

CHURCH-STATE RELATIONS IN CONDITIONS OF SOCIAL AND POLITICAL TRANSFORMATION OF RUSSIA (BY THE EXAMPLE OF TATARSTAN)

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The subject is relevant due to the very formulation of the problem and consideration of the church-state relations in conditions of social transformations at the end of 20th - beginning of the 21st centuries. Moreover, this issue has been studied from the point of view of the impact of ethno-confessional situations and religious traditions of a particular region on the formation of religious policy and methods of its implementation. The article aims to study the legal basis of functioning of religious organizations in the course of democratic changes and relations between the state and religious associations in Russia. The basic approach to the study of this problem is a systemic-functional approach, which allows to define the general patterns of functioning of a modern political system and the influence of these patterns on the formation and development of state-confessional relations. The main results are: key milestones of the process of understanding spiritual values of society have been analyzed; typical features of legislative activity in the regions of the Russian Federation concerning the issues of freedom of conscience and religious organizations, as well as the epoch-making events in the religious life of the country have been studied; the main directions of improvement of normative acts regulating the sphere of church-state relations have been defined. It has been stated that the above mentioned legal acts shall meet the requirements of universality and reflect the specifics of each of the legally existing religions on a certain territory, without violating the constitutional principle of separation of religion from state. The findings may be used when writing generalizing and specific articles on the history of Russia and Tatarstan and church-state relations.

Keywords: state ; confession ; religious revival ; Russia ; Tatarstan.

INTRODUCTION

A multinational and poly-confessional character of the Russian Federation, equality of its peoples and religions existing on its territory are fixed in the legislation of the country. Thus, article 29 of the Constitution states that the Russian Federation - is secular state, and no religion may be established as state or obligatory and religious associations are separated from the state and equal before the law (Constitution of the Russian Federation, 1993). Similar provisions are contained in Art. 29 of the Constitution: "Citizens of the Republic of Tatarstan in accordance with their beliefs have the right to profess any religion or not to profess a religion at all, to engage in religious or atheistic activities. Each person is free to worship. Incitement to hostility and national hatred in connection with religious beliefs is prohibited. Religions and religious associations in the Republic of Tatarstan, are separated from the state"(Constitution of the Republic of Tatarstan, 1993).

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Religion as a major component of social life is closely linked with politics. In Tatarstan, which is a region with multicultural population and with deep religious roots, church-state relations are especially important and define the state of interethnic relations, and social and political situation as a whole. In addition, the socio-political changes in Russia and the direction to establishing legal and economic sovereignty, taken by the governing forces of Tatarstan in the early 1990s, led to the need to establish state-confessional relations optimal for the region. Church-state relations which existed hitherto on the territory of Russia did not meet the requirements of the considerable part of the population, because either one group of believers or one church dominated, or the rights of all religious communities were infringed. Besides, historically on the territory of the Volga region Islam developed as one of the most representative confessions, while in Russia it was under pressure from the government for centuries (Nabiev 2014).

The problem of legislation on freedom of conscience and religion in a multicultural and multi-confessional Tatarstan, as well as the development of the religious policy of the state at federal and regional levels is of great interest. These issues deserve careful consideration. Legal aspects of the changes concerning relationship state and religious associations, the attitude to religion, the position of believers in the course of democratization of our society are defined by laws that give everyone the right to define their attitude to religion and the right to free exercise of religion and to spread religious beliefs (freedom of conscience, 2008).

Today it is possible to say with confidence that the state-confessional relations in Tatarstan are developing in accordance with the logic of going through a phase of religious revival. Although the concept of “revival of religion” is very conditional, “the return of religious values” in this case, is a more objective term (Nabiev and Fazliev, 2009). New socio-political realities are reflected mechanisms regulating relations between the state and religious communities. At the same time to achieve and maintain the currently existing norms proved far from being easy. Church-state relations in the Russian Federation present a set of forms of interrelationship between state and religious institutions. They are based on legislation ideas about the place of religion and church in the life of the country and society, spheres of activities, competence and functions of the subjects of state-confessional relations. State normalizes and consolidates its relations with religious associations in the Constitution and special legislation, which stipulates the socio-political and organizational issues of cooperation between state and church, including economic, charitable, cultural and educational activities of religious organizations, the ideological aspect of primary, secondary, and higher education, missionary activities of foreign citizens on the territory of the country, etc.

In a secular state, as like the Russian Federation, actual religious activities (questions of doctrinal nature, liturgical and cultic practices, procedure of election,

appointment or replacement of the clergy) is not a component of the state-confessional relations and is not regulated by law.

In Russia, which is a multi-ethnic and multi-confessional country, the question of the relationship between State agencies and religious organizations has been extremely important throughout its existence, largely determining stability of the state and socio-cultural development of society. The Republic of Tatarstan, as well as Russia, is historically a multiethnic and poly-confessional region and can at the local level serve as a model of church-state relations, which can be referred to when studying this issue in relation to the state as a whole, and in relation to its subjects.

METHODOLOGICAL FRAMEWORK

Methodological basis is the principle of historicism as a universal basis for studying the trends of social development in general and social activity of religious associations in particular. It contributes not only to logical and objective study of the interaction between religious communities and the state, but also helps identify specific patterns in the transformation of the main institutions of religious communities and ethnic and religious nature of the evolution of ideas, enabling the individual to rely on traditional values. The author has applied an integrated approach to the problem, using the achievements and methods of humanities. The studied phenomena are considered in their interrelationship, contradiction, in the combination of all factors, quantitative and qualitative characteristics. In the paper specifically historic research approaches are used (in proportions needed to solve research problems) together with ideal-typological methods common for sociology and political science. Scientific methods of research, such as analytical, statistical, relatively comparative, and textual are also employed.

RESULTS

Religious life in Russia in conditions of withdrawal from mono-ideological system

The process of fundamental change in the theoretical and legal foundations of religious policy in the course of social transformations occurred during a relatively short period of time. As a result of a lively discussion of the problems dealing with religion and atheism in the media and at party forums relevant laws of the USSR and RSFSR were adopted in October 1990. They reflected a turn for the implementation of the principle of genuine freedom of conscience. Moreover, religious organizations received the rights of a legal entity.

Two events from the history of Orthodoxy and Islam accelerated reconsideration by society of its attitude to religion, church and believers. These events were the celebration of the millennium of Orthodoxy in Russia and the

1100-th anniversary of the official adoption of Islam in Volga Bulgaria. The influence of these confessions on the process of change of the country's policy in this sphere is connected with the place and role of these two religions in historical, cultural and political life of the people living on the territory of the Russian Federation, with the strong dominating role of the Orthodox Church though, due to its place in the history and culture of the Russian state. The people realized the need to protect religion and to treat it as part of their culture and national identity. They considered it as a state-building element. For this reason, the above celebrations were important not only for confessional life, but became public events of state significance.

Even more clearly the value of socio-political and spiritual-religious position manifested itself during the preparation for the following historically and ideologically significant anniversaries: the solemn celebration of the 2000th anniversary of Christianity and 1400th anniversary since the beginning of the spread of Islam in Russia. The latter was initiated by the Council of Muftis of Russia and supported by the scientists of Moscow, Kazan and other research centers, with the aim to establish a confessional balance. The nature and content of events held on this occasion revealed quite clearly their political and ideological maturity and focus. An important international scientific-practical conference "Islam and Christianity in the dialogue of cultures at the turn of the millennium" was held in Kazan in November 2000. Among the participants were foreign and domestic scientists, as well as public and religious figures. The forum focused on theoretical and practical issues of inter-faith cooperation.

The representatives of both Orthodox and Islamic cultures became aware of the growth of national identity, which was based on ethnic and religious tradition. Under the strong influence of public opinion new ideological foundations of policy in the field of state-confessional relations were developed. New approaches to building church-state relations appeared in 1990-s, gradually overcoming the state inertia in dealing with religious issues. The main destinations in this field were: maintaining the secular state at the same time recognizing the important role of religion in forming cultural and moral standards of religious citizens; granting legal rights to religious institutions; creating legal basis for social partnership of these institutions and the state; guarantees to protect the rights of religious associations and freedom of conscience of the citizens; fixing in legal acts the equality of religions before the law as the basis for interfaith harmony, thus ensuring comfort for believers of all faiths.

Regional specifics ("Model of Tatarstan")

General conceptual and theoretical approaches to confessional policy led to taking into consideration in law-enforcement practice the specific features of religious traditions in various republics and regions of Russia. That was true for both

legislative practice and tactical political activities. At a local level, this practice corresponded to ethnic and religious traditions of a certain region and met the requirements of religious people.

In conditions of social transformations of society ideological inertia of employees of state structures hindered the process of shifting public opinion in favor of treating religion not only as cultural and moral heritage, but also as characteristic feature and tradition of a particular nation. Conflict situations, including the return of cult buildings, providing religious education, obtaining a permit for the construction of mosques, churches, etc., demanded the development of new religious policy, relevant to the current situation in church-state relations and establishing balance between various confessions. It became important not only to solve problems inhibiting the return of religious values to society (referred to in literature as “religious revival”), but also to avoid preferential treatment of one confession, which could bring the escalation of inter-religious contention.

Priorities in religious policy were defined on the basis of ethno-confessional interests and life situations. By the mid-1990s the outline of the political formula regulating church-state relations, was formulated in Tatarstan. It stated the importance of maintaining the balance between the two main confessions, i.e. Islam and Orthodoxy and the importance of providing equality of the representatives of all religious associations under the law.

Due to approximate quantitative equality of the two confessions and their dominant position in the republic, this approach seemed quite relevant. When problems dealing with the first stage of religious revival were solved, it became possible to focus on the second part of the formula, i.e. on providing equality of all religions before the law. At that time, the balance of interests of two confessions in church-state relations was established, especially in such issues as restitution (return) of cult real estate and other property; supporting the development of religious education system; restoration and repair of religious buildings; official meetings of the President of Tatarstan with the representatives of Muslim and Orthodox clergy, as well as with the representatives of other faiths during major religious feasts resulting in adopting protocol instructions on urgent matters and appeals of religious citizens.

Some legal acts concerning the issues of freedom of conscience and religion were adopted. They reflected the accepted rules and norms of international and domestic practices as well as local conditions, based on ethnic and religious traditions relevant for the present moment. In the Law of the Republic of Tatarstan “On Freedom of Conscience and Religious Associations” legislators have registered a number of provisions that complement similar federal legislation. The preamble has important provisions, particularly emphasizing the multi-confessional character of the republic. It recognizes “the special role of Islam and Orthodoxy in the development of spirituality and culture of the peoples of Tatarstan, ... considers it

important to promote mutual understanding, tolerance and respect in matters concerning freedom of conscience and freedom to believe”.

In addition, poly-confessional character of Tatarstan is reflected in law in the following way. The need to deal with waqf property is typical for only one religious system, i.e. Islam. However, in order to avoid the violating the balance of interests of different confessions the article of the republican Law on freedom of conscience regulating religious property matters refers to all religious confessions, not only to Muslim organizations. Protection of the rights of the citizens, including freedom of conscience is enshrined in the Constitution. The agreement on the delegation of powers between the federal center and the republic also includes a number of provisions dealing with ensuring the rights of citizens. In the course of bringing the legislative acts of the subjects in accordance with federal laws, some provisions of the national law on freedom of conscience were withdrawn or modified in 2004-2006 and in 2012-2014.

DISCUSSIONS

Speaking about the scientific degree of the problem, we found out that in recent years the subject investigated had become very popular among scientists: historians, anthropologists, sociologists, jurists and political scientists. However, despite the significant achievements of national historiography in the study of the religious situation in Russia's regions, a comprehensive study of the state religious policy in Tatarstan at the turn of 20-th – 21-st centuries has not been accomplished yet. Our work is an attempt to fill this gap. It is necessary to note that this trend reappeared in national historiography not so long ago, and so there are not many scholarly works on contemporary religious issues both in Russia and in Tatarstan (echoes of atheist propaganda are felt even now). In the early 2000s jurists started analyzing church-state relations in the USSR and Russia. The legal approach to the analysis of these issues is focused on identifying the influence of modern Russian legislation on the legal status of various confessions. Interests of religious confessions are considered in legal practice. (Actual problems of the history of State and Law, 2001). At the same time political science also displayed interest in church – state relations. However, this aspect has little effect on the functioning of modern Russian political system and is seen in passing together with other things which have spiritual and cultural influence on public life.

At the federal level, it is the Department of Religious Studies of the Russian Academy of State Service that investigates current trends of religiousness, structural development of religious institutions and their relationship with government agencies. Information and analytical materials are regularly published in the bulletin “Religion, the Church in Russia and abroad”. A collective monograph “State-Church relations in Russia” was published in 1996. However, these publications, generally

consider all – Russian religious problems, not taking into account the confessional specifics of the regions.

CONCLUSION

Interdisciplinary approach to the study of the subject made it possible to review briefly the main concepts of the complex process of development of state – confessional relations in conditions of social transformations at the turn of 20-th – 21-st centuries. The research base for investigating the confessional policy of the state and changes in the spiritual life of Russian society of the post – Soviet period was created. The assessment of efficiency of legislative activities in the center and in the regions in the sphere of freedom of consciousness of the citizens was given. Legal collisions and options of coping with religious conflicts were studied. Relevance and scientific importance of studying the dynamics of religious situation in Russia and in the Republic of Tatarstan in 1990-s – 2000-s was proved.

Today, the ability to accommodate the ideas of others means being able to treat other people with tolerance. Legislation of the Russian Federation and the Republic of Tatarstan guarantees religious confessions and ordinary citizens the opportunity to implement the principle of freedom of conscience. However, consistent satisfaction of the demands of believers will require new amendments to laws which should take into consideration the interests of the whole society in order to further improve the legal framework concerning the freedom of conscience and religion, which in turn plays a key role in promoting tolerance and prevention of extremism.

Recommendations

Informational and analytical part of the article is of interest to professionals who deal with history and theoretical and practical aspects of legal and religious policy.

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