

Li Yang\*

*Kazakh Humanitarian Juridical Innovative University, Semey, Kazakhstan  
(E-mail: liyang721@inbox.ru)*

## The evolution of state-religion relations in Kazakhstan

The article discusses the relationship between the state and religion from the point of view of the historical understanding of the origins of such relations. Religion is increasingly gaining ground in public and political discourse. The chronological framework of the study covers the relations of religion and state from the 17th century to the present, and there are also excursions to earlier periods. The place and role of religion in society and its legally established status have been defined. In the search for political strategies that would strike a balance between external threats, politicians sometimes turn to religion as a source of national ideas, as a possible instrument for confronting and overcoming ethical, demographic, terrorist and other threats, as the identification parameter of national commonality. The case of Kazakhstan is shown in this article.

*Keywords:* state-religion relations, religion, confession, law, religious politics, history, society, Islam, Christian, secularism, church, mosque.

### *Introduction*

Traditional relations between the state and religions continue to be based on historical premises that characterize the type of political, social and cultural development of the state. At the same time, the level of development of civil liberties and religious consciousness has undergone significant changes and is far from its first form. Relationship between the state and religion are a complex set of historical, social and legal norms. Each period in the development of the state has its own characteristics, which could not but influence the attitude of the state towards religion. Having a rich history, Kazakhstan is now the common home of various faiths and religions, while maintaining the secular status of the state. In this connection, it is very important to study the history and evolution of state-religious relations.

### *Methodology*

A variety of methods of historical, philosophical, social and other sciences were used in the article. The diachronic method was used in the study the relations between the state and religion and their evolution in the various stages of statehood in Kazakhstan. In addition, the structural and functional method was used to identify the state policy towards religious and confessional associations. The method of historical retrospection, combined with the theory of social transformation, made it possible in evolutionary logic to distinguish the main paradigms of the relationship between politics and religion — from the past to the present. In turn, the institutional approach considered state-confessional relations at the level of interaction between institutions of authority and religious associations.

### *Discussion*

The history of relations between the state and religious organizations in Kazakhstan, as in any other country, has its peculiarities, one of which is that developed separate religious communities in the geographical space occupied by the Republic today, for a long time simply did not exist. Let's consider the development of this problem before Kazakhstan gained independence.

It is well known that in the territory of modern Kazakhstan in different periods of its history, a wide variety of religious beliefs were met and professed, and religious organizations of different religious trends were present. Researchers of the religious history of Kazakhstan write about the existence of Zoroastrian, Manichean, Buddhist, Christian, and Jewish communities and organizations in Central Asia and East Turkestan in the Middle Ages, and long before the spread of Islam. But they did not have such a clear organizational structure, independence, and, most importantly, constancy, as in other countries.

---

\* Corresponding author. E-mail: liyang721@inbox.ru (Li Yang)

The main reason for the instability of religious entities was the long-prevailing nomadic culture of society, within which neither social nor independent religious institutions were distinguished, nor which combined both political and military, and any other, including religious, organization.

Thus, the spread of Islam among the Kazakh nomads had its characteristics, which led to a rather specific Islam, which some researchers refer to as steppe, folk Islam, which was expressed in its weaker role, mixing with pagan beliefs. For the nomads, there was no possibility or need for special religious organizations or even mosques. According to some researchers, the role of the latter in the Middle Ages was performed by the Yurt, and the functions of religious servants could be performed by their own representatives of the community with religious education, as well as itinerant khojas, mullahs, dervishes, etc., but always the dominant role of States or political entities was obvious [1].

The fact of the uneven spread of Islam in the regions of Kazakhstan is well known. Southern Kazakhstan, with its proximity to Muslim centers, urban, settled-agricultural culture, and ethnic composition of the population, is an example of a stronger penetration of Islam and, accordingly, the creation of religiously oriented organizations. Dozens of mosques, mektebas, and madrasas existed in this region in the XIX century. For the property and legal status of such organizations, the Waqf Institute, which is characteristic of Islam, was already in effect [2]. It is impossible not to mention the existence of popular Sufi fraternities and orders in Kazakhstan, which were also, in fact, religious organizations. Moreover, as some authors write, the vast dervish Corporation exerted a significant influence on the political life of Central Asia and Kazakhstan in the XV-XVI centuries [3]. Northern Kazakhstan was much less and much later subjected to Islamization.

Individual institutions that had the characteristics of religious organizations (institutions) that existed for a long time in the history of Kazakhstan were not clearly socially formed and differentiated, and although in the XIX century in Kazakhstan there was a layer of all recognized representatives of Islam in the person of imams, qadis, mullahs and mudarris, nevertheless, the organizational structures of the Muslim clergy were still poorly developed.

Despite this lack of development, the authorities influenced religious Ministers by administrative methods. Academician S. Zimanov writes that jangir Khan during his reign (1824–1845) created a semblance of an organ of ideological processing of the population. For the first time in the history of Kazakhstan, he established the position of Akhun in the steppe — the chief spiritual person in the khanate, who also serves as the Khan's spiritual judge. He also appointed mullahs to the mektebs, established a headquarters mosque, and gave instructions to the tribal rulers to build mosques with primary schools — mektebs. One of the historical features of Islam in Kazakhstan is that religious servants were subordinate to the secular (Khan) power and a secular way of life was formed, which put its seal on all aspects of the organization and life of society [4].

The impetus for the emergence and development of religious organizations, mainly of a non-Islamic orientation, was the accession of Kazakhstan to Russia, the settlement of Kazakhstan by Russian subjects and the colonization of the country within the framework of the policy of tsarist Russia. However, even earlier, since the beginning of the XVII century, groups of migrants of various religious orientations, primarily old believers and Orthodox, were developing in Kazakhstan, including introducing their own religious culture, creating Orthodox parishes and old believers' communities. Territorial claims and the need for the economic development of the region also led to accompanying religious activity, although sometimes in specific forms: marching churches for the military, railway car-churches for railway builders. In 1847–1858, the first stationary Orthodox churches were opened (in Verny in 1858) and Orthodox parishes were formed, which were subordinate to the Orenburg or Tomsk diocese. And in 1871 The Holy Synod established the Turkestan diocese with its center in Verny [5, p. 221–226].

In General, we can say that by the XVII–XIX centuries people who adhered to various religious beliefs lived quite peacefully on the territory of Kazakhstan. This, first of all, in our opinion, was facilitated by the fact that the Kazakhs, since ancient times leading a nomadic and semi-nomadic lifestyle, always in contact with other peoples, with a different culture and beliefs, have learned to tolerate dissent. But in these conditions, if the harmony in society is violated through incorrect ethno-confessional policies, a national conflict could easily break out, which would take on a religious color. However, the peoples of Kazakhstan in the pre-revolutionary period were already wise enough and, despite the contradictions that arose, did not allow large-scale conflicts on national and religious grounds. If they occurred, they were observed, first of all, during the period of anti-colonial wars and, most often, at the domestic level. Archival documents have little evidence on this issue. For example, historical documents describing the national liberation struggle of 1916 show that even Russians fought on the side of the rebels.

The process of colonization significantly changes the ethnic picture of Kazakhstan, produces a transformation in the religious sphere, as many people who practice other religions move here, and thus a multi-ethnic and multi-confessional community of people is formed. Already in the XVIII century, the ethno-confessional structure of Kazakhstan began to change, when the Cossacks moved to the regions of Kazakhstan Annexed to Russia. In the XVIII–XIX centuries, Poles, Germans, Jews, Tatars, and Uzbeks appeared on the territory of Kazakhstan. Although these migrants have not changed the ethnic composition of the population of Kazakhstan, they have played a positive role, especially in the spread of education, science, and agriculture. At the end of the XIX century, according to the St. Petersburg Treaty of February 12, 1881, Dungans and Uighurs appeared on the territory of Kazakhstan.

In the middle of the XVIII century, the first small communities of Lutheran-Germans appeared, and after a while, the tsarist government established Lutheran parishes first in the territories close to modern Kazakhstan (Tashkent, Barnaul, Omsk), and then directly in the Kazakh lands. At the beginning of the XX century, Catholic prayer houses appeared.

The increase in the non-Kazakh population at the beginning of the XX century was also intensified by Stolypin's agrarian reform. During this period, the migration of peasants from the inner provinces of tsarist Russia to the Kazakh steppe took a huge scale. At the same time, during the Stolypin agrarian reform, the influx of Germans to the territory of Kazakhstan also increased. By the beginning of World War I the number of Germans amounted to approximately 63 000 people. In the Northern region alone, about 100 German villages were founded. It should be noted that if at the end of the XIX century the policy of the tsarist government concerning the German settlers in Kazakhstan was friendly, then during the First World War it becomes more and more repressive features.

In 1908–1910, the first Bulgarian settlements appeared on the territory of Kazakhstan. The Russian-Japanese War of 1904–1905 was associated with the appearance of Koreans in Kazakhstan. Numerically insignificant elements of the Korean ethnic group appeared on the territory of the region by the XIX century. Pressed by Japan, Koreans moved to the Russian Far East, and then to Kazakhstan. But in the first quarter of the XX century, the migrations of the Korean ethnic group are becoming more and more intense. The first mention of Jehovah's Witnesses still considered new and unconventional for Kazakhstan dates back to the end of the XIX century. So, in the XIX century all types of religions of the Russian Empire were already present on the territory of Kazakhstan: dominant (Orthodoxy), tolerant (Lutheranism, Catholicism, Islam), persecuted (old believers, Baptists, Adventists, Mennonites, etc.). The attitude of the state to religious communities was based on the General Imperial administrative management, which assumed full management and control over religious activity and the religious organizations. All religious associations were subject to such control, both the dominant ones and the more tolerant and persecuted ones. All superiors in them were appointed by the emperors and provincial secular authorities [6, p. 15–16].

Speaking of Muslim communities, researchers have different opinions about the religious policy of the tsarist administration. However, the impact of state bodies on religious institutions and religious Ministers is obvious. The tsarist government built mosques, participated in the appointment (election) of abbots and mullahs, and paid their salaries. Over time, the attitude of the authorities to Islam changes due to the spread of pan-Islamism ideas and the activities of Ministers who are not approved by the government. According to a special decree, control over Islam was transferred from the Ministry of Foreign Affairs to the Ministry of internal Affairs of Russia, i.e. to the police authorities. Restrictions were imposed on the establishment of Muslim educational societies and on making pilgrimages to Mecca. The construction of new mosques is stopped, and it is forbidden to hold the position of Mullah to persons who have received training in the Central Asian khanates. The entry to Kazakhstan of persons who received ecclesiastical titles in the Central Asian khanates is closed.

The Orthodox Church began to engage in missionary work to inculcate Orthodoxy. In 1912, an anti-Muslim mission was established in Turkestan to counter Islam [7]. Dioceses of the Russian Orthodox Church were established by the decision of the State Council and the Holy Synod, which was part of the state administration. All other issues of management and activity of Orthodox organizations were also resolved directly by state bodies.

The creation of new parishes and communities within parishes was carried out by decisions of the Ministry of Internal Affairs. There was a special act «the Charter of foreign faiths», according to which the state's permission was given on a variety of issues: the construction of a Church, the use of the Russian language as the language of worship, the time and place of worship,» the opening of schools, etc., often taking into ac-

count the opinion of the local Orthodox clergy. Already at that time, work was also being done with sectarians. In 1911, an anti-sectarian Commission was established by government decree.

From the above, we can conclude that traditionally since ancient times Kazakhstan has not been a monoethnic and mono religious state, its territory was inhabited by representatives of various ethnic groups that professed diverse religious beliefs, but with the centralization of state power and the penetration of Islam into the territory of Kazakhstan, there is a gradual formation of confessional unity, however, with a large admixture of pagan religious beliefs. The accession of Kazakhstan to Russia changed not only the established socio-economic relations in Kazakhstan but also the way of life of the indigenous population and marked the beginning of a new stage of multi-confessional processes, which included the growth of ethnic and religious consciousness, the actualization of religious identity. In the course of evolutionary development in pre-revolutionary Kazakhstan, state-confessional relations, although they underwent significant qualitative changes, were traditionally built on the principles of tolerance and mutual recognition.

If one looks at the history of Kazakhstan — both Soviet and post-Soviet — the question of what is closer — loyalty to a religious community or group united by kinship, ethnic, civil-state ties — has hardly been raised. In pre-Soviet Kazakh society, religious affiliation was inextricably linked to ethnic and tribal self-awareness and socio-political institutions maintained this link.

Kazakhs had always considered themselves to be Muslims, and Islamic law (Shariah), of which customary law (adat) was an integral part, regulated their lives, as in the area of marital law, criminal law, etc.

During the Soviet period, with its radical secularization of all spheres of life and even hostility to religion, the awareness of religious affiliation did not contradict the civic identity. Being Kazakh or Uighur, for example, meant being Muslim by birth, which did not contradict the realization of being a Soviet citizen. Islam was perceived not only as a religious doctrine, but as an ethnic cultural tradition, the heritage of ancestors. Therefore, one could consider himself both a Muslim and a communist. Historically, the relationship between religious identity and other loyalties (ethnic, civil) was quite harmonious, they were not contrasted [8].

Very important for the analysis of modern state-confessional relations in Kazakhstan is the Soviet stage of its history (1917–1991). So far, in the sphere of these relations, there are approaches and state-legal institutions characteristic of decades of struggle against religion, the dominance of materialist ideology, which did not allow views based on religious beliefs.

This stage includes periods that are far from identical in their state and confessional moments: from relative religious freedom at the very beginning and at the very end of the Soviet period to persecution and repression of religion throughout the rest of time. We can conditionally distinguish the following periods of the state's attitude to religious denominations: 1) since 1917 — from the strict separation of the Church and school from the state to the mass destruction of priests and the closure of prayer houses; 2) from 1941 to 1945 — a stage of some thaw and relaxation in relation to denominations and Ministers, the use of ideas and material resources of the Church in the fight against fascism; 3) since 1945 — «unjustified hopes» and a new wave of repression and persecution of priests and believers; 4) 70-years — revision of relations between the state primarily to Islam in connection with the signing of formal agreements with the Arab world over oil, the signing of which would be the country of freedom of conscience and freedom of religion, after which it was possible departure and Muslims to commit the USSR sacred duty of pilgrimage to Mecca; 5) in 1985 — glasnost touched the spiritual realm, especially after the collapse of the CPSU and the collapse of Communist ideology — filling the spiritual vacuum and the search for a new identity through traditional religion or neoreligion education.

Despite the proclamation of the right to freedom of conscience in Soviet constitutions, in real life believers and their associations were under total state control, and the interests of the state were always placed above the interests of individuals or non-state entities.

Although adopted on January 23, 1918 The decree «on the separation of the Church from the state and the school from the Church» established quite democratic provisions, and state management practice in relation to religious associations was reduced to various forms of state intervention in the Affairs of religious structures.

The main act that for a long time regulated the legal status of religious organizations, including in Kazakhstan, was the Decree of the Central Executive Committee and the SNK of the RSFSR of April 8, 1929. «On religious associations» [9]. In Kazakhstan only in 1976. The decree of the Presidium of the Supreme Soviet of the Kazakh SSR approved the Regulations on religious associations [10], which, in fact, repeated the resolution of 1929. These and other acts together made up the so-called legislation on religious cults,

which was secret and issued for official use. The first act at the level of law directly affecting religious organizations in the USSR was issued only in 1990 [11].

The administrative impact was so great that even party bodies were forced to periodically raise the issue of the inadmissibility of excessive administration. At the same time, it was during this period that religious communities formed as stable organizations. The Soviet regime did not allow the existence of unknown, secret, informal, «blurred» societies, so all religious organizations had to adopt some form of social organization with a designated leadership, location, and other characteristics [12].

From the mid-60s to the end of the 80s, there were an average of 500–600 registered and unregistered religious organizations in Kazakhstan. Moreover, the number of unregistered structures before the early 80's was 3–5 times higher than the number of registered ones. By religious affiliation at the end of the Soviet period, Protestant organizations were distinguished in the country. In 1989, among 671 religious organizations, 168 were Evangelical Christian-Baptist organizations, 171 were Lutheran organizations, and only 46 were Islamic and 62 were Orthodox. [13]. The strong position of Protestantism in Kazakhstan during the Soviet period is explained by the presence of many small national groups and, above all, Germans with a high degree of religiosity, for whom religion was one of the elements of preserving national culture and identity. Of all active religious societies in 1990, more than 70 percent consisted entirely or partially of persons of German nationality [14, p. 4].

Registered organizations could exist in two main forms: a religious society and a religious group. A religious society or group could start its activity only after a decision on registration was made by the Council for religious Affairs under the Council of Ministers of the USSR, which was located in Moscow. Thus, the issue of legalizing any religious Association, whether located in a large city or in a small village, was considered by the Central government, guided solely by its discretion. Moreover, in the Instructions on the application of the legislation on cults of 1961, religious groups and societies that were not subject to registration due to their anti-state and fanatical nature were indicated: Jehovah's witnesses, Pentecostals, true Orthodox Christians, the true Orthodox Church, Adventist reformists, etc. [15, p. 50]. Administrative enforcement measures were not limited to bringing to administrative responsibility. Whole groups of believers were sent to special settlements and under the administrative supervision of public order authorities by decisions of the highest state authorities and administration.

In general, religious associations helped the state in performing certain functions (providing social assistance to citizens, cultural, educational, etc.), in turn, the state provided assistance to some religious associations (in the construction of mosques, other religious buildings, and the purchase of religious items). The principal point was that religious associations could not perform state functions of authority, and the state could not interfere in the internal activities of religious associations, if it did not contradict the law, or provide permanent financial support to any religious Association.

Since the fall of the Soviet Union, there have been questions about the fate of Islam. Past experience in some countries of the East had shown that the establishment of a secular State requires the fulfilment of a number of political and economic conditions [16, p. 141].

Over the years, reformists have sought ways to improve Islam by adapting it to contemporary realities. In this direction all post-Soviet republics of Central Asia have been swallowed, and it is on their example that the development of Islam with «national specificity» became obvious. A qualitative leap in the pre-modern representations are concepts that justify the modernization of Islam in accordance with local historical and cultural traditions, and regional forms of its existence [16, p. 158].

The experience of the Republic of Kazakhstan has shown that the experience of the idea of modernization of Islam, the rejection of extremely traditionalist dogmas and the search for a synthesis of religion, philosophy and culture were reflections of the urgent needs of social development. The modernization of the Islamic religion was not only a revival of traditions on a new basis, it carried within it the fluidity of the forms of religion while preserving its essence. These forms not only can but must adapt to new conditions. In itself, the trend towards the modernization of Islam in the Central Asian region has had and continues to have a secular dimension. It brings together the interests of the State, the clergy and the faithful. The latter, as is known, are inextricably linked by reforms. Beliefs with the desire to support the state power in carrying out socio-economic and political reforms, in strengthening sovereignty and independence [16, p. 162–168].

Mosques and temples were revived and the number of believers gradually increased. Their number has increased especially since the adoption on 15 January 1992 of the Law of the Republic of Kazakhstan «On Freedom of Religion and Religious Associations», which guaranteed the right to freedom of religious belief, equality of citizens regardless of their attitude to religion, Prohibition of the organization of political parties

of a religious nature, etc. Since 1996, the Presidential Council on Religious Affairs has been operating in the country, covering not only local Islamic communities but also other religious communities. On the whole, since the first years of the country's independence, the position of the official authorities of Kazakhstan with regard to Islam has not been denied by its influence on the general population, use in their activities all values of Islamic civilization and at the same time prevent radical forces from using Islam for political purposes, violating inter-ethnic and inter-religious harmony; as happened in some countries of the Middle East and North Africa [17].

Article 14 of the Constitution of the Republic of Kazakhstan states that "no one may be subjected to any discrimination based on... attitude to religion, beliefs...". Article 22 of the Constitution proclaims the principle: "Everyone has the right to freedom of conscience". These and other provisions of the Constitution define the conceptual basis of relations between the State and religious relations.

The State:

- does not interfere in the determination by a citizen of his or her attitude to religion or religious affiliation, in the upbringing of children by parents or persons acting in loco parentis, in accordance with his or her beliefs and taking into account the right of the child to freedom of religion;
- does not entrust religious associations with the functions of public authorities or other State bodies;
- does not finance religious associations;
- does not interfere with the activities of religious associations if they do not contravene the law;
- promotes mutual tolerance and respect between citizens who profess a religion and those who do not, as well as between various religious associations.

Religious associations:

- do not perform the functions of public authorities and do not interfere in the activities of public authorities;
- not participating in the activities of political parties and not providing financial support for them;
- must comply with legal requirements and the rule of law.

The laws of the state are binding on everyone, and the setting of religious organizations is only for their members and at their request. Therefore, they say that religion is a private affair of citizens.

It should be noted that there are no religious symbols in the state symbols or official protocol. Kazakhstan's secular course in internal politics is also reflected in its international relations. Kazakhstan is a member of various international structures, including European (OSCE) and Asian (ECO). Initially, the multipolarity of its foreign policy was declared as the «West and East orientation». Based on this orientation, Kazakhstan's entry into the OIC (Organization of the Islamic Conference) in 1995 should be considered. It appears that this step was taken not so much for ideological reasons as for pragmatic ones. Cooperation with this organization has taken on the strong economic dimension through financial assistance from the Islamic Development Bank, an organ of the OIC. At the same time, religion has an indirect effect on public policy. First of all, this is reflected in Kazakhstan's foreign policy contacts with foreign countries of the «Islamic world». The traditional significance of Islam and its symbols in various spheres of the social and political life, including the foreign policy of these countries are well-known facts. This also affects interstate contacts between Muslim countries and Kazakhstan. As a result, strictly religious issues may be the subject of official interstate negotiations and agreements. Thus, during the first official visit of the President of the Republic of Kazakhstan to Egypt in 1993, the Egyptian side proposed to send to Al-Azhar a group of Kazakh students and, at its own expense (\$10 million), to build an Islamic religious center in Almaty. The Egyptian side proposed to build an Islamic religious center. The center is now nearing completion. The religious diversity of Kazakhstan would make it more preferable to build not only a religious complex dedicated to one denomination, but a center of Arab culture represented by its various civilizational strata, including ancient Egyptian, Christian (Coptic), Islamic and others.

This seems to create additional opportunities for various foreign Muslim organizations to promote their interpretation and understanding of the Islamic way of life, which in many respects does not suit Kazakh Muslims. It is obvious that the ethnic traditions developed over the centuries have influenced religious traditions, their form and their content. Kazakhstan's foreign policy has a special place in its relations with the former Soviet republics of Central Asia, whose geographical, historical, cultural, linguistic and religious proximity facilitates their integration. However, the internal differences of these States, which are too obvious, make this process difficult. Here again, the integration potential of Islam cannot «remove» these differences without contradicting the national-state interests of the peoples of Central Asia. In fact, the objectives

of a possible unification of the states of the region lie rather in their strategic interests, and above all in ensuring national and regional security [18].

Returning to the Kazakhstani issues, the transformational processes taking place in post-Soviet, including Central Asian, societies, have contributed to the emergence of new levels of social activity among Muslims. In fact, the formation of the «new religious-cultural public space» began here, within the framework of which the process of domination of one religion, representing the largest group of population began to be observed. It is this religion (in the case of Central Asia — Islam) that has been faced with the challenge of devising a new strategy that responds to both secular power and religious opponents in a global context. The Islamic dynamic in modern Kazakhstan certainly has its own characteristics, both because of its long-standing ethnic and religious traditions and because of specific social and political changes. However, in the context of increasing global interconnections and significant political and economic transformations, there is a need to understand which forms of socialization allow Muslims to adapt to contemporary conditions or, in other words, «make yourself modern religious subjects» [19].

The major social and political transformations of past decades in the post-Soviet space have contributed to the increasing role of religion and the expansion of its social and cultural and ideological influence. The heightened public interest in the activities of religious organizations in recent years is largely attributable to the ideological vacuum of the 1990s. Confessional associations have begun to play their role in the process of the spiritual revival of society, helping to improve the moral climate in society, and have become an important consolidating and stabilizing factor in the social and political life of the Republic.

In this regard, it is natural that Kazakhstan has become one of the centers of interfaith dialogue not only in the Commonwealth of Independent States (CIS) but also in the world. This is largely due to the favorable situation prevailing in Kazakhstan, characterized by internal political stability based on inter-ethnic and inter-religious harmony. Moreover, Kazakhstan has its own model of relations between the state and religious associations, based on the principles of respect for human rights and freedoms, the balance of public and religious interests, cooperation and the desire for mutual understanding.

The Congresses of Leaders of World and Traditional Religions held in 2003, 2006 and 2009 in Astana on the initiative of the first President of RK N.A. Nazarbayev were an important step in strengthening interfaith harmony. They recognized that in today's multipolar world, a myriad of problems could be solved through multi-ethnic and interfaith dialogue.

In the era of globalization, peaceful coexistence, constructive interaction and dialogue among religions are among the most pressing challenges, owing to the intensification of conflicts based on religious differences and religious extremism. Successful resolution of these problems will depend to a large extent on knowledge of trends in the development of State-religious relations, activities of religious organizations both in the past and in the present. Of particular interest in this regard are those religions that maintain their influence over a large part of the population, particularly Islam, Orthodoxy and Protestantism.

The highest leadership of Kazakhstan has tirelessly affirmed the need to stabilize and harmonize interfaith and inter-ethnic relations. However, according to some authors, in practice, the religious sphere has remained outside the purview of state policy: the main priorities had been economic development and the strengthening of the position of the ruling regime. As a result of the opening of the religious sphere, the Republic was invaded by missionaries from various States, some of which were clearly of an extreme nature. Thanks to the liberal legislation of the Republic of Kazakhstan, the number of religious organizations in the country has increased fivefold. A sixth of these entities operate without a State license and legal entity status. It is not possible to determine the number of followers of non-traditional religious movements. There were no criteria for assessing the non-traditional nature of a particular religion, for example, the same Salafists considered themselves to be true Muslims. One of the reasons for involving Cossacks in the activities of various non-traditional sects was the weakening of the traditional religious structure of the population. Having declared support for inter-religious dialogue as an element of the ideological stabilization of society, the state bodies of Kazakhstan initially refrained from discriminating against individual faiths and religious tendencies [20, p. 67, 68].

The Government's policy towards religious minorities has actually been tightened since 1994, when provisions were introduced in the new Civil Code of the Republic of Kazakhstan on the obligation to agree with the authorities on the candidacies of leaders of religious associations, appointed in Kazakhstan by foreign religious centers, on the debriefing accreditation of missionaries who are not Kazakh citizens and religious schools in local authorities. More recently, the Constitution of Kazakhstan 1995 provided for the coordination with State bodies of the activities of foreign religious associations and the appointment by foreign

religious centers of leaders of religious associations. Even after 1994, the State did not prevent the proliferation of non-traditional religious movements. As a result, sects have developed widely, with some of them commercializing their activities and directly charging their parishioners.

In view of the current situation, the Kazakh authorities should recognize the need to consider and adopt a number of legislative prohibitions on the activities of sects and proscribed pseudo-religious groups in the territory of the country, as well as to strengthen monitoring of the activities of their foreign affiliates and centers [20, p. 70].

The growing activity of local Islamic organizations is evidence of an expanding network of domestic factors influencing Islamic dynamics in Kazakhstan. However, their quantitative growth is not yet a measure of their quality, most of which are poorly organized and lack stable financial and other material resources. Nevertheless, it can be assumed that the importance of local Islamic associations will grow, that they are already occupying a niche in the country's religious palette and that they enjoy the prestige of the population. The processes taking place in Kazakh Islam today are gradually becoming the targets of global processes, as they are marked both by the influence of universal Islamic culture and by the general impact of globalization with its communicative attributes. It seems that in response to the various challenges of our time, the Muslims of Kazakhstan will continue to seek new forms of expression and practice through social, educational and media projects in order to give religion a real context.

In 2011, the Parliament adopted the Law of the Republic of Kazakhstan «On Religious Activities and Religious Associations» The aim is to improve the legislation of the Republic of Kazakhstan on religious associations by regulating the main activities of religious associations and the religious activities of citizens.

The law is aimed at improving the legal regulation of the registration of religious associations in terms of the definition of the list of documents for registration and the elaboration of requirements for the statute of a religious association, the grounds for refusal to register religious associations, as well as grounds and procedure for conducting religious studies, clarification of concepts «missionary activity», «clergyman». The experience of countries such as Russia, Belarus, Armenia, Georgia, Tajikistan, Lithuania, Spain and other European countries which are also secular States, such as Kazakhstan, was taken into account in the preparation of the draft law.

The basic laws of the Republic of Kazakhstan now affirm the equality of all citizens regardless of their nationality. Thus, Kazakhstan has established a legislative basis for ensuring freedom of religion.

Efforts are being made to expand the dialogue of cultures and civilizations and to transform Kazakhstan into a world center for interfaith and intercivilizational dialogue. At present, our experience of interfaith peace and harmony has been recognized by the international community as an exemplary model of «dialogue of civilizations», and Astana has become the world center of interreligious communication, where four congresses of leaders of world and traditional religions have already been held. The congresses in Astana were attended by leaders and prominent representatives of Islam, Christianity, Judaism, Hinduism, Buddhism and other religions. At the dialogue platform of the Congress, a rich and informative conversation on the spiritual rapprochement of religious communities was held, and joint appeals addressed to citizens, peoples and governments were also received.

The basic laws of the Republic of Kazakhstan now affirm the equality of all citizens regardless of their nationality. Thus, Kazakhstan has established a legislative basis for ensuring freedom of religion.

Efforts are being made to expand the dialogue of cultures and civilizations and to transform Kazakhstan into a world center for interfaith and intercivilizational dialogue. At present, the experience of interfaith peace and harmony has been recognized by the international community as an exemplary model of «dialogue of civilizations», and Nur-Sultan has become the world center of interreligious communication, where four congresses of leaders of world and traditional religions have already been held. The congresses in Nur-Sultan were attended by leaders and prominent representatives of Islam, Christianity, Judaism, Hinduism, Buddhism and other religions. At the dialogue platform of the Congress, a rich and informative conversation on the spiritual rapprochement of religious communities was held, and joint appeals addressed to citizens, peoples and governments were also received.

The necessary legal and organizational conditions have been created for the peaceful coexistence of different faiths, a unified state policy in the field of religion has been formed on the principles of separation of religion from the state, freedom of conscience and freedom of religion, equality of religious associations, non-interference by the state in the internal activities of religious associations, and cooperation between the state and religious associations.

In general, the state has done everything necessary to create a favorable atmosphere and to support the development of interreligious dialogue, which is aimed above all at the establishment of tolerant attitudes and the peaceful coexistence of representatives of different religions and concessions [21].

Thus, various periods of the history of Kazakhstan were characterized by the absolute dominance of the state in relations with religious organizations. The most clearly permissive and other administrative activity of the state in relation to any religious organizations was manifested in the Soviet period, when the latter were under total state supervision and control, were pushed to the sidelines of social life and were considered an alien and temporary institution in Soviet society.

### Conclusion

In sum, it can be noted that the Republic of Kazakhstan in the Soviet period was unique in its religious state, because the religiosity of the people, on reflection on the atheistic ideology created an entirely new relationship between religion and government, which led to confessional unity of the common people at the level of everyday consciousness. The problem of state-confessional relations in a totalitarian society could not be resolved positively.

During the period of perestroika, the desire of Nations and peoples to overcome the lag in socio-economic and civilized cultural development through the process of cultural, political and confessional self-identification was used by the power elite to incite inter-ethnic and inter-confessional tensions and conflicts. This is undoubtedly the most difficult legacy of the Soviet period in state-confessional relations, the consequences of which each post-Soviet state tried to solve independently.

Speaking about the current state and problems of state-confessional relations in Kazakhstan, I would like to note that a model of state-confessional relations is being formed, based on the historical toleration and tolerance of the Kazakh people, on a balanced and thoughtful policy of the country's leadership. But this is the subject of another study.

### References

- 1 Ислам и христианство: возможности духовной консолидации народов Казахстана / отв. ред. А.Г. Косищенко. — Алматы: ИФП МОН РК, 2001. — С. 7–40; Нуртазина Н.Д. Ислам в истории средневекового Казахстана: (историко-культурологическое исследование) / Н.Д. Нуртазина. — Алматы: Фараби, 2000. — С. 40; Байпаков М. Христианство в Казахстане в средние века / М. Байпаков // Из истории древних культов Средней Азии. — Ташкент, 1994. — С. 96–100.
- 2 История государства и права Казахской ССР. — Т. 1 / под общ. ред. С.С. Сартаева. — Алма-Ата: Мектеп, 1982. — 50 с.
- 3 История Казахстана (с древних времен до наших дней). — Т. 4, Ч. 2. — Алматы: Атамұра, 1997. — 239 с.
- 4 Зиманов С. Общественный строй казахов первой половины XIX века и Букеевское ханство / С. Зиманов. — Алматы: Арыс, 2009. — 400 с.
- 5 Буряков Ю.Ф. К истории христианства в Средней Азии: XIX–XX вв. / Ю.Ф. Буряков, Л.И. Жуков, В.Н. Проскурин. — Ташкент: Узбекистан, 1998. — 271 с.
- 6 Дегтярев Ю.М. История религиозного вопроса / Ю.М. Дегтярев // Религия и право. — 1999. — № 2. — 12 с.
- 7 Русское православие: Вехи истории. — М.: Политиздат, 1989. — 719 с.
- 8 Султангалиева А.К. Возвращение ислама в Казахстан / А.К. Султангалиева. — Алматы: Фонд «Алтынбек Сарсенбайұлы», 2012. — 170 с.
- 9 Алимов С.В. Проблемы правового статуса религиозных объединений в Республике Казахстан / С.В. Алимов // Евраз. юрид. журн. — 2011. — № 11(42).
- 10 О свободе вероисповедания и религиозных объединениях: Закон РК от 15 января 1992 г. // Ведомости Верховного Совета Республики Казахстан. — 1992. — № 4. — С. 84.
- 11 О свободе совести и религиозных организациях: Закон СССР от 1 октября 1990 г. // Ведомости Съезда народных депутатов СССР и Верховного Совета СССР. — 1990. — № 41. — С. 813.
- 12 Иванов В. Религии в Казахстане / В. Иванов, Л. Трофимов. — Алматы: ВШПЦ «Адилет», 1999. — 142 с.
- 13 Артемьев А. Атеизм, религия, личность / А. Артемьев. — Алма-Ата: Казахстан, 1990. — 207 с.
- 14 Подопригора Р.А. Государство и религиозные организации (административно-правовые вопросы) / Р.А. Подопригора. — Алматы: Аркаим, 2002. — 324 с.
- 15 Артемьев А.И. Свидетели Иеговы Казахстана и Средней Азии: историко-религиоведческий анализ / А.И. Артемьев. — Алматы, 2010. — 271 с.
- 16 Джалилов З.Г. Ислам и общество в современном Казахстане / З.Г. Джалилов. — Алматы: Дайк-пресс, 2006. — 204 с.
- 17 Джалилов З.Г. Возрождение религии и формирование государственно-конфессиональных отношений в современном Казахстане / З.Г. Джалилов // Народы и религии Евразии. — 2017. — Т. 3, № 12, 13. — С. 110–121.
- 18 Султангалиева А. Эволюция ислама в Казахстане [Электронный ресурс] / А. Султангалиева. — Режим доступа: [https://www.ca-c.org/journal/cac-05-1999/st\\_06\\_sultangal.shtml/](https://www.ca-c.org/journal/cac-05-1999/st_06_sultangal.shtml/).

19 Вильковский Д. Ислам в постсоветском Казахстане в поиске новых репрезентаций / Д. Вильковский // Мир ислама: история, общество, культура: избр. докл. II Междунар. науч. конф. — М.: Марджани, 2010. — С. 149–163.

20 Смагулов К. Современная религиозная ситуация в Казахстане / К. Смагулов // Центральная Азия и Кавказ. — 2011. — № 14(3). — С. 51–73.

21 Жумабаев Е.Ж. Правовые основы государственного регулирования деятельности религиозных объединений в Казахстане [Электронный ресурс] / Е.Ж. Жумабаев. — Режим доступа: <http://www.parlam.kz/ru/blogs/zhumabaev/Details/4/11088>.

Ли Янг

## Қазақстандағы мемлекет пен дін арасындағы қатынастардың дамуы

Мақалада мемлекет пен діннің өзара қарым-қатынасы, олардың тарихи дамуы қарастырылған. Дін мәселесі мемлекеттік және саяси дискурстарда кеңінен талқыланған. Зерттеудің хронологиялық шеңбері XVII ғасырдан қазіргі уақытқа дейінгі мерзімді қамтиды, алайда одан ерте кезендерге де шолу жасалған. Сонымен қатар, діннің қоғамдағы орны мен рөлі және оның заңмен бекітілген мәртебесі анықталған. Саяси стратегияларды құруда саясаткерлер кейде дінді ұлттық идеялардың қайнар көзі немесе этникалық, демографиялық, террористік және басқа қауіп-қатерлерге қарсы тұру мен жеңудің құралы ретінде ұлттық бірегейлік нышаны ретінде қолданады. Бұл жағдайдың Қазақстанда орын алғаны не болмағаны мақалада көрсетілген.

*Кілт сөздер:* мемлекеттік-конфессиялық қатынастар, дін, конфессия, заң, діни саясат, тарих, қоғам, ислам, христиан, зайырлылық, шіркеу, мешіт.

Ли Янг

## Эволюция отношений государства и религии в Казахстане

В статье рассмотрены отношения между государством и религией с точки зрения исторического понимания истоков таких отношений. Религия все больше набирает силу в государственном и политическом дискурсе. Хронологические рамки исследования охватывают отношения религии и государства с XVII века по настоящее время, а также представлены экскурсы в более ранние периоды. Кроме того, определены место и роль религии в обществе и ее законодательно закрепленный статус. В поисках политических стратегий политики иногда обращаются к религии как к источнику национальных идей или возможному инструменту противостояния и преодоления этических, демографических, террористических и других угроз, как к идентификационному параметру национальной общности. Как это было в Казахстане показано в данной статье.

*Ключевые слова:* государственно-конфессиональные отношения, религия, конфессия, закон, религиозная политика, история, общество, ислам, христианство, светскость, церковь, мечеть.

## References

1 Kosichenko, A.G. (Eds). (2001). *Islam i khristianstvo: vozmozhnosti dukhovnoi konsolidatsii narodov Kazakhstana [Islam and Christianity: the possibilities of spiritual consolidation of the peoples of Kazakhstan]*. Almaty: Institute of philosophy and politology MES RK [in Russian]; Nurtazina, N.D. (2000). *Islam v istorii srednevekovoho Kazakhstana (istoriko-kulturolohicheskoe issledovanie) [Islam in the history of medieval Kazakhstan (historical and cultural research)]*. Almaty: Farabi [in Russian]; Байпаков, М. (1994). *Khristianstvo v Kazakhstane v srednie veka [Christianity in Kazakhstan in the Middle Ages]. Iz istorii drevnikh kultov Srednei Azii — From the History of Ancient Cults of Central Asia*. Tashkent [in Russian].

2 Sartayev, S.S. (Ed.) (1982). *Istoriia hosudarstva i prava Kazakhskoi SSR [History of the state and law of the Kazakh SSR] (Vol. 1)*. Alma-Ata: Mektep [in Russian].

3 *Istoriia Kazakhstana (s drevneyshikh vremen do nashikh dnei) [The history of Kazakhstan (from ancient times to the present day)]* (1997) (Vol. 4, Pt. 2). Almaty: Atamura [in Russian].

4 Zimanov, S. (2009). *Obshchestvennyi stroi kazakhov pervoi poloviny XIX veka i Bukeevskoe khanstvo [The social system of the Kazakhs in the first half of the XIX century and the Bukeev Khanate]*. Almaty: Arys [in Russian].

5 Buryakov, Yu.F. (1998). *K istorii khristianstva v Srednei Azii: XIX–XX vv. [On the history of Christianity in Central Asia: 19–20th centuries]*. Tashkent: Uzbekistan [in Russian].

6 Degtyarev, Yu. M. (1999) *Istoriia religioznogo voprosa [History of a religious issue]. Relihiia i pravo — Religion and law, 2, 12 [in Russian]*.

7 *Russkoe pravoslavie: Vekhi istorii [Russian Orthodoxy: Milestones in History]*. (1989). Moscow: Politizdat [in Russian].

- 8 Sultangaliyeva, A.K. (2012). *Vozvrashchenie islama v Kazakhstan [The return of Islam to Kazakhstan]*. Almaty: «Altynbek Sarsenbauly» Found [in Russian].
- 9 Alimov, S.V. (2011). Problemy pravovogo statusa religioznykh obedinenii v Respublike Kazakhstan [Problems of the legal status of religious associations in the Republic of Kazakhstan]. *Evrasiiskii yuridicheskii zhurnal — Eurasian Juridical Journal*, 11(42) [in Russian].
- 10 O svobode veroispovedaniia i religioznykh obedineniakh: Zakon RK ot 15 yanvaria 1992 h. [On freedom of religion and religious associations: Law of the Republic of Kazakhstan dated January 15, 1992] (1992). *Vedomosti Verkhovnoho Soveta Respubliki Kazakhstan — Bulletin of the Supreme Council of the Republic of Kazakhstan*, 4, 84 [in Russian].
- 11 O svobode sovesti i religioznykh orhanizatsiakh: Zakon SSSR ot 1 oktiabria 1990 h. [On freedom of conscience and religious organizations: Law of the USSR of October 1, 1990]. (1990). *Vedomosti Sezda narodnykh deputatov SSSR i Verkhovnoho Soveta SSSR — Bulletin of the Congress of People's Deputies of the USSR and the Supreme Soviet of the USSR*, 41, 813 [in Russian].
- 12 Ivanov, V., & Trofimov, L. (1999). *Relihii v Kazakhstane [Religions in Kazakhstan]*. Almaty: VShPTs «Adilet» [in Russian].
- 13 Artemyev, A. (1990). *Ateizm, relihiia, lichnost [Atheism, religion, personality]*. Alma-Ata: Kazakhstan [in Russian].
- 14 Podoprigora, R.A. (2002). *Hosudarstvo i religioznye orhanizatsii. Administrativno-pravovye voprosy [State and religious organizations: Administrative issues]*. Almaty: Arkaim [in Russian].
- 15 Artemyev, A.I. (2010). *Svideteli Iehovy Kazakhstana i Srednei Azii: istoriko-relihiovedcheskii analiz [Jehovah's Witnesses of Kazakhstan and Central Asia: Historical and Religious Analysis]*. Almaty [in Russian].
- 16 Dzhililov, Z.G. (2006). *Islam i obshchestvo v sovremennom Kazakhstane [Islam and society in modern Kazakhstan]*. Almaty: Daik-press [in Russian].
- 17 Dzhililov, Z.G. (2017). Vozrozhdeniie religii i formirovaniie hosudarstvenno-konfessionalnykh otnoshenii v sovremennom Kazakhstane [The revival of religion and the formation of state-confessional relations in modern Kazakhstan]. *Narody i religii Evrazii — Peoples and religions of Eurasia*, 3(12–13), 110–121 [in Russian].
- 18 Sultangaliyeva, A. (n.d.). Evoliutsiia islama v Kazakhstane [The evolution of Islam in Kazakhstan]. [www.ca-c.org](https://www.ca-c.org/journal/cac-05-1999/st_06_sultangal.shtml/) Retrieved from [https://www.ca-c.org/journal/cac-05-1999/st\\_06\\_sultangal.shtml/](https://www.ca-c.org/journal/cac-05-1999/st_06_sultangal.shtml/) [in Russian].
- 19 Vilkovski, D. (2010). Islam v postsovetском Kazakhstane: v poiske novykh reprezentatsii [Islam in post-Soviet Kazakhstan: in search of new representations]. *The world of Islam: history, society, culture: II Mezhdunarodnaia nauchnaia konferentsiia — 2nd International sci. conference*. (pp. 149–163). Moscow: Mardzhani [in Russian].
- 20 Smagulov, K. (2011). Sovremennaia religioznaia situatsiia v Kazakhstane [The modern religious situation in Kazakhstan]. *Tsentralnaia Aziia i Kavkaz — Central Asia and Caucasus*, 14(3), 51–73 [in Russian].
- 21 Zhumabayev, E.Zh. (n.d.). Pravovye osnovy hosudarstvennogo rehulirovaniia deiatelnosti religioznykh obedinenii v Kazakhstane [Legal basis of state regulation of religious associations in Kazakhstan]. [www.parlam.kz](http://www.parlam.kz) Retrieved from <http://www.parlam.kz/ru/blogs/zhumabaev/Details/4/11088> [in Russian].