution. Part 2 states that:

The state guarantees the equality of human and civil rights and freedoms regardless of sex, race, nationality, language, origin, property and official status, place of residence, attitude toward religion, convictions, membership of public associations, or other circumstances. All forms of restrictions on the rights of citizens on social, racial, national, linguistic or religious grounds shall be prohibited.

Part 3 claims that ‘Men and women shall have equal rights and freedoms and equal opportunities for their realization’.

However, despite the existence of a national legal framework, Russia ranks only 81st in the world in terms of equality between women and men and 53rd in terms of wage inequality: on average, women receive 30% less than their male counterparts. According to the International Labour Organization, women in Russia are better educated, more experienced and more efficient than their male counterparts, while receiving lower wages.<sup>17</sup> But the average salary in high positions for women scientists in Russia is a quarter lower than that for men. The 2020 World Gender Gap Report concludes that ‘Russia has closed less than 10% of its Political Empowerment gap so far and ranks only 122nd on this subindex. Not only has there never been a woman as a head of state, but there are few women among ministers (12.9%) and parliamentarians (15.8%)’.<sup>18</sup> As a result, despite the fact that Russian society provides women with broad access to education and some segments of the labour market, a glass ceiling prevents most of them from accessing positions of power either in politics or in the business sector.

The CEDAW Committee in its Concluding Observations on the Eighth Periodic Report of the Russian Federation expressed a number of concerns and recommendations.<sup>19</sup> Paragraph 19 states that the stereotypical attitude of society is that a woman’s domain should be that of the family. Such beliefs ‘discriminate against women and perpetuate their subordination within the family and society, restrict women’s educational and professional choices and their participation in political and public life and in the labour market, and perpetuate their unequal status in family relations’.<sup>20</sup> The CEDAW Committee emphasises that the main reason for this attitude is the unwillingness of the Russian government ‘to modify or eliminate discriminatory stereotypes and negative traditional attitudes’.

<sup>17</sup> The Moscow Times, ‘Russian Women Struggle With Gender Pay Gap, ILO Report Shows’ (*The Moscow Times*, 5 December 2014) <[www.themoscowtimes.com/2014/12/05/russian-women-struggle-with-gender-pay-gap-ilo-report-shows-a42010](http://www.themoscowtimes.com/2014/12/05/russian-women-struggle-with-gender-pay-gap-ilo-report-shows-a42010)> accessed 23 July 2021.

<sup>18</sup> World Economic Forum ‘The 2020 World Gender Gap Report’ (March 2021) <[https://reliefweb.int/sites/reliefweb.int/files/resources/WEF\\_GGGR\\_2020.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/WEF_GGGR_2020.pdf)>.

<sup>19</sup> Committee on the Elimination of Discrimination against Women, ‘Concluding observations on the eighth periodic report of the Russian Federation’ (20 November 2015) CEDAW/C/RUS/CO/8 <<https://undocs.org/en/CEDAW/C/RUS/CO/8>> accessed 23 July 2021.

<sup>20</sup> *ibid.*

To eliminate discrimination against women the CEDAW Committee made recommendations:

- (a) To put in place a comprehensive strategy with proactive and sustained measures, targeting women and men at all levels of society, including religious leaders, to eliminate stereotypes and patriarchal attitudes concerning the roles and responsibilities of women and men in the family and in society;
- (b) To take all appropriate measures to raise the awareness of the media of the need to eliminate gender stereotypes by promoting positive images of women actively participating in social, economic and political life and to encourage the media to institute an effective self-regulatory mechanism for addressing the degrading representation of women, and use the education system to enhance positive and non-stereotypical portrayals of women.<sup>21</sup>

Among the CEDAW Committee's concerns and recommendations were ones specifically made for the North Caucasus, about stereotypes and harmful practices in the region. In paragraph 23 the committee expresses concerns about:

increasing prevalence of violence against women in the Northern Caucasus, as well as of harmful practices, such as child and/or forced marriage, abduction of women and girls for forced marriage, crimes in the name of so-called honour, female genital mutilation and polygamy, notwithstanding the criminalization of such practices by federal law. The Committee is concerned that such harmful practices appear to be socially legitimized and surrounded by a culture of silence and impunity. The Committee reiterates its previous concern (see CEDAW/C/USR/CO/7, para. 10) that the federal Government may lack the will and an efficient mechanism to ensure the application of federal legislation in the regions and autonomous entities to fully implement the Convention coherently and consistently.

In this regard the CEDAW Committee made the following recommendations:

- (a) To conduct research on the extent of harmful practices in the northern Caucasus and develop a comprehensive strategy to eliminate them, including through education and awareness-raising campaigns

<sup>21</sup> CEDAW, 'Concluding observations on the eighth periodic report of the Russian Federation' (20 November 2015) CEDAW/C/RUS/CO/8, para 20 <<https://undocs.org/en/CEDAW/C/RUS/CO/8>> accessed 23 July 2021.

for community and religious leaders and the general public to ensure the effective prosecution and conviction of perpetrators as well as the provision of remedies and support services for victims, in particular shelters;

(b) To strengthen the capacity of law enforcement authorities to protect women and girls from violence, adopt standardized procedures for the police in all regions of the State party on gender-sensitive investigations and the treatment of victims, and encourage women to file complaints without having to fear retribution or stigma;

(c) To provide systematic training to legal professionals, law enforcement officials and medical personnel in addressing effectively the criminal nature of child and/or forced marriage, abduction of women, crimes in the name of so-called honour, female genital mutilation and polygamy and their adverse effects on women's rights

(d) To ensure that women who are victims of abduction for forced marriage, crimes in the name of so-called honour, female genital mutilation and polygamy can report cases without having to fear retribution or stigma and can have access to legal, social, medical and psychological support.<sup>22</sup>

Thus, although Russia has implemented the principle of equality in its Constitution, in reality, this is not enough, especially for Muslim women in the North Caucasus, who suffer not only from stereotypical attitudes but also from harmful practices that are specific to the region.

<sup>22</sup> CEDAW, 'Concluding observations on the eighth periodic report of the Russian Federation' (20 November 2015) CEDAW/C/RUS/CO/8, para 24 <<https://undocs.org/en/CEDAW/C/RUS/CO/8>> accessed 23 July 2021.

## 2.

## THE THREE REGULATORY SYSTEMS

Since ancient times, the Caucasus has had great geopolitical importance, as it is still perceived as a border zone between the North and the South, Europe and Asia. Additionally, various trade routes passed through its territory, including the famous Silk Road. Because of its strategic and economic importance, at different times in history it was once part of the Roman Empire, the Arab Caliphate, the Mongol Empire, Ottoman Turkey and Persia, and, finally, Russia. Nowadays the South Caucasus contains three independent countries, Georgia, Armenia and Azerbaijan, and the North Caucasus is a part of the Russian Federation. This study is focused on the North Caucasus because the inhabitants of this region differ from the population of other regions of Russia in their developed ethnic consciousness, traditions and a high level of religiosity in the predominantly Islamic areas.

In physical and geographical terms, the North Caucasus includes the northern slope of the Greater Caucasus Range and the Pre-Caucasus regions (the Krasnodar and Stavropol Krai), as well as the south-west mountain slope up to the river Psou (which marks the state border of Russia). Territorially and administratively, the North Caucasus consists of nine administrative regions: Dagestan, Chechnya, Ingushetia, North Ossetia-Alania, Kabardino-Balkaria, Karachay-Cherkessia, Adygea, Krasnodar Krai and Stavropol Krai. Six of them, Dagestan, Chechnya, Ingushetia, Kabardino-Balkaria, Karachay-Cherkessia and Adygea, have a predominantly Muslim population.

The North Caucasus is a special region of the Russian Federation: Every person in the North Caucasus lives simultaneously under the jurisdiction of three regulatory systems: *adat* (customary law), Shariah (Islamic law) and secular law of the Russian Federation. This situation is defined as poly-legalism and is unique within Russian borders.



Consequently, any discussion of topics, such as human and women's rights, must take into account the complex and often labyrinthine intersection and interaction of these three systems.

## 2.1. ADAT OR CUSTOMARY LAW

First, the *adat* (from the Arabic 'adat' – customs, habits) – a customary system of laws established by custom, or a set of traditional norms passed down from generation to generation, and which throughout the history of the Caucasus has served as a public and private relations leverage. This system is emblematic of the Caucasian's commitment to traditions: the *adat* includes obedience to elders, loyalty to the clan, maintenance of the established practices of self-government, etc.

*Adat* or customary law is a phenomenon of traditional culture that provides mainly oral transmission of social norms and regulatory social experiences, presented in the form of tradition; it is generally binding, prescriptive and inseparable from customs and rituals. An expert, Sataney Gozgesheva, claims that customary law performs socio-cultural functions:

- integrative – regulation of family and relations within the ethnicity;
- peacemaking – regulation of relations with other societies and ethnic groups;
- communicative – transfer of the same type of system of taboos and attitudes in the interaction of individuals and social institutions;
- identification – the basis of awareness of belonging to one socio-cultural group. Customary law, from early to the present times plays a significant role in public and cultural life, as well as political stability in the North Caucasus.<sup>23</sup>

Customary law was also used as a system of local judicial proceedings till the late 18th century. The norms of mountain ethics and morality, often go along the canons of Islam. For example, Islam was not allowed to invade those spheres of life and everyday life that were

<sup>23</sup> Sataney Gozgesheva, 'The phenomenon of traditional institutions of customary law (*adat*) and Muslim law (*sharia*) in the North Caucasus' (2011) 3 *Vestnik of Adygeyan State University* 293.

traditionally and successfully regulated by customary law. The historical development of traditional legal institutions in the North Caucasus is unique. In the 17th-18th centuries, there was a process of moving from polyethnicity, religious syncretism (a synthesis of paganism, Christianity, and Islam), the predominance of non-state forms of self-organisation to the emergence of state authorities, and the genesis of the customary law of legal dualism based on the norms of *adat* and Shariah (Islamic law).<sup>24</sup>

The effectiveness of customary law for highlanders was undoubtedly higher than frequently changing state laws because the traditional culture of the peoples of the North Caucasus is defined as a culture of shame, ie it forms an exclusive loyalty to a socio-cultural group that monopolises the evaluation of any deeds or virtues of the individual. The culture of shame defines the usual legal forms and procedural mechanisms of regulation of blood and non-blood revenge, hospitality, *kunachestvo* (brotherhood) and other forms of peacemaking. But the culture of shame also contributes to the many honour killings that continue taking place in our time.

Also, it should be mentioned that unlike Islamic law (Shariah), European and Russian legal systems of modern times, *adat* recognises collective responsibility for offences. So, the main feature of the legal consciousness of the highlanders is that both crime and punishment were essentially collective rather than individual actions. According to *adat*, any offence damages or affects the honour not only of the individual but also of the clan and social group with which the individual is associated.

## 2.2. RELIGIOUS LAW

Islamic law, which was part of the North Caucasus long before the Russian colonisation of the region, was often intertwined with *adat*. It was an important factor in the development of the North Caucasian cultures and greatly facilitated contacts with the states of the Central and Middle East.

<sup>24</sup> A Khalifaeva and I Goov, 'The Correlation of Customary Law with Shariah and the Law of the Russian Empire on the Territory of the North Caucasus: General Theoretical and Historical Analysis' (2016) 3 Law and Politics 410 DOI: 10.7256/1811-9018.2016.3.14323 accessed 14 July 2021.

Scholars, such as Khasan Dumanov and Abram Pershits, argue that before the spread of Russian imperial legislation in the mid-19th century in the North Caucasus, *adat* and Shariah were in competition.<sup>25</sup> In the western part of the region, where Islam had not taken deep root, inhabitants preferred the *adat*, while in the eastern part they preferred the Shariah customs. However, this concept of competition is not entirely accurate. The correlation between *adat* and Shariah was unequal in various areas of law. It is believed that Shariah is stricter than the *adat*, but this is true only about criminal law. Shariah is characterised by truly severe sanctions, such as cutting off an arm for stealing, or long imprisonment in a pit for many minor offences, and so on. In one way or another, the criminal sphere of Shariah has not taken root even in such long-established and Islamised regions as Dagestan. Consequently, in a number of North Caucasian areas, *adat* norms not only co-existed with Shariah (Islamic law) but sometimes prevailed over it.<sup>26</sup>

In the North Caucasus as an additional source of law, the Shariah system allows local customs, legal practices (*adat*) of the peoples of the region, but not directly contradicting its principles and norms. But the spread of Islam and Shariah in the North Caucasus has led to an increasing manifestation of local peculiarities and differences in the interpretation of certain legal prescriptions. There are many contradictions in the real life of the Muslim community of the North Caucasus and the prescriptions of Islam, the norms of Shariah. However, Shariah norms and *adat* are so closely intertwined that it is difficult to draw a line between them in practice: there is a certain symbiosis of norms that derive from these two systems and it is accepted by the majority of the Muslim population in the North Caucasus as traditional Islam. For instance, before and after Ramadan Karachay fry pastries or pies and distribute them in the neighbourhood, they do believe that it will feed their deceased relatives in another world, moreover, they do believe it is part of Muslim tradition. However, there is no such ritual in Islam itself, and no other Muslim community outside of the North Caucasus practices it.

After the collapse of the Soviet Union, Islam was reinvigorated

<sup>25</sup> Kh Dumanov and A Pershits, 'Legal pluralism among the peoples of the North Caucasus' (2006) 6 East Afro-Asian Societies: History and Modernity 56.

<sup>26</sup> M-S Magomedov and P Magomedova, 'The Place of Shariah and Adat in Islam, Their Similarity and Difference' (2014) 10(268) Russia and the Muslim World 159.

and for the last 20 years, the region has been experiencing an Islamic renaissance. The opening of borders led to a rapid increase in interest in religious education. Young people are drawn to the largest Islamic centres – to Egypt, to the Middle East. The main thing is that the young people bring back the understanding that Islam, professed in their homeland, is very different from what is taught to them in established schools in other regions. Gradually, a number of people in the North Caucasus came to the opinion that this symbiosis of Islam and *adat* is an expression of paganism and it is time to purify Islam.

### 2.3. SECULAR LAW

Finally, the norms of secular law, which began to be systematically implemented in the Caucasus only after the establishment of Soviet power. However, it is mostly reserved for the cases when neither *adat* nor Islamic law can be a solution, often in intercultural conflict or at the federal level.

The incorporation of the North Caucasus into the Russian Empire took place in several stages, and each time various legal transformations were taking place. However, it was not until after the end of the Caucasian War (1817-1864) that these transformations, both in terms of legislation and the judicial system, became another major factor in North Caucasian poly-legalism.

During the period 1860-1868 a reform was carried out in the North Caucasus region based on codification and some modernisation of customary law. Several archaic norms of *adat* were prohibited which contradicted Russian legislation. The heads of the districts were obliged to prevent people's courts from applying Shariah and *adat* decisions that contradicted the general spirit of Russian law. Nevertheless, until the Bolsheviks took over, the peoples of the region continued to apply *adat* in solving not only family or inheritance cases, but also in the sphere of criminal or civil law.<sup>27</sup>

After the revolution of 1917, the attitude of the state to traditional and Islamic law changed. In contrast to the Russian Empire, Soviet Russia

<sup>27</sup> Vladimir Kryazhkov, 'Law and Custom in Russian Reality: Problems of Interaction' [1999] Customary Law and Legal Pluralism 20.

in the 1920s fought against customary law, seeing in it an instrument of class and colonial exploitation of mountain Muslims inherited from the tsarist regime. Soviet power was established in the region with the support of influential members of the Muslim spiritual elite. At first, this circumstance predetermined the state's support of the Sharia. At the same time, the real policy of the state in relation to Muslim (and traditional or customary) law in the 1920s-1980s repeatedly and strongly changed: from seeking compromise with Islam as a worldview to confronting and attempting to suppress the religion.<sup>28</sup>

In post-Soviet Russia, the attitude of politics and science toward legal and non-legal traditions has changed significantly. Both at the federal and regional levels, the positive value of custom has been recognised, and its legal status has risen dramatically. The state has taken it upon itself to protect local traditions and has even recognised traditional (customary) law as a possible source of legislation.<sup>29</sup>

Nowadays there is a very low level of authority of the secular Russian law in the North Caucasian Republics. Of all the possible normative systems in the region, the one that appeals to religion, and specifically to Islam, is the strongest. The attraction of Shariat and *adat* lies in the systemic problems that the Russian state is unable to solve in the region: endemic corruption and corrupt judicial practices, a decrease in the quantity and quality of state services (exacerbated by the same corruption), ineffective law-making by the government (for instance, the delay in resolving the issue of land status) and a lack of a clear national and religious policy (in particular, flirting with religious leaders and organisations, combined with blatant Islamophobia).<sup>30</sup>

Thus, since this third, Russian secular, law system does not play a significant role in the everyday life of North Caucasians, this study focuses exclusively on the functions of the *adat* and its interaction with the new wave of Islam in the region.

<sup>28</sup> Vladimir Bobrovnikov, 'Shariah and Adat in the Russian Normative Space' (2011) 5 Public Service 90.

<sup>29</sup> Zamir Misrokov, *Adat and Shari'a in the Russian Legal System: Historical Destinies of Legal Pluralism in the North Caucasus* (Moscow UP 2002) 256.

<sup>30</sup> Ahmet Yarlikapov, 'Adat, Shariah and Russian Law in the Modern North Caucasus: Results and Prospects' (2015) 1(271) Russia and the Muslim World 60.

## 3.

## ISLAMIC REVIVAL IN THE CAUCASUS

For centuries, Islam had a growing influence on the spiritual, social and political life of the peoples of the Caucasus. People were born, married and died in the bosom of Islam. Islam became increasingly intertwined with *adat*, which traditionally regulated life in the mountains. Islam became an integral part of self-identification for Caucasians, and even imposed atheism during the Soviet period failed to eradicate it from the minds of highlanders.

The peculiarities of the process of the 'Islamic renaissance' in the North Caucasus are determined by many factors, including the general trend of revivalism in the Muslim world and the specifics of its manifestation in this Russian region, which is socio-economically and ethno-politically disadvantaged.

The revival of Islam in Russia, including the North Caucasus, began with Gorbachev's Perestroika and has been gaining momentum since the post-Soviet period. This process can be regarded as a response to Soviet persecution of Islam, violence against the clergy and the blocking of their free activities. The revival of Islam manifests itself in increased interest in Islamic culture, the restoration of old mosques and the construction of new ones, the opening of Muslim schools and institutions of higher learning, the publication of corresponding literature, an increasing number of young people turning to ritual practice, a considerable increase in the number of those performing the hajj to Mecca, etc.<sup>31</sup>

In the 1980s and 1990s, the younger generation of highlanders had to find their own answers to the difficult questions posed by the new

<sup>31</sup> Vahid Akayev, 'Islamic Fundamentalism in the North Caucasus: Myth or Reality' (2000) 3 Central Asia and the Caucasus 136.

reality, and the experience of their parents was not always a good help or guide. At the same time, their view of the world was formed under conditions fundamentally different from previous generations: access to information, a different arrangement of 'centres of power' and the system of values, new social relations and ideologies. The younger generation was forced to comprehend the new reality on their own, without relying on the experience of previous generations. Legal chaos and lawlessness, the impossibility of career advancement in the absence of clan connections, widespread corruption and injustice, the pursuit of money as the main value of life, all for the sake of which traditional moral norms are violated. Often there was a gap between words and deeds in one's own family, where parents tried to teach what was reasonable, good and eternal but were forced to play by the rules set by the outside world, which was perceived by their children as hypocrisy and duplicity. Under these conditions, there is a demand for a clear and understandable system of values, and Islamic fundamentalism becomes that reference point.

### 3.1. GLOBAL FUNDAMENTALISM

It is important to clarify the terminology and define Islamic fundamentalism. Used negatively, the term fundamentalism is often equated with the activities of Muslim extremist groups that have political objectives, up to and including the overthrow of the government and establishing the ideology and political system that they represent. Identification of fundamentalism with extremism or terrorism contributes to the formation of hostility, negative attitudes towards Muslims, and, in general, to the emergence of Islamophobia.

Islamic fundamentalism in the North Caucasus is understood as a return to the roots of Islam, an early form of Muslim society. From the time of the Prophet Muhammad and the first righteous Caliphs, this past is regarded by fundamentalists as a social ideal that is supposedly characterised by spiritual and social harmony.

Islamic fundamentalism implies strict adherence to the norms of the Koran, the Sunnah of the Prophet Muhammad and Shariah and their application in all spheres of Muslim life, from personal life and family and domestic relations to the political and state structure. From a fundamentalist perspective, the analysis and understanding of modern

dynamic life, with its socio-economic, scientific and technological advances, and environmental and other global implications, must be based on the eternal canons of Islam.

It is often accompanied by a critical attitude toward existing Islam and attempts to cleanse it of stratifications and errors formed under the influence of folk customs and traditions and ancient beliefs, in the case of Caucasus, *adat*. Fundamentalists, as orthodoxies defending the purity of Islam, do not allow it to be adapted to changing social reality.

### 3.2. FUNDAMENTALISM IN THE CAUCASUS

Islamic fundamentalism in the North Caucasus is not essentially different from Islamic fundamentalism in other regions of the world. Its short history began in the second half of the 1980s. Its theoretical basis was provided by the classical fundamentalist works of Hassan al-Banna, Sayyid Qutb, Abu al-Al Maududi and their historical predecessors: Ibn Taymiyyah, Muhammad ibn Abd al-Wahhab and others. The first hotbed of North Caucasian Islamic fundamentalism emerged in Dagestan, which became the ideological centre of fundamentalism by the mid-1990s, from where it gradually began to spread throughout the region.<sup>32</sup>

Islamic fundamentalists in the North Caucasus were often called Wahhabis in the past, by the name of the founder of this religious movement, the preacher Muhammad Abdul Wahhab, who in the second half of the 18th century was the leader of the rebel movement in the Arabian Peninsula for independence from the rule of the Ottoman Empire. The ideological basis of the national liberation movement included the strictest observance of the principle of monotheism, the rejection of the worship of saints and holy places, the purification of Islam from late layers and innovations, and a return to its original purity.<sup>33</sup> Nowadays more often they are called Salafists, from the word Salafia (return to the roots). Yet this term is also not quite right, because not all followers of non-traditional Islam classify themselves as Salafists.

<sup>32</sup> Alexei Malashenko, 'Islamic Challenges to Russia, from the Caucasus to the Volga and the Urals' in Leon Aron (eds) *Putin's Russia: How It Rose, How It Is Maintained, and How It Might End* (American Enterprise Institute 2015) 142

<sup>33</sup> Lyoma Bashirov, 'Wahhabism: origins, peculiarities of doctrine' (2007) 1-2 State, Religion, Church in Russia and Abroad 197.



Fundamentalists seek to renew Islam on the basis of the Quran and Sunnah and deny all the historical strata of traditional Sunnism that have accumulated during its more than 1,000 years of development. Supporters of so-called 'pure Islam' have a particularly negative attitude toward Sufism, which has taken deep roots in the republics of the North Caucasus (primarily Dagestan, Chechnya and Ingushetia). In their opinion, the presence of a sheikh or a mentor as a mediator between God and man contradicts the fundamental foundations of the Muslim faith. North Caucasian fundamentalists strongly reject the worship of holy places, which originated in the Sufi tradition. They also advocate a shortened ritual of commemoration of the dead and believe that the time of the four classical Sunni madhabs (four theological and juridical schools) has passed and that a common approach to the interpretation of the Qur'an and Sunnah within a single madhhab is possible today.<sup>34</sup>

A reasonable question might be why young people are not satisfied with the Islamic practices inherited from their ancestors. Irina Starodubrovskaya explains it by intergenerational conflict and other reasons as the emphasis on ritual rather than doctrinal content; the demand to submit to a spiritual leader rather than reflect on religion independently; the possibility of being a formal believer but compromising in life and deviating from doctrinal requirements – all this caused protests. In general, Islamic youth wants to make religion not a set of formal norms, but a sphere of spiritual search.<sup>35</sup>

The Russian media image of a supporter of Islamic fundamentalism, who runs around with a machine gun in the woods, and shoots everyone who he does not consider to be a true Muslim, has little to do with reality.<sup>36</sup> Most researchers (Starodubrovskaya, Malashenko and Yarlikapov) agree that those people who can be called supporters of Islamic fundamentalism can be divided into at least three groups.

The first group is people who are apolitical, who believe that their responsibility before God is limited to themselves and their family. Their

<sup>34</sup> A Yarlikapov, *"Folk Islam" and Muslim Youth of Central and Northwest Caucasus' Religion and Politics in Russia: A Reader* (Routledge 2015).

<sup>35</sup> Irina Starodubrovskaya, 'The tale of the Caliphate and the truth about terrorism' (*Polit.ru*, 21 November 2013) <<https://polit.ru/article/2013/11/21/Caucasus/>> accessed 29 July 2021.

<sup>36</sup> Daria Aslamova, 'Wahhabists are trying to turn Tatarstan into a part of Arab Caliphate' (*Komsomolskaya Pravda*, 18 September 2012) <[www.kp.ru/daily/25951/2893745/](http://www.kp.ru/daily/25951/2893745/)> accessed 10 August 2021.

disagreements with traditional Islam are primarily doctrinal and have little impact on public life. They can express their dissatisfaction with the authorities, the official clergy and Russian politics, but they do not seek to influence the situation in any way personally. For them it is fundamental that a man can wear a beard and a woman can walk around in a hijab, but they believe that the government of the country is responsible for the structure of society, this is not their area of responsibility, and they are not eager to fight for any changes in this sense at all. It seems to be the majority of local Islamic fundamentalists, in particular, a large part of Islamic business belongs to this group.

The second group is those who feel responsible for the fate of the Islamic community but are willing to push for change within the framework of existing laws by engaging in political activity or conducting peaceful propaganda for the values of Islam. Although it is political Islam or Islamism, it does not set the task of changing the political system today, which believes that these changes should happen somewhere in the future, when society is ready for it. Therefore, for now, its political peaceful activity within the law, human rights activities, Islamic appeal, and so on is enough. This is also a quite big group of local fundamentalists.

The third group, radical Islamists, are actually those people who are supporters of jihad, those people who are determined to fight with arms, those who pose a real danger to the citizens of the country. However, the jihadists are not homogeneous, either. Among them, one can distinguish between those who hold more moderate views (the inadmissibility of killing civilians and suicide bombings, the undesirability of women's participation in jihad) and radical ones, where any killing of an infidel is considered good, and all means are good for it.<sup>37</sup>

Thus, not all supporters of Islamic fundamentalism are jihadists or are willing to engage in armed conflict to establish their ideals. The values of supporters of non-traditional Islam and those of jihadists may overlap, but they do not coincide.

However, if there are different groups, why do some young people get radicalised and choose the third group? One of the main reasons, according to experts such as Irina Starodubrovskaya and Ahmet

<sup>37</sup> Irina Starodubrovskaya, 'How to Fight Youth Radicalism in the North Caucasus?' (2015) 6 *Obshchestvennye nauki i sovremennost* 84.

Yarlikapov, is Russian public policy, which can significantly influence the choice of ideology within Islam that young people make. Currently, this policy is based on unconditional support for official, traditional Islam and active opposition to all forms of Islamic fundamentalism, presenting non-traditional Islam as marginal and a source of violence, radicalism and terrorism. Nevertheless, the demand for Islamic fundamentalism has been growing, so such a policy can hardly be successful in combating youth radicalism.

The first group of apolitical Muslims mentioned above demands equal opportunities as other citizens to live, work and perform rituals according to their beliefs. Pressure on all supporters of Islamic fundamentalism indiscriminately puts these opportunities at risk. The same is true for the second group, whose needs are related to the realisation of their political rights and freedoms. The tightening of policies may be an incentive for some to abandon an active stance in religious matters, but for many, it will increase the attractiveness of the jihadist path. Therefore, such policies will most likely result in an increase in support for terrorists.

It is also clear that in the various North Caucasus republics this policy has different consequences. Let us look at examples from Dagestan and Karachay-Cherkessia.

Among the regions of the North Caucasus, the Karachay-Cherkessia stands out in this respect. Although the republic has experienced outbursts of intra-Islamic confrontation, when young Islamic fundamentalists oppose the ideas of traditional Islam, for example open their own mosques and support only particular imams, they have avoided escalation into permanent, long-term conflict.

Among the factors that contributed to the decrease of tension was the policy of the Spiritual Directorate of Muslims in the republic aimed not at aggravating but at smoothing out conflicts, at achieving a balance between the older and the younger generation. Efforts are made to integrate young people of different views returning from foreign religious educational institutions into official Islamic organisations; in situations of arising conflicts there are mediators, people who are authoritative for both sides, who can help find a compromise and prevent the confrontation from deepening. Besides, the republic has much tighter control over the activities of law enforcement agencies than in other territories. In cases where an abuse of power is revealed, the perpetrators are punished. Although the problem of beatings, torture and other crimes is not completely solved, these violations affect a much

smaller proportion of Islamic youth than, for example, in Kabardino-Balkaria or Dagestan.

The intra-Islamic conflict aggravated the situation in North Caucasian Islam splitting dozens of rural communities. This happened especially often in Dagestan, where in the 1990s many young people studied in Islamic universities of the Middle East. Villagers were divided into those who supported the returning students in their sermons about the harm of ‘infidel’ traditions and those who opposed the ‘spirited’ youth. The reaction of officials, who did not distinguish non-traditional forms of Islam from extremism, was harsh. Instead of facilitating dialogue between proponents of traditional Islam and Islamic fundamentalism, the official authorities decided to forcibly eradicate all forms of officially disapproved Islam, thereby increasing radicalisation among adherents of Islamic fundamentalism.

The law enforcement pressure on religious communities in the North Caucasus has a long and terrible history. For example, there is a law that was passed in Dagestan in 1999 ‘On the Prohibition of Wahhabism and Other Extremist Activity in the Territory of the Republic of Dagestan’. Both human rights activists and politicians have repeatedly stressed that this Dagestani law contradicts the Russian Constitution. Nevertheless, it is still in force today. This document has become an instrument of forceful suppression of the republic’s Islamic fundamentalists. By January 2018, almost all Salafist mosques in Dagestan had been closed. By combining non-traditional Islam and extremism into a single whole, the law became a moral justification for unlawful actions against people indiscriminately accused of Wahhabism for one reason or another (since the law does not define this term). These people could be fired from their jobs, deprived of their businesses, put under surveillance, or simply disappear without a trace. The reason for the accusation could be anything from a simple misunderstanding to a desire to eliminate a competitor.<sup>38</sup>

In general, in the North Caucasus, special operations to detain and neutralise suspected religious extremists in city streets and residential buildings sometimes involve random civilian casualties. In addition, law enforcement authorities frequently overstep their authority, resulting in large-scale human rights violations ranging from illegal detentions and

<sup>38</sup> Ekaterina Sokiryanskaya and Oleg Orlov, ‘Magomedov’s New Deal?’ (Memorial Human Rights Center 2012) <[https://memohrc.org/sites/default/files/846\\_0\\_source.pdf](https://memohrc.org/sites/default/files/846_0_source.pdf)> accessed 24 July 2021.

abductions to damage to personal property and buildings in the North Caucasus.<sup>39</sup>

The problem is predominantly of a latent nature due to the limited impact of human rights organisations in the region. Grave violations have become the basis for complaints to supranational institutions (the European Court of Human Rights). Special attention is attracted by kidnapping cases related to illegal detentions of followers of Islamic fundamentalism, in which the process of arrest and interrogation is violated (relatives of the arrested remain unaware of the reason for the arrest and the place of detention). Suspects are kidnapped from their own homes or places of work by a group of masked men in cars without license plates, and witnesses to these ‘arrests’ are relatives, neighbours and colleagues.<sup>40</sup>

Human rights violations create an atmosphere of distrust in the security forces, reducing the legitimacy of their activities and creating obstacles in building a dialogue with local young Muslims who are not involved in any extremist activity. The ruling regime’s destructive violence triggers asymmetrical responses and feeds the development of destructive forces.

In this regard, the example of Karachay-Cherkessia is an exception to the rule and it is a case in point that it would be much more effective to change the priorities of state policy in this sphere from unconditional support of traditional Islam to creating conditions for enhancing the appeal of moderate forms of Islamic fundamentalism that operate within the law.

### 3.3. THE CONFLICT OF ADAT AND ISLAMIC FUNDAMENTALIST NORMS

A central point of contention for Islamic fundamentalists wishing to ‘purify’ Islam has to do with the *adat* and its manifestations in traditional Islam, which is supported by the federal government. In this section, we will have a closer look into traditional practices that contradict Islamic fundamentalists’ views.

<sup>39</sup> Irina Pashchenko, ‘Radicalization and Terrorism in the North Caucasus: Security Challenges and Counteraction Strategy’ (2014) 1(77) *Scientific Thought of the Caucasus* 40.

<sup>40</sup> Memorial Human Rights Center, ‘The European Court of Human Rights issued another ruling on the Chechen abduction complaint’ (Memorial Human Rights Center 2013) <<https://memohrc.org/ru/news/evropeyskiy-sud-po-pravam-cheloveka-vynes-ocherednoe-postanovlenie-po-zhalobe-o-pohishchenii>> accessed 29 July 2021.

Ethnicities of the North Caucasus have unique family rituals – wedding, child’s birth, funeral and memorial ceremonies – which are an essential part of their traditional and everyday culture, and their functions are multidimensional and diverse. Family rituals of the peoples of Northern Caucasus, despite their transformation in the 20th century, in many respects escaped regional unification and continue to retain significant ethnic specificity. Among the most controversial for more devoted Muslims are traditions that regulate weddings, the birth of children and funerals. The widespread claims among fundamentalists are that those traditions involve paganism, have nothing to do with real Islam and casts doubt on those who follow those traditions are real Muslims.

Today many young Muslim couples choose wedding ceremonies according to the laws of Shariah – without music, dancing and alcohol. They see all these attributes as haram – forbidden by Islamic law. However, not all parents agree with this choice. Consequently, it causes clashes between parents and children, younger and older generations. Caucasians love to have rich weddings where they celebrate with the whole village or neighbourhood. Meanwhile, according to Sharia, a Muslim is not obligated to have a lavish celebration, Islam condemns gluttony and temptation, so young people are increasingly opting for a modest celebration according to Shariah canons. For example, in a traditional Karachay wedding, the bride prepares presents for the whole family of her future husband, including dead members of the family, and often the extended family, such as uncle and aunts, cousins and sometimes even neighbours. As a result, families often go into debt to celebrate the wedding. Followers of Islamic fundamentalists see those expenses as unnecessary and refuse to follow the *adat*. As a result, public consciousness is split today. The line of division often runs within the family, since the younger generation, due to the growth of religious education, stopped perceiving such a mix of traditions and secular habits as appropriate for Muslims of the region. Intra-generational conflicts often begin to arise when a son or daughter wishes to have a religious wedding, and their parents want to hold it in the form of a traditional musical celebration.

Another example where traditions clash is funeral rites. Muslims of the Caucasus performed burial rites according to the rules established by the canons of Islam, but these rituals were always supplemented with elements of *adat*.

Among Karachay people, the morning after a burial, male relatives and neighbours go up to the cemetery and read the Quran at the grave

for three days. On the third day after the funeral, they slaughter a cow and distribute the meat. They make sure to give meat and other food to relatives and neighbours. On every Thursday during the first month after the burial, fried pastries are prepared in the house and distributed to children and neighbours as a memorial treat. The most crowded wake (several hundred people) is arranged on the 52nd day. On this day, they distribute alms (money, flour, sugar) to the poor, relatives and neighbours and also provide refreshments. On the anniversary of the death, they also hold a wake and a cow or a ram is slaughtered for a funeral feast. Mourning is observed until the 52nd day by the wider family and a year for the children, widow or widower. During this period, they do not attend public entertainment and do not watch television. Men do not shave until the 52nd day. According to Islamic fundamentalists, all these distributions of food, long mourning periods and several holdings of wakes are innovations. They strongly oppose these customs because they are not mentioned in the Quran or in the sayings of the Prophet Muhammad. The older generation is not ready to give up the rituals that were handed down to them by their ancestors, and this creates an inevitable crisis in families where tradition collides with 'pure' Islam.

This fully applies to the birthing and child-rearing rituals of Caucasians. One of the most significant celebrations is putting the baby into the cradle. For this event families prepare a festive meal and invite their neighbours and female relatives, mostly of older age. Usually, on this day they try to make a sacrifice and smear the blood of a sacrificial ram on the forehead and cheeks of the child to protect from the evil eye. A small Quran or pages from it are placed under the mattress or pillow, 'so that the child will not be frightened'. In addition, an egg, scissors and matches may be placed in the cradle as a talisman, and a cat may be placed in the cradle in advance so that the child sleeps well. The Balkars also put three round pies with cheese on the baby, which are then eaten. The child's mother must always eat these pies silently, without uttering a word. The appearance of a child's first tooth is often celebrated by preparing a ritual dish: usually, it is porridge of corn and beans, of wheat and beans. It is believed that when grains are boiled and cracked, it will help a child's gums to open and teeth to erupt without pain. That porridge is distributed to the neighbours, and the neighbours

in return give the child small gifts.<sup>41</sup> According to Karachay people, a child should not be taken out of the house before teeth appear. All these rituals are considered by fundamentalists as non-Islamic, harmful practices for Muslims because they have paganistic elements and lead one into sin. Indeed, most of these rituals are specific to the region, the only requirement from Islamic doctrine is a sacrifice, usually a lamb or a cow, dedicated to the birth of the baby. But the locals, especially the older generation, do not distinguish those rituals as pagan ones, they see them as cultural and religious heritage.

Finally, one of the most harmful practices in the North Caucasus, as well as one of the most famous Caucasian customs, is the blood feud. For centuries it has served as the main deterrent in society. Despite Soviet attempts to eradicate it, it still occasionally makes an appearance today. This norm of customary law had its own rules. According to *adat*, the victim of a murder or one of his closest relatives had a right to revenge. Sometimes blood feuds spread to a wide circle of relatives up to the third degree of kinship, lasted for years and often resulted in the extermination of entire families. Blood feud forced people to take other people's lives more seriously, to be aware of the inevitability of retaliation and it was a very effective deterrent through the history of Caucasian ethnicities.

At present, the influence of ancient customs on society is waning. Nevertheless, in the eastern part of the North Caucasus, Ingushetia and Chechnya, this practice survives with highly detrimental effects. Devoted Muslims are against this practice. This is primarily due to the fact that the Prophet Muhammad forbade the killing of innocent people and called on believers to value mercy and respect. Recently, people have been forgiving offenders much more often, guided by religious considerations – in Islam, the ability to forgive is one of the highest virtues inherent in a Muslim.

In conclusion, the *adat* traditions and Shariah law, the main foundations of Muslim law in the North Caucasus, do not coincide and often contradict each other. Such customs as blood feuds, excessively rich weddings and funerals, and pagan elements in local customs are directly or indirectly opposed to the norms of Shariah. Shariah has stricter and

<sup>41</sup> Liubov Solovyova and Natalia Pchelintseva, 'North Caucasus: Ritualism of the Children's Cycle at the Beginning of the 21st Century' Institute of Ethnology and Anthropology of RAS <[www.culture.ru/materials/32958/severnyi-kavkaz-obryadnost-detskogo-cikla-v-nachale-xxi-veka](http://www.culture.ru/materials/32958/severnyi-kavkaz-obryadnost-detskogo-cikla-v-nachale-xxi-veka)> accessed 20 August 2021.



clearer regulations for these and many other spheres of social and spiritual life. However, since older generations and ruling elites tend to prefer customary law when Islamic fundamentalists choose to follow Shariah over *adat*, they inevitably cause intergenerational, gender and political tensions in the region.

## 4.

## WOMEN AND ISLAMIC FUNDAMENTALISM IN THE NORTH CAUCASUS

Islamic fundamentalism is often seen as oppressive towards women, especially because of requirements like heavy veiling, sex segregation and widespread polygamy. However, the changes that it has brought to the North Caucasus cannot be defined as unequivocally negative. This study hypothesises that certain aspects of Islamic fundamentalism improve the status of women by mitigating, to an extent, the rigid and often misogynistic framework of North Caucasian *adat*.

Traditional Caucasian society is still based on the collective responsibility of members of the family, clan, and community. The individual is not autonomous but a part of the larger collective. Each person is closely tied to their family, clan, village, ethnicity and the republic, as a whole. The autonomy of women in such a society is significantly lower than that of men. A woman is more tightly bound to private spaces, whereas her entire life is subordinated to the traditions and controlled by the members of the community and family.

Women, often young Muslim women, choose Islamic fundamentalism, as it provides them more autonomy and independence in the decisions that affect their lives. This chapter looks into several practices where fundamentalism gives more freedom to decision-making compared to restraining frameworks of *adat*.

A woman in the North Caucasus was deprived of independence in matters of marriage and family formation. In addition to the bride's own qualities (beauty, diligence, solvency), belonging to the particular estate is important. Most of the ethnicities of the region had the division into classes and estates till the 20th century, and it was almost completely eradicated by the Soviets. Nowadays the only attribute that people use to identify that a person's family belonged to the upper class a century ago is the last name. It is practiced among Karachay and Balkar people

quite widely. So, a family can reject the potential candidate if they think that the person's estate belonged to the lower class. Also, Karachays, like a number of other North Caucasian peoples, do not approve of marriages between members of different ethnic groups. For many young people, this selective attitude of their families becomes an obstacle for marriage to the person they love. However, Islamic fundamentalists do not divide people by nationality or social class and strongly oppose these categories, the main point regarding marriage is a person's religion and piety. A person should not be rejected simply because they are of a different nation or 'bad' estate.<sup>42</sup> Consequently, young women who choose Islam over *adat* have more freedom of choice for marriage.

The custom of bride kidnapping has existed in the Caucasus since ancient times, but already in the Soviet Union, this custom was considered a criminal offence. There are two types of kidnapping widespread in the region: by prior consent or against the bride's will.

Nowadays, kidnapping can be staged as a performance, based on a mutual agreement. In such cases, the abduction of a Caucasian bride is considered justified. Usually, this happens when the parents on either side reject the match based on differences in social status. The theft of the bride in this case is forced by outside circumstances.

If the kidnapping took place without consent, however, it is considered a shame to the whole family. As a result of such a deed, the enmity between families is possible, sometimes reaching the point of a blood feud. The bride faces a hard and joyless choice: to marry the man she does not love or refuse the wedding and thus find disgrace for life. Quite often girls do not want to become the cause of a family feud, so they agree to marry an unwanted man.

However, neither option is approved by the followers of Islamic fundamentalism. They say stealing a bride is forbidden according to Islam, even if the bride herself agrees to this step. In Islam, marriage is legal if the prerequisites are met, such as the consent of both parties, the presence of two Muslim witnesses and the public announcement of marriage (the wedding).<sup>43</sup>

<sup>42</sup> Mufti Suhail Tarmahomed, 'On Marriage to Non-Muslims and Marriage to People of Other Nationalities and Cultures' (*Akimam.ru*, 28 January 2010) <<https://askimam.ru/fatwa/brak-nikakh/o-brake-s-nemusulmanami-i-brake-s-lyudmi-drugikh-natsionalnostey-i-kultur/>> accessed 4 July 2021.

<sup>43</sup> 'Bad Tradition: Bride Kidnapping in Islam' [online video] (*Prosveshchenie*, 7 December 2020) <<https://cutt.ly/KE9o99W>> accessed 5 July 2021.

Another harmful practice, that exists in the North Caucasus, is ‘honour killing’, which is a murder of a family member (usually a female) committed by relatives for bringing dishonour upon the family. So, if an unmarried girl is caught in an extramarital relationship, or if she even is suspected of any ‘disgraceful behaviour’ which can be anything from being in the company of a male who is not her relative to texting to a man, she can be killed by her father, brother, uncle, etc.

Islam categorically condemns lynching or taking the law into one’s own hands and calls for mercy, justice and respect for the law. According to Islam, those who commit adultery should be punished. However, adultery in Islam is hard to prove because it requires the testimony of four people who saw the act itself. Punishment is preceded by a thorough investigation.<sup>44</sup> As the imam of the mosque from Makhachkala notes:

in Dagestan, in Russia, and in the countries of the former Soviet Union, there is no one who has the authority to punish anyone under Sharia law. And so, no one here has the right to assume the role of a Qadi, a judge and someone who carries out punishment. It is unacceptable to kill a person without trial. Such an act has nothing to do with Islam. Especially on the part of a person close to him. On the contrary, he must seek ways to help his daughter or sister.<sup>45</sup>

One more harmful practice that Islamic fundamentalists condemn is ‘female circumcision’ or female genital mutilation (FGM). In the Caucasus, ‘female circumcision’ is common in some highland areas and in the settler villages of the plains of Dagestan, and is practiced in some communities in Ingushetia. It is rarely performed in official medical institutions. Usually, the procedure is performed at home with a knife, scissors or homemade devices. The consequences are loss of sensitivity, infections, sepsis, chronic pain, infertility and mental disorders. This practice is often associated with Islam, but there is no basis for this.

According to anthropologist and Islamic scholar Akhmet Yarlikapov, the traditions of female and male circumcision date back to primitive rites of initiation. The primal meaning of the rituals has been forgotten,

<sup>44</sup> Y Antonova and S Sirazhudinova, “Killed by Gossip” Honor Killings of Women in the North Caucasus. Report on the results of qualitative sociological research in the republics of Dagestan, Ingushetia and Chechnya (Russian Federation)’ (Stitching Justice Initiative 2018) <[www.srji.org/upload/medialibrary/a3d/PPI-2018-12-18-Honor-killings-Eng-final.pdf](http://www.srji.org/upload/medialibrary/a3d/PPI-2018-12-18-Honor-killings-Eng-final.pdf)> accessed 13 July 2021.

<sup>45</sup> Rasul Magomedov, ‘Dagestan Islamic scholars condemned the practice of “honor killings”’ (*Caucasian Knot*, 21 January 2020) <[www.kavkaz-uzel.eu/articles/344903/](http://www.kavkaz-uzel.eu/articles/344903/)> accessed 6 July 2021.

but new – religious – reinterpretations have emerged.<sup>46</sup> Today, ‘female circumcision’ is perceived by some Muslims in the Caucasus as a sign of piety, an indicator of elitism, but more often it is used to demonstrate the power of the kin over the woman, including her body. At the same time, the Quran does not prescribe ‘female circumcision’ and the Sunnah (the second most important source of Islamic law after the Quran) forbids a person to harm himself/herself or others. Therefore, followers of non-traditional Islam, by refusing to follow such harmful practices as ‘honour killings’, bride kidnapping and FGM, are helping in some ways to protect women.

Among other reasons why women choose Islamic fundamentalism is the level of autonomy, it allows within marriage. In traditional Caucasian marriage, quite often the young family lives with the husband’s parents and, sometimes, even grandparents. A couple stays for some time in the husband’s parents’ house, but in cases when a husband is the only son or the youngest son, they will be expected to live with the in-laws without the option to leave. In all cases, the influence of the in-laws is very strong. A newly-married woman’s life is regulated by her in-laws whom she is expected to obey. For example, according to Karachay tradition, a woman cannot call her husband by his name, nor can she pronounce the names of her in-laws. Or she cannot give her children names, this task is reserved for the elders from the husband’s side. Until the middle of the 20th century, and partly at present, all the highlanders of the North Caucasus had the custom of avoidance: the restriction of communication between certain family members, which also imposes certain restraints on the new daughter-in-law. For instance, a young wife was forbidden to talk to the elder relatives of her husband. In strict families this restriction lasted a lifetime, in others, the daughter-in-law was allowed to talk to her husband’s parents after the birth of the first child. The daughter-in-law starts communicating with her mother-in-law first and much later with her father-in-law. In many nations (eg the Kumyks), permission for the daughter-in-law to speak took place in a solemn atmosphere and was accompanied by an exchange of gifts.<sup>47</sup>

<sup>46</sup> Zinaida Borskaya, ‘How to cut a finger, you say? Girls in the Caucasus continue to be subjected to “female circumcision”’ (*Novaya Gazeta*, 28 October 2020) <<https://yandex.ru/turbo/novayagazeta.ru/s/articles/2020/10/28/87732-kak-palets-porezat-govorite>> accessed 28 July 2021.

<sup>47</sup> Tatiana Nevskaya, ‘Traditions of “avoidance” in the Caucasian family (XVII-XXI)’ (2015) 2 *Cultural Life of the South of Russia* 83 <<https://cyberleninka.ru/article/n/traditsii-zbeganiya-v-kavkazskoy-semie-xvii-xxi/viewer>> accessed 24 July 2021.

Communication between husband and wife was also restricted, newly married couples were not allowed to talk in the presence of older relatives, to address each other by name, they were not allowed to be in the same room of the house, to talk, to eat at the same table. Even in the 21st century, the custom of avoidance and female silence continues to be observed in the North Caucasus. However, young couples of Islamic fundamentalists do not consider those norms of *adat* necessary to follow, because they came neither from Quran or Sunnah. Moreover, decisions concerning the immediate family are made between the husband and wife, without the influence of other relatives. Here we see that followers of fundamentalism in Islam deny the importance of kinship and the authority of elders.

Thus, the results of the quantitative study made by Irina Starodubrovskaya show that generational hierarchies are weakening, at different rates in different republics, and Islam, especially the non-traditional one, serves as a tool for breaking down traditional generational relations.<sup>48</sup>

Fundamentalist Islam has been a serious factor in breaking the tradition of endogamous marriages is typical for the Islamic community in most North Caucasian cities.

The choice of a couple is based on common religious ideology rather than kinship or neighbourhood ties, including against the will of their parents. In the context where women choose Islam as a tool for liberation from *adat*, it is worth considering the significance and function of the various trends in Islam, collectively termed Islamic feminism.

#### 4.1. ISLAMIC FEMINISM AND WOMEN'S RIGHTS

Islamic feminism is an emancipatory activist movement and the field of gender studies, which is not accepted by all feminists and not all Muslims. Nevertheless, this trend is gaining momentum both in Muslim countries and in secular states where Muslims live (for example, in Russia).<sup>49</sup>

<sup>48</sup> Irina Starodubrovskaya, 'The Crisis of the Traditional North Caucasian Family in the Post-Soviet Period and Its Consequences' (2019) 17(1) *The Journal of Social Policy Studies* 39 <<https://doi.org/10.17323/727-0634-2019-17-1-39-56>> accessed 2 July 2021.

<sup>49</sup> Julia Galkina, "How I Came to Islamic Feminism" St. Petersburg's Natalia Tambieva - about the women's club for Muslim women and the reaction of experts on Islam' (*The Village*, 22 May 2019) <[www.the-village.ru/people/experience/350759-islam-women](http://www.the-village.ru/people/experience/350759-islam-women)> accessed 2 August 2021.

Islamic feminism appeared in the late 1980s-early 1990s as a new paradigm of the international reformist movement. Such names as Fatima Mernissi, Leila Ahmed, Amina Wadud, Ziba Mir-Hosseini and Asma Barlas etc are increasingly heard in the public discourse. Islamic feminists claim that Islam has in fact given all rights to women and has protected them.<sup>50</sup> But history has shown that for many centuries the interpretation of the Holy Scriptures has been conducted exclusively by men, so today women are dealing with a male interpretation of the text of the Quran. In fact, women are not talking about gaining rights, but about giving back to Muslim women the rights given to them by religion.<sup>51</sup> This is exactly what Western feminist scholars of Islamic feminism try to prove in their writings. In Islamic feminism, women's rights are viewed through the Islamic paradigm, in which the Quran and Sunnah play a key role. By and large, it is a response to Western liberal feminist ideas of women's struggle for their rights through the rejection of religious and ethnic identity.

Islamic feminists pay close attention to the sacred texts, especially to those fragments of them that play a key role in determining the status and rights of women in Muslim society. Of course, this is common to all Muslims: the Islamic tradition assumes strict adherence not only to the spirit but also to the letter of the Quran and the Sunnah. Although Islamic feminism undoubtedly belongs to the modernisation trends of the Muslim religion, suggesting that Islam as an open system can and should respond to changes in historical, political and social circumstances, these changes do not imply that some fragments of sacred texts can be considered inappropriate to the circumstances and simply discarded. All of them are relevant to this day and have enduring sacred meaning. Another thing is that their traditional interpretation may be revised. There is quite a discussion about the interpretation of texts in Islam, and many authors undertake their own *ijtihad* – an independent study on spiritual or legal issues.<sup>52</sup>

For instance, Islamic feminist PhD, Amina Wadud, who has been conducting religious ceremonies in mosques as an imam since 2005,

<sup>50</sup> Margot Badran, *Feminism in Islam: Secular and Religious Convergences* (Oneworld Publications 2009).

<sup>51</sup> Fatima Mernissi, *The Veil and Mail Elite: A Feminist Interpretation of Women's Rights in Islam* (Addison-Wesley 1991).

<sup>52</sup> *ibid.*

explains, 'My understanding of equality comes from the notion of the fundamental Islamic principle of unity, tawhid. In this paradigm, God has no gender, hence the relationship with him is symmetrical for both sexes'.<sup>53</sup>

Aziza Al-Hibri insists that the best example of confirmation of the concept of gender equality is the interpretation of Adam and Eve in the Quran. The Quran states that both sexes were independent and does not reflect the idea that Eve was created from Adam's rib. Even the creation of the first human being, male or female, is not specifically reflected in the Quran. This confirms egalitarian interpretations, since the Quran, unlike the Judaism and Christianity, does not attach importance to which sex God created first.<sup>54</sup> Thus, we can say that the idea of gender equality, of the equal importance of men and women, is set in the broadest context of Islam, consistent with its true spirit.

Russia has its own example of Islamic feminism manifestation, even before this term appeared. One of the most prominent representatives of the protection of women's rights, in particular, in the Tatar Muslim society of the beginning of the 20th century was Mukhlisa Bubi. She was a Muslim religious figure and educator who promoted the education of women and opened schools for them. In 1917 the All-Russian Congress of Muslims makes a bold decision for the Muslim world and was progressive for its time regarding women's rights. Mukhlisa Bubi was elected as a Shariah judge to the Central Spiritual Administration of Muslims. For the first time, a female Shariah judge was elected, it was an unprecedented case in the history of modern Islam. One of her progressive decisions that caused a flurry of negative reactions from men was the clause prohibiting polygamy. Her opponents did not let her implement that clause. However, Bubi distributed an appeal to girls and women not to become second wives. In addition, under her supervision the Spiritual Administration issued a special decree on polygamy with a list of numerous conditions under which it was strictly possible, it made having a second wife almost impossible.<sup>55</sup> Mukhlisa Bubi is an example

<sup>53</sup> Amina Wadud, *Inside the Gender Jihad Women's Reform in Islam* (Oneworld Publications 2006).

<sup>54</sup> Azizah Al-Hibri, 'Redefining Muslim Women's Roles in the Next Century' [2001] *Democracy and the Rule of Law*, Congressional Quarterly 33.

<sup>55</sup> Rozaliya Garipova, 'Muslim Female Religious Authority in Russia: How Mukhlisa Bubi Became the First Female Qāḍī in the Modern Muslim World' (2017) 57(2) *Die Welt Des Islams* 135.



of a Muslim woman in Russia who was able to change patriarchal discourse through education and individual activism.

Western feminists are often accused of seeing religious women as objects of salvation – believing that the believer is a priori at the mercy of patriarchal norms, cannot voluntarily decide to be religious, and cannot consciously observe practices.<sup>56</sup> However, Islamic feminists uphold their right to wear hijab (or not wear) and be openly religious seeing Islam as an egalitarian ideology at its core. In terms of the North Caucasus, Irina Kosterina, sociologist and supervisor of projects in the North Caucasus, noted:

There are my acquaintances, colleagues, friends who wear the hijab of their own free will and say that for them it is very important, i.e., they do not want to impose anything on anyone, to propagandize. On the contrary, in today's situation, for them wearing a hijab is a very courageous step - it is defending their identity, their principles, and values.<sup>57</sup>

Islamic feminism is growing in the North Caucasus, too, although nobody calls it feminism because the term causes strong negative reactions. One of the examples is Maryam Aliyeva, a blogger and women's rights activist, who has published a book about victims of sexual violence in the North Caucasus. Despite the number of detractors, Maryam publishes information on problems that are usually silenced in the Caucasus. Maryam is from Dagestan, she was raised in a traditional, not very religious family, but wears a hijab and position herself as a Muslim woman first. In her blog and interviews, Maryam focuses on cases of violence and manipulation of women. She openly speaks of cases where men 'manipulate religion and use it for their own purposes, violating all the rights of women'.<sup>58</sup>

According to Margot Badran, the American gender researcher, the main ideological goal of Islamic feminists is to return to the Golden Age of Islam, when the number of non-Islamic religions was minimal. At that time women had equal status and held socially important positions - muftis, judges. She says that 'a priority of Islamic feminism is to go

<sup>56</sup> Liv Tønnessen, 'Islamic Feminism. Transcript of a public lecture Regional Institute of Gender, Rights, Peace & Diversity' (Ahfad University for Women, Sudan, 16 January 2014).

<sup>57</sup> 'The Burkini Zone', *Echo of the Caucasus* (Podcast interview with Irina Kosterina, 28 August 2016) <[www.ekhokavkaza.com/a/27951120.html](http://www.ekhokavkaza.com/a/27951120.html)> accessed 28 July 2021.

<sup>58</sup> Anastasia Rasulova, 'Maryam Aliyeva: "How can you calmly look at this?!"' (*Molodezh Dagestana*, 6 March 2021) <<https://md-gazeta.ru/obshhestvo/95889>> accessed 23 July 2021.

straight to Islam's fundamental and central holy text, the Quran, in an effort to recuperate its egalitarian message'.<sup>59</sup> Thus, the gap between Islamic fundamentalism and Islamic feminism is not as big as it might appear at the first sight.

Margot Badran thinks that Islamic feminism has a huge role to play in reforming Muslim communities in the future. One of the examples she brings is Musawah, the main international organisation of Islamic feminism today. It was founded in Malaysia in 2009 on the basis of the 'Sisters in Islam' movement that had existed since the 1990s. The organisation was founded by some of the most prominent Islamic feminists from Iran, Egypt, Turkey, Pakistan, Morocco, Qatar, the United States of America and the United Kingdom. The movement has a presence in Africa and the Middle East, including the Persian Gulf. The organisation tries to encourage women's groups in Muslim countries to advocate radical reform of family laws that discriminate against women, to promote monogamy as a 'Quranic ideal', and to enlist experts, including male sympathisers, in international law and Islamic jurisprudence, history and ethics, to advise women on legal issues and to educate them.

Overall, Islamic feminism has a big potential to serve as a conductor of women's rights in predominantly Muslim regions, like the North Caucasus. Islamic feminists focused on the Muslim identity, on culture, on the egalitarian interpretation of the texts of Islam. Islamic feminism does not express any disdain or disrespect for Islam. On the contrary, it sees Islam as an advanced religion, which creative and humanistic potential has yet to be truly unleashed. According to Islamic feminists, Islam is a religion of equality and solidarity, it should not serve to strengthen the power of elites or to suppress the individuality of some people in favour of others, including the area of gender relations.

#### 4.2. SURVEY RESULTS ANALYSIS

In order to understand how Islamic fundamentalism can impact local women in comparison to Caucasian traditions, it is important first to understand their individual and group experiences. In this study, 25 female

<sup>59</sup> Margot Badran, *Feminism in Islam: Secular and Religious Convergences* (Oneworld Publications 2009).

respondents were interviewed from three republics of the North Caucasus: Karachay-Cherkessia (52%), Kabardino-Balkaria (16%) and Dagestan (32%). Respondents from Karachay-Cherkessia were interviewed during personal meetings, respondents from Kabardino-Balkaria and Dagestan were interviewed via video calls due to the COVID-19 pandemic restrictions in place at the time. Most of the respondents were between 26 and 32 years old – the main criteria for the survey is reproductive age because at this age local women are the most active and through their experiences it is easy to observe social and family changes. The preference was given more to married women, as it was significant for the research aims to compare traditional and fundamentalist families. Also, the number of women from more traditional surroundings and women who were more religiously devoted were chosen approximately. First interviews were held within my circle of relatives and colleagues, from my previous personal observations it was already clear for me who might be more religious and who is more traditional. A further ‘snowball effect’ helped find other respondents, and the respondents from other republics were found through mutual acquaintances, as well. This method is the most suitable for my study, as I asked sensitive and personal questions and it was important to develop trust before they felt comfortable answering those questions, so having someone as an intermediate person or knowing them personally was essential.

The questionnaire for the interviews was designed with regional characteristics in mind, reflecting the main spheres of life of women in the North Caucasus. Weddings, married life and childbirth are some of the most important aspects of a local woman’s life, and therefore would be some of the first to be impacted by social and ideological changes. The questions about headscarves are an important way to identify religious devotion. Discussing the headscarf reveals whether a woman is from a religious environment and can reveal any problems with societal acceptance. Additionally, it was important to define what role religion plays in the lives of all respondents, therefore several questions about religion were asked. Questions about education aimed to determine the importance of knowledge in the respondents’ lives and ways of professional development. In the end, a few open-ended questions were asked to see how the women evaluate their own status in modern North Caucasian society.

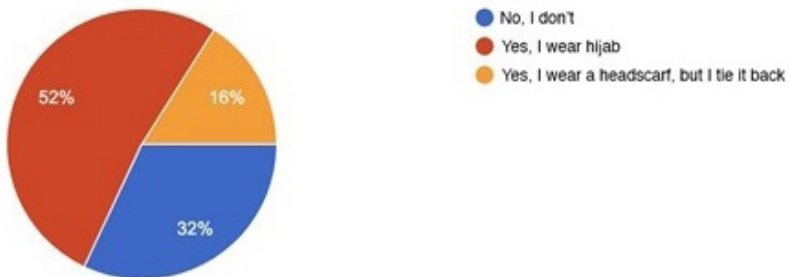
Graph 1. What republic of the North Caucasus you are from?



Due to time and network limitations, there are no respondents from rural areas. Most of the respondents are from urban areas and eight of them are from suburban areas. However, I do not consider it as a limitation of the study, as the process of modern Islamisation is more intensive in the urban areas whereas rural areas stay more or less untouched by this type of socio-cultural trend.

Among respondents, 52% were wearing hijab, which is considered a sign of more devoted Muslim women in the region. 32% do not wear any headscarf, which is usually considered a more secular or traditional outfit, as young unmarried women often did not cover their hair in the past. 16% of surveyed women cover their hair but in a more traditional way, as usually done in the region after marriage, which is tying the headscarf back which leaves the neck open.

Graph 2. Do you wear a headscarf?



23 respondents have higher education diplomas and one of the open-ended questions was if their diploma related to their current occupation and if not why. Eight respondents either never worked or never wanted to have a job related to their university degree job. The reason in most of the cases that they chose the field is because their parents advised or pushed them to study it. Respondent A said, 'I have two university degrees. I chose one myself, I really wanted to be a lawyer, and the other one, English and German teaching degree, my mother insisted on. I would like to have a job related to my law degree, but my brothers and husband do not want to. That's why I work as a language teacher'.<sup>60</sup> Young girls often choose out of a very limited list of fields that are approved as appropriate for women. Usually, it is being a teacher or a doctor/medical nurse. Another respondent, who also has a law degree, mentioned that she does not work as a lawyer or in law enforcement agencies, because it is hard to receive those jobs when a woman wears a hijab. However, there is a positive strand in the answers, too, four surveyed women opened and are developing their own businesses.

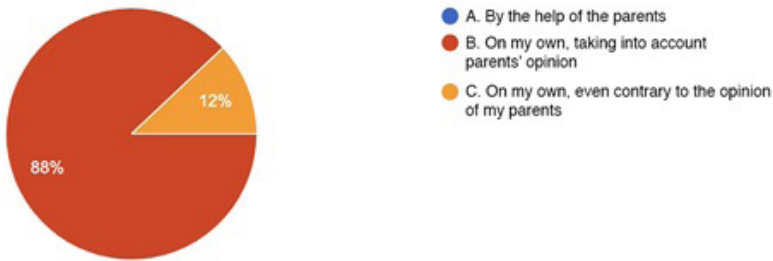
Further, women were asked to choose the fields of work where they approve of the active participation of women. Almost all of them approved active participation of women in production (for example a factory worker), in a business career, and in the fields of medicine and education. But only half of the women approved in law enforcement agencies or in politics. The respondents expressed doubts that women can do those jobs, because they are not strong enough, and see them as male jobs, which demonstrates that gendered stereotypes are embedded in the minds of women, too.

Most surveyed women answered that the preferable way to marry for them is on their own, taking into account parents' opinion and only 12% of respondents would choose to marry on their own, even contrary to the opinion of their parents. However, in the follow-up question, if their own marriage corresponded with their ideal way, ten women out of 17 married ones said that they married against their parent's will. And seven of these women were followers of Islamic fundamentalism and chose their partners on the grounds of piety. In general, religious devotion was one of the most mentioned criteria for the chosen or future husbands among women. However, three women mentioned that they chose specifically moderate religious partners.

<sup>60</sup> Interview with Respondent A (online, 26 August 2021).

One of the patterns that confirms the hypothesis of the study was found in the answers of three non-traditional Muslim women. Here is what Respondent B says: 'I got married against my parents' will. My father was against it because my future husband belonged to a different ethnic group. But for me, his decency, reliability, and religion were the main criteria'.<sup>61</sup>

Graph 3. What is your ideal way for getting married?



The other two women mentioned one similar obstacle: having an older sister. 'My parents didn't agree right away, since I have an older sister. But I gave him my consent because his religiosity and worldview coincided with mine. His eagerness to develop in his work and his ability to take responsibility for his family attracted me as well.'<sup>62</sup> When there is an older unmarried sister(s) in a Caucasian family, the younger one has no right to marry earlier, but for the followers of Islamic fundamentalism, this tradition, as well as the one of marrying only within one's ethnicity, goes against their understanding of Islam. In comparison, Respondent D from a traditional family said, 'I wasn't really sure about the choice. The fact that the groom was a friend of my brother played a big role. My mother's approval and the fact that she hurried me because she liked the family also played an important role'.<sup>63</sup> Comparing those answers, it also seems that women who chose 'pure' Islam as the main life philosophy have more freedom of choice in choosing their partner than followers of *adat*.

<sup>61</sup> Interview with Respondent B (online, 25 August 2021).

<sup>62</sup> Interview with Respondent C (Cherkessk, 20 August 2021).

<sup>63</sup> Interview with Respondent D (online, 2 September 2021).

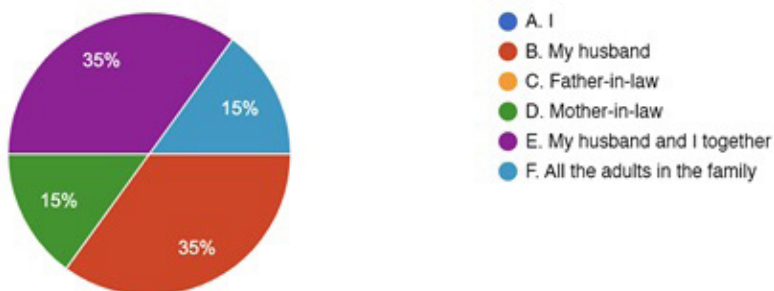
To identify how wedding ceremonies are changing and what are the women's preferences at present, respondents were asked to describe their weddings or, if a woman is not married, what it would look like. Most of the women described their weddings as traditional, with some secular or religious elements. One tendency, however, emerged in multiple answers: no alcohol at the wedding celebrations. This trend has manifested itself both at religious and traditional weddings; it shows that society accepts the rules that religion dictates, even if it does not fully adhere to them:

I had a modest wedding. It was more religious, there was no alcohol, no music, but some traditions were observed, for example, the headscarves were taken off and I was shown to elders and presents were given. It was a compromise with the older generation. If not, it would have been an even more money-saving option.<sup>64</sup>

But nonetheless, only a few women said that their wedding celebration was modest, most women said their weddings were quite big and expensive. In the aftermath, some of them see those expenses as unnecessary. 'I had a rather traditional wedding, it was expensive for my mother, she paid off her debts for two more years. Now I would do it in a different way, more modestly.'<sup>65</sup>

To determine power dynamics within the family, women were asked who makes/made decisions in their families.

*Graph 4. Who makes decisions in your family?*



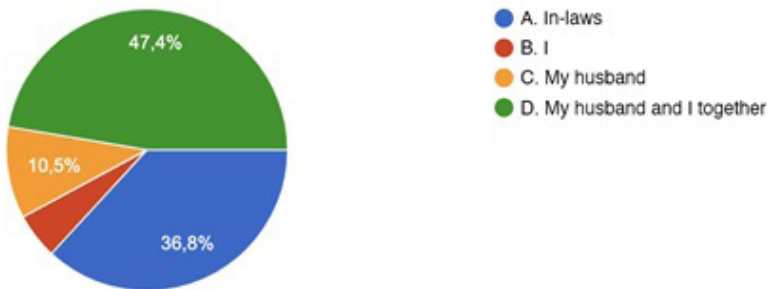
<sup>64</sup> Interview with Respondent C (Cherkessk, 20 August 2021).

<sup>65</sup> Interview with Respondent D (online, 2 September 2021).

From the graph, we see that the most common scenarios are the husband alone taking charge in making decisions or the husband doing it together with his wife. But what is more interesting is that more than a quarter of respondents admit that there is someone outside of the nuclear family that affects decisions made within the family. Two divorced women out of three admitted that their mother-in-law was the indirect reason for their divorce. ‘From outside it looked like my husband was the one who decided what to do in our family. But in reality, his mom was the one who had power, even though we did not live together with her, she controlled everything. I could not even choose where I will give birth!’<sup>66</sup> It is worth noting that some of the women who have embraced Islamic fundamentalism live under their in-laws’ control. In such situations, the level of the husbands’ religious devotion is less than the wives’. This discovery demonstrates that Islamic fundamentalism can help improve women’s status within the family and liberate her from the subordination of the extended family only in cases when both spouses are equally devoted to Islam.

To indicate how important *adat* is in the families of respondents, women were asked who named their children. In this study, I suggest that in traditional families, those who follow the *adat*, the husband’s parents and other relatives name the children and the results confirm my assumption. Indeed, 36.8% of women, whose children were named by in-laws, were from families where *adat* is still observed. In contrast, in more religious families, the children’s names were decided by the spouses together or by the husband alone.

Graph 5. Who gave a name to your child?

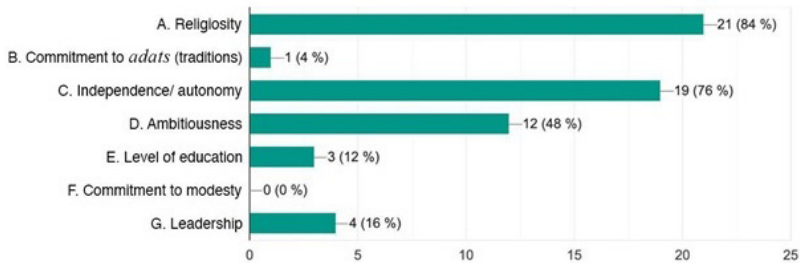


<sup>66</sup> Interview with Respondent E (Cherkessk, 22 August 2021).



To the question, what distinguishes them from the generation of their parents, the majority chose religiosity first and then independence/autonomy. Respondents explain their choices saying that their parents' generation grew up with communist values and religion for them was either an element of *adat* or not important at all. Also, 12 people think ambitiousness as a desire for personal and social advancement is a distinguishing feature of their generation.

Graph 6. What distinguishes you from the generation of your parents?



To identify religious patterns respondents were asked several questions, at first if their parents/siblings/friends are religious and how it affects them, to which the overwhelming majority responded that their parents did not influence them in terms of religion at all. They acknowledge that the surrounding society, including friends and classmates, have more impact on their interest in religion. This confirms the observations made by Starodubrovskaya in her study of traditional Caucasian families, where she mentions that young people's religious evolution takes place primarily in communities of peers and like-minded people, and their entry into Islamic fundamentalism in many cases comes for family members as a complete surprise.<sup>67</sup> This is how one of the respondents who positioned herself as non-religious described the way she feels about the influence of religious members of society:

My parents are not religious, but there are many people around me who are in Islam, but everyone is at different levels. It does not affect me significantly. But in general, changes in society have an impact, there are

<sup>67</sup> Irina Starodubrovskaya, 'The Crisis of the Traditional North Caucasian Family in the Post-Soviet Period and Its Consequences' (2019) 17(1) The Journal of Social Policy Studies 39 <<https://doi.org/10.17323/727-0634-2019-17-1-39-56>>.

more people around who look and act like real Muslims. And this causes self-reflection that I do not live according to Islam as they do, and in their eyes, I seem to be a sinner.<sup>68</sup>

Women who wear hijab answered a couple of extra questions about the attitude of their parents towards their outfit and if it was a particular moment when they decided to wear hijab. Most of the women noted that their parents did not support them in their decision to wear hijab, nevertheless, it did not stop the women from wearing it. As reasons for such rejection respondents name fear for their daughters, joining the terrorists or prosecution from law enforcement agencies. Moreover, a hijab can become an obstacle for receiving or keeping a job:

When I was going to wear a hijab, I decided to warn my mother, but she didn't believe me and said 'Don't talk nonsense'. Instead of support, there was an aggressive attitude, they tore my hijab and wouldn't let me out of the house. They were afraid because of the security forces and that I would go to the 'forest' (join the Islamic extremist underground). I was also fired from my job because 'it would disturb the customers of the store.'<sup>69</sup>

Another interesting pattern came out regarding religious knowledge. Women were asked which madhhab they belong to. Madhhab is a school of thought within Islamic law. In Sunni Islam, there are four main madhhabs named after the founder of each school: Hanafi, Maliki, Shafi'i and Hanbali schools of law. Historically, two of them, Hanafi and Shafi'i, were predominant in the North Caucasus. However, nowadays Islamic fundamentalists do not see it necessary to belong to one of them. 'I don't follow any of them. We follow the Prophet. I think that it is wrong to follow one madhhab. It should be flexible. And I do not consider myself a Salafist, we are Sunnis and follow the Sunnah of the Prophet.'<sup>70</sup> Half of the women consciously choose not to belong to any school of law, another half belong to one which is traditional in the region, but they do not know the difference between those schools. There were a few women who did not know what it was. In general, women expressed regret about their lack of Islamic knowledge and willingness to know more. Most of them use the internet as a resource of

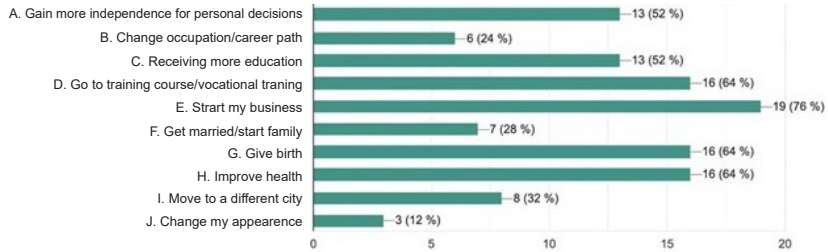
<sup>68</sup> Interview with Respondent F (Cherkessk, 14 September 2021).

<sup>69</sup> Interview with Respondent G (online, 12 September 2021).

<sup>70</sup> Interview with Respondent E (Cherkessk, 22 August 2021).

knowledge about Islam: online lectures, talks of religious leaders, posts from social media, etc.

*Graph 7. What would you like to change in your life? Choose at least five*



Graph 7 shows the priorities of surveyed women in their life at the moment. The majority of the women want to start their own business and they believe that the current generation is more ambitious than their parents. Respondent H commented on it saying that parents use the tactic of ‘keeping a low profile and not being different from others’.<sup>71</sup> She brought an example of her husband who received a very lucrative job offer, requiring relocation to a neighbouring city. However, his mother resisted because she believed that it was not worth changing anything and a small income was not a reason to change their place of residence.

Such a high score might look surprising for such a traditional region, implying that respondents do not prioritise marriage. Most of the surveyed women are already married. However, even unmarried and divorced women chose marriage as one of the priorities, but none of them put it as the top priority. This could be explained by the need to provide for their families, both before and after marriage. Women in the region are active participants in local businesses, and more and more of them open their own small and medium-sized businesses, such as beauty and cosmetics shops and studios, bakeries and pastry shops, children’s and women’s clothing stores. A new trend, businesses by women for women, allows those more dedicated to Islam to work outside the home but stay within the limitations of their religion, such as not mingling with unrelated men.

<sup>71</sup> Interview with Respondent H (online, 27 August 2021).

Equally important to women is going to training courses/vocational training, giving birth and improving health. One of the most frequent complaints among women is that they do not have enough time to care about their health. This score confirms one of the results of the survey conducted by the Heinrich Boell Foundation in Dagestan, Chechnya, Ingushetia and Kabardino-Balkaria, in which women from all the republics but Kabardino-Balkaria prioritised improving their health.<sup>72</sup> More than half of the women surveyed for this project want to receive more education and gain more independence for personal decisions.

One of the goals of the survey is to identify how active women are in civil society. This is a particularly relevant question because of the September 2021 parliamentary elections in Russia. The key concept in the exercise of public power is its legitimacy or the recognition of power by the citizens themselves and their willingness to implement its decisions. In modern states, including the Russian Federation, legitimacy is achieved through electoral procedures. The power to adopt federal laws is vested in the deputies of the State Duma (Russian Parliament). Therefore, the issue of choosing a new parliament is extremely important, because the quality of passing laws directly depends on the elected deputies. Unfortunately, the majority of women express indifference to the civil-political context of the region and the country, in general. However, some of them are interested in the region's ecological issues and are ready to participate in social and private initiatives, but they express complete distrust in the current local and federal governments. The overwhelming majority of respondents are not going to vote: 'I'm not interested in politics. I don't go to elections because I think it's useless'.<sup>73</sup> Only two women mentioned religion as the main reason for their rejection to vote. But one woman who previously admitted that she is Salafi expressed interest in elections: 'I am a little interested in politics, I watch opposition channels. I didn't vote before, but now I think if I live in this country, I must prevent lawlessness, so I will go to vote'.<sup>74</sup>

<sup>72</sup> Irina Kosterina, *Life and Status of Women in the North Caucasus. Report summary on survey by Irina Kosterina* (Heinrich-Böll-Stiftung 2015) <<https://ru.boell.org/en/2015/08/20/life-and-status-women-north-caucasus-report-summary-survey-irina-kosterina>> accessed 11 August 2021.

<sup>73</sup> Interview with Respondent I (Ust-Dzheguta, 25 August 2021).

<sup>74</sup> Interview with Respondent H (online, 27 August 2021).

Additionally, respondents were asked if they have seen any changes in women's position in society in the region over the last 20 years. Half of the interviewees stressed that women became more independent: they are less dependent on public opinion and are often the breadwinners in their families. Also, several times the number of divorces was mentioned; women no longer think divorce is a disgrace and they no longer tolerate violence, because it is shameful:

Women have become more independent, less afraid of public opinion. They can get divorced, and not tolerate living with an alcoholic or a drug addict, since they can feed themselves and their family. They began to fulfil themselves in the profession. However, there is less modesty, but this is my subjective opinion.<sup>75</sup>

Also, most surveyed women are sure that being a man in the North Caucasus is easier. They emphasise that a woman has to be a good girl, wife, mother, housekeeper, but in addition have a job. They usually carry all the household duties in the marriage and do not receive much help from their husbands. They also noted that a woman needs to go a long way to earn respect from others and win support, it is more difficult to build a career path if you are a woman. In general, men have more opportunities to develop as a person:

It's easier to be a man. For example, after a divorce, he can easily find himself a wife, even a hundred. And it is harder for a woman, people will say that there is something wrong with her if she is divorced. If a man wants to go somewhere to study, he will be supported in this decision, a woman not always. And they definitely won't let her study abroad. Or, for example, in Dagestan, a female singer wanted to become a deputy, and everyone turned on her and wrote scathing comments. But a male singer would have been supported.<sup>76</sup>

This question, in particular, elicited a wide range of responses. Another respondent, Respondent K, claims that 'It used to be easier to be a man. Now it makes no difference, it's easier for everyone. Men don't have to work hard at a physical job, and a woman can work and have status without a man'.<sup>77</sup> In contrast, a smaller group offered the opposite opinion: 'It's not easy for anyone. It is difficult for a man to

<sup>75</sup> Interview with Respondent I (Ust-Dzheguta, 25 August 2021).

<sup>76</sup> Interview with Respondent J (online, 10 September 2021).

<sup>77</sup> Interview with Respondent K (Cherkessk, 21 August 2021).

provide for a family in the republic. It is difficult for women, especially religious ones, to find a job'.<sup>78</sup> There was no consensus among women, independent of their religious identity or degree of devoutness.

As a final question, I asked respondents to take time and think about what women in the North Caucasus lack. Interestingly, most women mentioned education: high-quality formal education, more options for non-formal education, religious education, an opportunity to have courses in only women's space. Women, followers of Islamic fundamentalism, see religious education as a tool that would help them to defend their rights within the Islamic framework:

Women need knowledge: they do not know their religion well and this gives room for manipulation by men. Also, free time: they are swamped with household chores and don't have the time or desire for knowledge, so women endure injustice because of ignorance. And autonomy from their parents and husband's parents: observing *adat* and religion together is impossible since most of them are from paganism. *Adat* violates the boundaries of the family, there is no such thing in religion.<sup>79</sup>

Additionally, respondents indicated a lack of opportunities for financial independence and professional development. Self-confidence and courage were also things that were mentioned more than once, one of the respondents succinctly expressed all the ideas that the interviewees somehow mentioned:

Healthy feminism is what we all lack, which means respect for our boundaries, rights, opportunities to be heard, self-sufficiency, respect for ourselves as individuals. Many girls, in spite of all the possibilities, only want to get married and live 'happily ever after'. I understand the pressure of society, you become visible for society only if you are married, but in the city, there are many other opportunities. Girls need to get rid of the learned helplessness. And also, I want it to become fashionable in the Caucasus to go to psychotherapy!<sup>80</sup>

The results of these interviews highlight several things that are crucial to better understand the broader picture of women's position in the North Caucasus:

<sup>78</sup> Interview with Respondent I (Ust-Dzheguta, 25 August 2021).

<sup>79</sup> Interview with Respondent C (Cherkessk, 20 August 2021).

<sup>80</sup> Interview with Respondent F (Cherkessk, 14 September 2021).

1. Social stereotypes about gender and fundamentalism impacts education and employment
  - Women are often pushed to receive education in a field that they are not interested in due to social stereotypes about 'female' jobs;
  - Even if studying in a field they like, women are further precluded from professional development through stereotypes about Islamic fundamentalism: wearing a hijab can be an obstacle in being hired for jobs in law enforcement agencies;
  - Women themselves are biased against other women as they have internalized gender stereotypes and doubt women's ability to be good in non-'female' jobs, such as police officer or politician.
2. Religious devotion often trumps *adat* customs in situations related to marriage and family life
  - Even though women prefer to have the approval of their parents when they marry, half of the respondents married against their parents' will;
  - Religious devotion was one of the most mentioned criteria for a future husband;
  - Several interviewed followers of Islamic fundamentalism chose their partner despite *adat* limitations, as the presence of older sister and different ethnicity;
  - Traditional weddings are more expensive; followers of Islamic fundamentalism tend to have more modest celebrations;
  - Islamic fundamentalism can liberate newly married families from the power of familial hierarchy, but only in the case when both spouses are equally devoted Muslims, in such families decisions are made within a nuclear family (for example name their children).
3. Women choose fundamentalism as a means for self-improvement
  - Respondents see religiosity and independence/autonomy as the main distinguishing features of their generation;
  - Women admit that the surrounding environment has more impact on their religiosity level than their family;
  - Religious women who wear the hijab in most cases do it against the odds; they would not receive support from the family and could be fired from work;
  - Women have limited religious knowledge and express willingness to know more so that men cannot manipulate them through false information.

## CONCLUSIONS AND RECOMMENDATIONS

The study had a goal to better understand the current situation concerning the position of women in North Caucasian society who live within the 'legal triangle' and often choose the non-traditional strand of Islam as the main ideology in their lives.

One of the main findings of this study confirms that the problem of gender inequality in the North Caucasus manifests itself in all possible spheres. In general, women's rights and opportunities are below the average norms of international civil society. Additionally, many women's civic consciousness are underdeveloped. They are not aware of their rights, do not try to exercise them, do not even want to, and do not consider social or legal equality with men either possible or necessary. Furthermore, women, who have been raised in a traditional society, have internalised the stereotypes that conform to traditional social norms, confining all women's activities to the family. Under such conditions, it is very difficult for a woman to claim equal rights. Even when a woman is aware of herself as a full-fledged member of society and is oriented towards active citizenship, her aspirations are often blocked, and her ability to express herself depends on the permission and support of her family.

Within this context of social and legal inequality, women's choice to turn to fundamentalist Islam is not as surprising as it may seem. Firstly, it was established that in the North Caucasus Islamic fundamentalism is primarily an ideology of intergenerational conflict. On the one hand, it does not require unequivocal adherence to a particular religious authority and allows independent interpretation of religious dogma, thus departing from the ideology of hierarchical subordination characteristic of traditional society and placing greater emphasis on personal choice. On the other hand, in Islam, which generally upholds the idea of the



subordination of the younger to the older, objections from the younger in matters of faith are considered legitimate. Thus, in the initial stages of intergenerational conflict, this ideology provides an opportunity to express the younger generation's protest against traditional hierarchies of *adat* without breaking radically with the general norms of traditional society.

Secondly, non-traditional Islam is becoming one of the ideologies of social protest in the North Caucasus. Opposition to official Islamic bodies that are closely connected with the state authorities and the power structures allows them to express their rejection of corruption, lawlessness, double standards and other negative phenomena that young people observe in everyday life. It should be noted that only a small share of representatives of non-traditional Islam are supporters of armed protest or open conflict. Also, some groups belonging to non-traditional Islam actively participate in charitable or human rights activities, actually being part of civil society in their republics.

Unfortunately, the dominant government policy is that of suppression. Representatives of certain types of Islam are automatically equated with extremists, leading to persecution from law enforcement agencies. This contributes both to the growth of real radicalisation of young people and to the strengthening of legal lawlessness which manifests in the growth of abuse of power by officials and corruption in the North Caucasus republics. To keep the region peaceful, one of Russia's policy goals in the North Caucasus, it is necessary to make serious changes to state policy.

It is necessary to recognise that today a significant part of young people in the Caucasus, especially in urban areas, adhere to non-traditional Islam. And to a large extent, this is a socially active stratum of people who are not indifferent to the future of the area where they live, who are interested in developing education and conflict resolution. And the question is not simply to neutralize this energy but to use it constructively to solve real social tasks.

Finally, this study hypothesises that young Muslim women choose Islamic fundamentalism as an escape from or an alternative to the restraining frameworks of *adat*. By following Islamic fundamentalism, these women have more freedom in choosing their future husbands since the only true criteria is religious piety. This has been a serious factor in breaking the tradition of endogamous marriages – the choice of a couple becomes based on common religious ideology rather

than kinship or neighbourhood ties, which is the more typical type of marriage in most North Caucasian cities. Furthermore, women prefer Islamic fundamentalism because of the level of autonomy it allows within marriage, as decision-making usually takes place only between wife and husband, excluding the rest of the in-laws.

Additionally, Islamic fundamentalism unexpectedly can serve as a guarantee of women's rights in the North Caucasus. Proponents of a more conservative strand of Islam condemn such harmful practices as bride kidnapping, 'honour killings' and female circumcision. According to them, those practices have nothing to do with Islam because they are not present in the Quran and the Sunnah forbids Muslims to harm themselves or others.

The qualitative research, in the form of a survey, that was conducted in the three North Caucasian republics: Karachay-Cherkessia, Kabardino-Balkaria and Dagestan, confirms the original hypothesis.

As demonstrated by their answers, Islamic fundamentalist women frequently have more freedom in choosing their future husbands, as well as they are more liberated from the power of traditional ties. However, a nuance was found: Islamic fundamentalism can emancipate newly married families from the power of familial hierarchy only in the case when both spouses are equally devoted Muslims, otherwise, the power of *adat* will prevail.

Other findings indicate that social stereotypes about gender and fundamentalism impact education and employment: women often do not choose the field of study they want based on social pressure and endure discrimination because of openly showing their religious devotion. Devoted Muslim women often choose fundamentalism as a means for self-improvement: women want to be active participators in the economic life of their republics and gain more knowledge, including religious knowledge because it will help to avoid manipulations by men.

In places where a large number of women use Islam as the main part of their identity, alternative ways to promote women's rights should be considered. Secular Western and federal Russian understanding of women's rights might go against the values and way of life of North Caucasian Muslim women. In these circumstances, Islamic feminism can be a tool that can help promote the rights of women within the Islamic paradigm.

According to Islamic feminists, the sacred texts of the Quran are translated and interpreted in a way that benefits patriarchal attitudes.

They advocate family law reform, including monogamy, and an interpretation of the Quran that provides equality for men and women. To reach that goal women need a theological education. Muslim women of the region need educational activities that change the level of consciousness. Although this is a very long-term prospect, if humanistic concepts of Islamic feminism are explained by educated specialists, this can gradually change women's consciousness. Ideally, women can embrace being both Muslim and relatively independent at the same time.

However, currently, the regional gender policy is based on the constitutionally enshrined secular equality of the sexes. As part of the Russian Federation, on paper, men and women of the North Caucasus have equal rights to education, work and self-realisation in various spheres of society. However, these constitutionally established secular rights are not supported by real practices. Therefore, to fulfil its obligations according to CEDAW it is recommended the state follow these main directions:

- Conducting gender expertise of normative legal acts adopted by government bodies;
- Adoption and implementation of special programmes aimed at eliminating gender-based discrimination;
- The inclusion of measures ensuring gender equality in national programmes of North Caucasian republics aimed at implementing the constitutional rights and freedoms of citizens, as well as in programmes for the development of the social sphere;
- Education and promotion of a culture of equality between men and women;
- Protection of society from information aimed at discriminating against citizens on the basis of gender;
- Compliance with the generally recognised principles and norms of international law as well as with the international obligations of the Russian Federation.

In order to ensure the involvement of all parts of the North Caucasian population, especially young Islamic fundamentalists, it is recommended that regional North Caucasian governments:

- Consider non-traditional Islam as a religious trend, whose supporters have the right to worship, within the framework of freedom of conscience guaranteed by the Constitution of the Russian Federation. This religious trend should not be conflated with terrorism – acts that violate the law;
- Ensure the participation of young people, including those belonging to non-traditional Islam, in educational programmes to broaden their understanding of the modern world (scientific, cultural, etc);
- Involve young people belonging to non-traditional Islam in the solution of important tasks, from the point of view of public policy, thus forming the basis for dialogue and joint activities with other groups of young people (eg organising and conducting campaigns to clean up the cities, promoting recycling, coordinating and participating in sport and cultural events).

The greatest problem at present is the lack of education. Islam is more progressive with regard to women's rights than *adat*. Even fundamentalist interpretations of Islam do not forbid women to study and hold positions in society. However, the lack of knowledge and education, including Islamic education, contributes to violations of women's rights.

Local and international NGOs, as well as non-profit organisations, need to engage in serious educational work involving women who know religious law and *adat* as well as promote Russian law in the region. NGOs have the capacity to transform the region, as grassroots initiatives invoke more trust than governmental efforts, thus the recommendations to NGOs are:

- It is also necessary to provide women with opportunities to receive legal, cultural and religious education and encourage their self-realisation;
- Create women only, as well as mixed spaces, where people will unite on basis of interests to the social change;
- Translate and circulate literature that promotes Islamic feminism and activism, and train women-specialists in the field of Islamic law;
- Involve local influencers in human rights activities;
- Interact with mass media and the population to address issues of preventing violence against women, achieving gender equality, and protecting and realising women's rights;

- Develop and implement information programmes, lectures and seminars for law enforcement officials, medical, social workers, teachers, other professionals, students and various segments of the population on the prevention of gender discrimination and the implementation and protection of women's rights;
- Create online and offline educational platforms aimed to resist various forms of gender discrimination;
- Organise classes for young women and girls where they will be taught about women's rights, health, a woman's reproductive system, early marriages and their consequences;
- Coordinate workshops for developing their leadership skills and invite successful women from different fields to tell their stories of success;
- Organise events both for specialists and for a wide audience (festivals, exhibitions, public lectures);
- Launch volunteer programmes for specialists from different fields.
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The perceptions of women in the eyes of residents of the North Caucasus and their place in society do not yet correspond to the norms and requirements of an equal civil society. Achievement of real and full gender equality in the national republics is unlikely to be observed in the near future. However, the preconditions for equality and increasing the role of women in society have already taken shape on the basis of fundamentalist Islam, and understanding and using Islamic teachings in advancing women's rights is a crucial step towards an equal society.

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## INTERVIEWS

- Interview with Respondent A (online, 26 August 2021)
- Interview with Respondent B (online, 25 August 2021)
- Interview with Respondent C (Cherkessk, 20 August 2021)
- Interview with Respondent D (online, 2 September 2021)
- Interview with Respondent E (Cherkessk, 22 August 2021)
- Interview with Respondent F (Cherkessk, 14 September 2021)
- Interview with Respondent G (online, 12 September 2021)
- Interview with Respondent H (online, 27 August 2021)
- Interview with Respondent I (Ust-Dzheguta, 25 August 2021)
- Interview with Respondent J (online, 10 September 2021)
- Interview with Respondent K (Cherkessk, 21 August 2021)

## APPENDIX

### *Interview Questions and Guidelines*

Thank you very much for agreeing to talk to me today. My name is Zemfira, I am a master's student at Yerevan State University studying human rights and democracy in post-Soviet countries. The goal of my study is to develop a better understanding of the religious and social changes that are taking place in the North Caucasus at the moment, with a special focus on the rights and status of local women. Your personal experiences and opinion are the most important thing and you do not need any prior knowledge to take part in the survey. Your identity will be confidential; therefore, the research does not anticipate any risks to you. Our conversation will not be recorded, but with your acceptance I would like to make notes during our conversation, these notes will not be shared with any third parties. Also, you are completely free to skip any questions you are not comfortable with answering and please, contact me later in case you have any worries regarding the interview or regarding the information you shared with me. Feel free to ask any questions.

1. How old are you?
2. What is your level of education?
  - A. Completed Secondary education (high school)
  - B. Specialised secondary education (technical school?)
  - C. Incomplete higher education (no diploma)
  - D. Complete higher education (at least BA diploma)

- 2.1. Is your degree connected to your current occupation? If not, why?
- 2.2. Do you approve of the active participation of women in ... ? Put  
1=yes; 2=no; 3-indifferent
- A. In production activities (ex: factory worker)
  - B. In a business career
  - C. In the fields of medicine and education
  - D. In law enforcement agencies
  - E. In politics
3. What area do you live in?
- A. Urban
  - B. Suburban
  - C. Rural
4. What is your marital status?
- A. Single/not married
  - B. widow
  - C. Divorced
  - D. Married
  - E. Live in a civil marriage

If person is married:

- 4.1 What is your ideal way for getting married?
- A. With the help of parents
  - B. On your own, taking into account parents' opinion
  - C. On your own, even contrary to the opinion of your parents
- 4.2 Does the way you get married align with your ideal way of getting married?
- 4.3 Tell me more about how you chose your husband.
- 4.4 What was your wedding like? (if not married) What would it be like?

4.5 Who in your family makes decisions?

- A. I
- B. Husband
- C. Father-in-law
- D. Mother-in-law
- E. My husband and I together
- F. All the adults in the family

4.6 Do you sit at the same table during lunch in your family (breakfast, dinner) in the following situations?

- A. Without outsiders
- B. When the father-in-law, the mother-in-law is there
- C. With other relatives
- D. In front of strangers

4.7 Who gave a name to your child?

- A. In-laws
- B. I
- C. My husband
- D. My husband and I together

5. What distinguishes you from the generation of your parents?

- A. Religiosity
- B. Commitment to *adats* (traditions)
- C. Independence/autonomy
- D. Proactivity
- E. Level of education
- F. Commitment to modesty
- G. Leadership
- H. Ambitiousness

6. Are your parents/siblings/friends religious and how it affects you?

6.1 (if a person wears a scarf) I see you are wearing a scarf. Have you always worn one or was it a particular moment when you decided to wear it?

6.2 Were your relatives/parents/siblings/colleagues supportive of your decision? What is their attitude towards the headscarf?

7. Do you support or oppose polygamous marriages?
  - A. Strongly support
  - B. Support
  - C. Do not support
  - D. Strongly oppose
  - E. Hard to say
  
8. What would you like to change in your life? Put them in the order, where 1 is the highest priority and 10 the lowest.
  - A. Gain more independence for personal decisions
  - B. Change occupation/career path (or leave work to stay at home)
  - C. Receive more education
  - D. Go to training course/ vocational training
  - E. Start my business
  - F. Get married/ start family
  - G. Give birth
  - H. Improve health
  - I. Move to a different city
  - J. Change my appearance
  - K. Other
  
9. If you have a serious problem in your family who will you turn to for help?
  - A. Parents
  - B. Imam
  - C. Police
  - D. Friends
  - E. Sister/brother
  
10. Do you belong to any madzhab? If yes, which one? If not, why not?
  
11. Where do you learn about religion? Would you like to know more?
  
12. Do you consider yourself an active citizen? Do you go to elections?
  
13. Do you think women's position in society changed in the region in the last 20 years? Why or why not?

14. Do you think it is easier to be a man or a woman in North Caucasus society? Why?

15. What do women lack in the North Caucasus?

*Russian original*

Опросник и руководство

Большое вам спасибо за то, что согласились поговорить со мной сегодня. Меня зовут Земфира, я студентка магистратуры Ереванского государственного университета, изучаю права человека и демократизацию в постсоветских странах. Цель моего исследования - лучше понять религиозные и социальные изменения, происходящие в настоящее время на Северном Кавказе, с акцентом на правах и статусе местных женщин. Ваш личный опыт и мнение — это самое важное, вам не нужны предварительные знания, чтобы принять участие в опросе. Ваша личность будет конфиденциальна, поэтому исследование не предполагает каких-либо рисков для вас. Наш разговор не будет записан на диктофон, но с вашего согласия я хотела бы делать заметки во время нашего разговора, эти заметки не будут переданы третьим лицам. Кроме того, вы можете пропустить любые вопросы, на которые вам неудобно отвечать, и, если позже у вас возникнут какие-либо опасения по поводу интервью или информации, которой вы поделились со мной, пожалуйста свяжитесь со мной. Если у вас появятся вопросы в процессе, не стесняйтесь задавать их.

1. Сколько вам лет?

2. Каков ваш уровень образования?

A. Законченное среднее образование (средняя школа)

B. Среднее специальное образование (техникум?)

C. Неполное высшее образование (нет диплома)

D. Полное высшее образование (по крайней мере, диплом бакалавра)

2.1 Связан ли ваш диплом с вашей нынешней профессией? Если нет, то почему?

2.2 Одобряете ли вы активное участие женщин в ... ? Поставьте

1 - да; 2 - нет; 3 - безразлично

A. В производственной деятельности (например: рабочая на фабрике)

B. В деловой карьере

C. В области медицины и образования

D. В правоохранительных органах

E. В политике

3. В какой местности вы живете?

A. Город

B. Пригород

C. Сельская

4. Каково ваше семейное положение?

A. Не замужем

B. Вдова

C. Разведенная

D. Замужем

E. Живу в гражданском браке

Если человек состоит в браке:

4.1 Каков ваш идеальный способ вступления в брак?

A. С помощью родителей

B. Самостоятельно, с учетом мнения родителей

C. Самостоятельно, даже вопреки мнению родителей

4.2 Совпадает ли то, как вы вышли замуж, с вашим идеальным способом вступления в брак? Расскажите подробнее о том, как вы выбирали мужа.

4.3 Какой была ваша свадьба?

Если человек не состоит в браке:

Какой бы была ваша свадьба? (церемония, празднование, насколько традиционной она была, дома или в ресторане?)

- 4.4 Кто в вашей семье принимает решения?
- A. Я
  - B. Муж
  - C. Тесть
  - D. Свекровь
  - E. Я и мой муж вместе
  - F. Все взрослые в семье
- 4.5 Сидите ли вы за столом во время приема пищи в вашей семье в следующих ситуациях?
- A. В присутствии мало/незнакомых людей
  - B. Когда присутствуют свекор, свекровь.
  - C. С другими родственниками
- 4.6 Кто дал имя вашему ребенку?
- A. Свекровь
  - B. Я
  - C. Мой муж
  - D. Мой муж и я вместе
5. Что отличает вас от поколения ваших родителей?
- A. Религиозность
  - B. Приверженность адатам (традициям)
  - C. Независимость/автономия (возможность принимать решения о своей жизни)
  - D. Амбициозность (желание/способность к личному и социальному продвижению)
  - E. Уровень образования
  - F. Скромность (т.е. в одежде, в поведении)
  - G. Лидерство (желание возглавлять или вести за собой людей)
6. Религиозны ли/практикуют ли Ислам ваши родители/братья/друзья и как это влияет на вас?
- 6.1 (если девушка покрывает голову платком, хиджабом) Вы всегда носили его или это был определенный момент, когда вы решили его надеть?



6.2 Поддерживали ли ваши родственники/родители/братья/сестры/коллеги ваше решение? Каково их отношение к платку?

7. Как вы относитесь к многоженству?

- A. Целиком поддерживаю
- B. Поддерживаю
- C. Не поддерживаю
- D. Категорически против
- E. Трудно сказать

7.1 Допускаете ли вы такую модель для себя? Своих детей?

8. Что бы вы хотели изменить в своей жизни? Расположите их в порядке, где 1 – наивысший приоритет, а 10 - наименьший.

- A. Добиться большей независимости в принятии личных решений
- B. Сменить профессию/карьеру (или уйти с работы, чтобы остаться дома)
- C. Получить больше образования
- D. Пойти на курсы повышения квалификации/ профессиональное обучение
- E. Начать свой бизнес
- F. Вступить в брак/ создать семью
- G. Родить ребенка
- H. Улучшить здоровье
- I. Переехать в другой город
- J. Изменить свою внешность
- K. Другое

9. Если в вашей семье возникнет серьезная проблема, к кому вы обратитесь за помощью?

- A. Родители
- B. Имам/ Джамаат
- C. Полиция
- D. Друзья
- E. Сестра/брат/другие родственники

10. Вы относите себя к какому-либо мазхабу? Если да, то к какому? Если нет, то почему?

11. Откуда вы черпаете знания о религии? Хотели б вы знать больше?
12. Вы считаете себя активным гражданином? Ходите ли вы на выборы?
13. Как вы думаете, изменилось ли положение женщин в обществе в регионе за последние 20 лет? Почему или почему нет?
14. Как вы думаете, в северокавказском обществе легче быть мужчиной или женщиной? Почему?
15. Чего не хватает женщинам на Северном Кавказе?

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