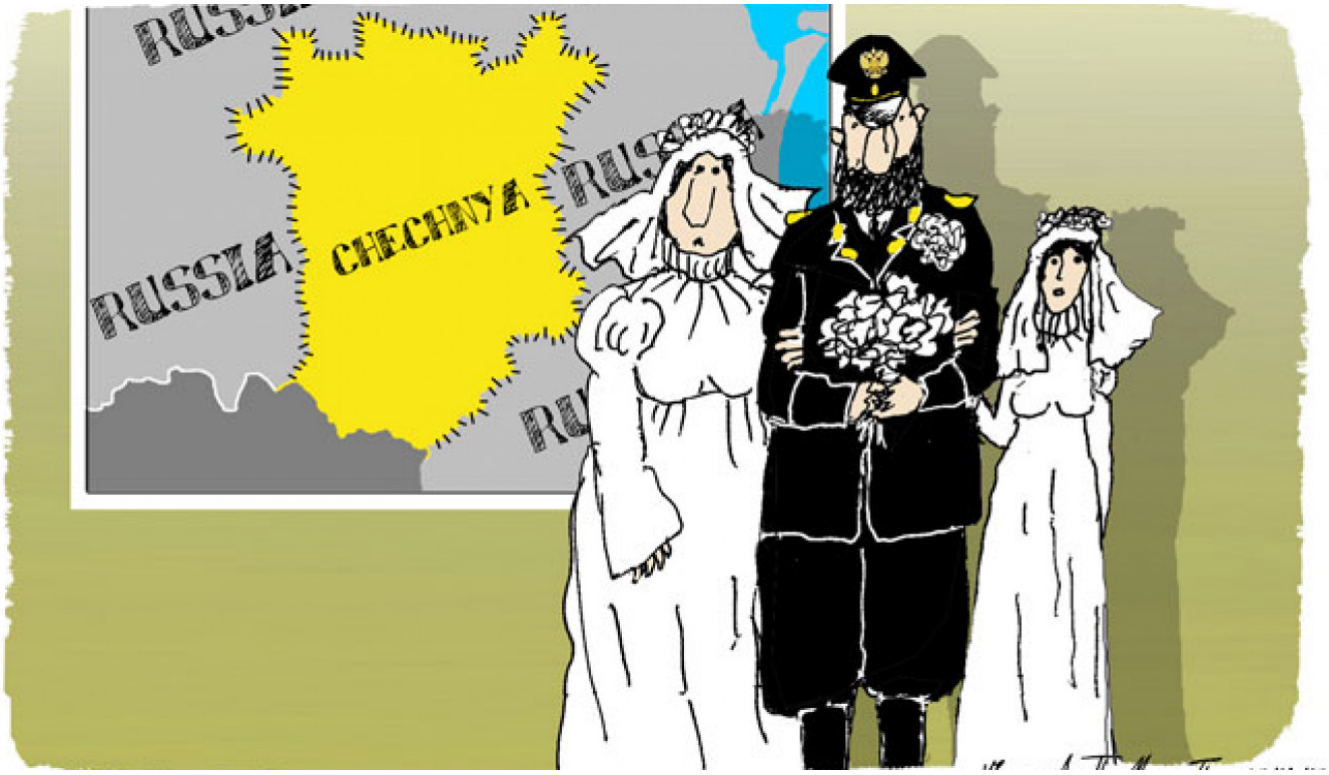
The Moscow Times
30 YEARS
INDEPENDENT NEWS FROM RUSSIA

Will Moscow Allow Polygamy in Chechnya?

By Georgy Bovt

May 13, 2015



Another incident, if not outright scandal, has arisen in the relationship between Chechen leader Ramzan Kadyrov and the federal center. This time it resulted from media reports that Kadyrov gave his personal approval for 46-year-old police department head Nazhud Guchigov to marry 17-year-old Kheda Goylabiyeva.

That alone is not necessarily a problem: A great difference in age does not always stop the union of two lovers. However, aside from the "bride's" tender age, there is another problem: The man is already married and has no intention of divorcing his wife. In other words, Guchigov plans to marry a second wife while his first is still living.

Human rights activists had earlier reported that the regional police chief was using force to coerce the young woman into marriage, practically running a blockade around her house and forbidding her to leave the territory.

Kadyrov responded by announcing that he had sent a trusted individual to speak with

the young woman's family and received assurances that the whole affair was motivated by mutual love and harmony. Was there ever any doubt?! And to dispel any lingering and unwanted rumors, Kadyrov sacked Chechnya's press and information minister for having allowed news of the marriage to spread beyond the republic's borders.

Several Russian officials and politicians reacted strongly to the news. State Duma Deputy Vitaly Milonov, the ever-vigilant and ever-present champion of "traditional values," called on the Interior Ministry — the department to which Guchigov, as a policeman, formally answers — to look into the situation.

Human Rights ombudswoman Ella Pamfilova also chimed in, albeit rather timidly, saying only "I hope it doesn't happen" and suggesting that if the marriage does take place, those responsible should be punished.

Many Kremlin critics have used this incident to gleefully point out point out that Kadyrov does not "play by the rules" and that he takes too much license before Moscow authorities who are reluctant to rein him in. Some insist that Moscow "bring everything into line with federal law."

However, if the "legal discrepancies" between Chechnya and Moscow have already gone this far and if, in effect, Chechen siloviki no longer answer to their federal superiors, is it realistic to try to put that entire relationship "in line with federal law" starting with this "unequal marriage"?

If Russian law prevails in this one case, will that bring fundamental change to federal relations overall? Let's not kid ourselves: it won't. The situation has already gone too far for that. Indeed, how often is the law strictly observed on a range of issues in the tremendously diverse and multicultural Russian Federation?

As we know, the Russian Empire was not even formally a federation, and yet it legalized polygamy in the Central Asian regions and for the Muslim peoples of the Caucasus.

Before that, it was widely practiced among the Russian merchant class. Merchants traveled frequently and occasionally started "families of convenience" in different cities. That practice continued until the authorities required merchants to declare their marital status in order to receive permission to travel.

Marital status was later indicated with a stamp in the passport — further evidence of the link between the Soviet and modern passport systems and their imperial predecessor.

Bigamy, rather than polygamy, was well established under the rule of Imam Shamil in 19th-century Chechnya. That was especially evident in the Argun and Ichkeria districts as seen from the census carried out there shortly after imperial Russian troops prevailed over Shamil's forces, thus ending the long Caucasian War in 1864.

Still, the tsarist government accepted this local reality and never tried to weaken, much less prohibit, the practice.

Of course, the Soviet government began to fervently fight the "remnants of the past," eventually, though not immediately, prohibiting polygamy.

It was made punishable by law according to the Criminal Code of 1926 and 1960. Even in the period following World War II, there were several cases involving charges of polygamy every year in the Central Asian republics.

Polygamy is also outlawed in modern Russia, although in contrast to European, U.S. and Canadian law, it carries no specific punishment. It simply states that nobody who is already married can register a marriage.

Thus, even Interior Minister Vladimir Kolokoltsev can only reprimand his Chechen subordinate for "moral inconsistencies," but even he cannot define what would be considered "consistent with morality" by Chechen standards.

By the way, even during the omnipresent and totalitarian rule of the Soviet regime, marriages in many Muslim regions of the Caucasus were carried out according to local custom up until the 1960s and were never registered with the official marriage office.

That is, the Soviet authorities understood the limits they faced and waited for the time when increased prosperity and, more importantly, higher overall levels of education would gradually correct the situation.

Today polygamy is practiced not only in Chechnya, but also in other republics of the North Caucasus — with participants marrying in mosques instead of registering at the marriage office.

Kadyrov himself has repeatedly advocated its legalization.

Former Ingush President Ruslan Aushev issued a similar approval for a polygamous marriage back in 1999, with the difference that former Russian President Boris Yeltsin stopped it. Such calls to legalize polygamy in accordance with Muslim law occasionally arise in Adygeya, Ingushetia and elsewhere.

Do those who boldly and loudly insist that Moscow "bring Chechnya fully into line" understand if that is even a realistic possibility? Are they ready to rigidly enforce Russia's Family Code in that republic even if it leads to new terrorist attacks on the Moscow metro and other Russian cities, or even to a third Chechen war?

Georgy Bovt is a political analyst.

The views expressed in opinion pieces do not necessarily reflect the position of The Moscow Times.

Original url:
https://www.themoscowtimes.com/2015/05/13/will-moscow-allow-polygamy-in-chechnya-a46523