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**State-Confessional Relations in Russia:
Historical, Legal and Ideological Aspects**

Annotation dissertations for a degree Candidate of political
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The main results of the dissertations

«State-Confessional Relations in Russia:
Historical, Legal and Ideological Aspects»

Dissertation for the degree of Candidate of political sciences Shikher N.D. completed in the scientific specialty 5.5.3. «Public administration and sectoral policies» and is a complete independent study of the process of modernization of state-confessional interaction in the Russian Federation. The paper presents a set of conclusions that have elements of scientific novelty, make a certain contribution to the development of domestic political science and practice, and also have a significant potential for use in the activities of state authorities and political parties.

The relevance of the research topic is due to the complexity of the organization and the permanent transformation of state-confessional relations in Russia over the past decades. On the one hand, not much time has passed since the onset of the period of religious and ideological freedom, and the consequences of the policy of state atheism are felt to this day. On the other hand, for more than twenty years the legislation on freedom of conscience and on religious associations has been applied, on the basis of which a system of state-confessional relations has been built, which is fundamentally different from both pre-revolutionary and Soviet models.

At the beginning of the 21st century, the interaction between the state and religious associations acquired a new meaning for the development of the country. The theoretical and practical relevance of the study of these relationships is due to a number of factors.

1. In the policy of the Russian leadership, there is a clear ideological focus on the revival and protection of traditional values, including religious ones. In this regard, the role of religious associations in the socio-political life of the country is growing, and the Russian Orthodox Church occupies a special position in this process. This situation requires the state to develop a competent strategy for building relations with religious associations that combines the principle of secularism and an individual approach to the confessions traditional for Russia on a parity basis.

2. Bodies for interaction with religious associations created at different levels of government play an important role. The effectiveness of state-confessional policy depends on the priority areas of activity they have chosen and their interest in

building mutually beneficial relations with religious associations operating in the respective territories.

3. The issue of state-confessional relations in the Russian scientific community is highly debatable, since the views of researchers diverge in diametrically opposite directions. The most pressing problems of the discussions indicated are: the choice for Russia of the optimal model of relations between the state and religious associations, the legal conflict of laws of the new state strategic direction for the protection of traditional values, as well as the need to develop an official document containing the conceptual provisions of the state-confessional policy in the country.

The extreme ambiguity of these factors requires new scientific developments to solve a considerable number of problems in the sphere of state-confessional interaction that modern Russian society has faced. A detailed study of the political and legal mechanism of domestic state-confessional relations in its historical and real perspectives will make it possible to determine the most effective vector for the development of relations between the state and religious associations and develop an optimal plan for resolving the problems existing in this area.

The object of the research is state-confessional relations.

The subject of the study is the features of the development of relations between the state and religious associations in Russia, the historical, legal, political and ideological aspects of the evolution of these relations and their current state.

The purpose of the study is to identify problematic political, legal and ideological aspects in the field of state-confessional relations in Russia, as well as to develop proposals for improving modern state-confessional policy.

To achieve the goal of the study, **the following tasks** are defined:

1. To analyze the state-confessional policy in Russia in the period from the 10th to the 21st centuries, to study the conditions and reasons for its transformation.
2. To reveal the legal and organizational foundations for the functioning of religious associations in the Russian Federation, to identify legislative and law enforcement problems in this area.
3. To study the typology of state-confessional relations, to identify a model of state-confessional interaction that is relevant for Russia.

4. Show the main directions and trends in the development of institutional and informal communication between state (municipal) structures and religious associations in the modern period.

5. Analyze the ideological trends of modern state-confessional policy.

6. To reveal the prospects for the development of Russian state-confessional relations.

Research hypothesis. In the context of a serious transformation of the socio-political processes taking place in modern Russia, there is an urgent need to develop a legal document that reflects the concept of state policy in relation to religious associations and contains the principles and directions for the development of state-confessional interaction. So far, the state has not defined a clear model of relations with religious associations, and there is no consensus on this issue in the scientific community either. At the same time, in the last few years, there have been active ideological tendencies on the part of the current government, which directly affects the transformation of state-confessional policy.

As a result, the current situation raises many questions both in scientific and public circles, to which there are no unambiguous answers yet. It seems that the development of the Concept of state-confessional policy, in which its main ideological principles and methods will be consolidated, as well as the characteristics of the current model of relations between the state and religious associations, can become a healing tool for harmonizing social relations in the context of the formation of a new paradigm of state development.

The theoretical and methodological basis of the research is determined by the interdisciplinary nature of the work, the features of its object and subject, as well as the purpose and objectives. The choice of methodological research tools is due to the specifics of the state-confessional policy of the Russian Federation. The methodological basis of the study is a complex of scientific methods: general and particular scientific. Among the general scientific methods used in the framework of the dissertation research, one should single out: deduction and induction, analysis and synthesis, analogy, abstraction and generalization, etc. It is also necessary to identify private scientific methods that made it possible to implement an integrated approach to conducting research: the formal legal method (studying the content of the current system of law in the field of freedom of conscience and the legal status of religious associations through its detailed analysis and processing); sociological method (monitoring the functioning of religious associations, and comparing the real state of affairs with its normative regulation in order to identify problems in the field

of state-confessional relations); comparative legal method (comparison of models of relations between the state and religious associations in different states); statistical method (study of the necessary quantitative indicators in order to analytically compare them with qualitative indicators); historical method (study of the genesis and development of religious associations, the history of their political and legal status in the state, analysis of the conditions and causes of changes in state-confessional relations over the centuries). Using the indicated methods, it was possible to collect a significant empirical base on various aspects of the dissertation, in particular, some materials of the executive authorities on work with religious associations, statistical data from the Supreme Court of the Russian Federation and the Ministry of Justice of the Russian Federation, as well as information on the activities of the Commissioner for Human Rights in the Russian Federation. Federation in the field of protection of the right to freedom of conscience and the right to association.

The regulatory and law enforcement base of the study was compiled as the current regulatory legal acts of the Russian Federation (in particular: the Constitution of the Russian Federation, international legal acts, federal laws, decrees of the President of the Russian Federation, decrees of the Government of the Russian Federation, laws regulating the activities of religious associations, as well as treaties and agreements between religious organizations and executive authorities), as well as domestic legal acts that have lost their force; law enforcement practice: the practice of the Supreme Court Russian Federation and the European Court of Human Rights concerning the issues under study, as well as the activities of executive authorities at various levels in the sphere of their relations with religious associations.

The empirical base of the study was made up of speeches, reports, analytical articles of modern scientists, religious scholars, political scientists and various public figures in the field of interest; results of sociological researches of the specialized organizations and personal researchers; official Internet resources of authorities at various levels, religious and public organizations; archival documents.

The scientific novelty of the dissertation is as follows:

1. A comprehensive monitoring of the legal regulation of the right to freedom of conscience and the functioning of religious associations in the Russian Federation was carried out. A number of problematic and controversial issues of both legislative and law enforcement nature have been identified. First of all, this concerns general terminological issues related to the policy of privilege of traditional confessions and its correlation with the constitutional principles of secularism and equality of

religious associations. There are also shortcomings in the legislation in the field of holding public religious events, carrying out missionary activities by religious associations, bringing to justice for extremism and insulting religious feelings. In addition, attention is drawn to the inconsistency of law enforcement practice in the field of interaction with religious associations, due to the imperfection of the current legislation and poor professional training of employees of executive authorities. The author proposes appropriate solutions for each of these problems.

2. As a result of the study of numerous classifications of state-confessional relations proposed by both foreign and domestic scientists, the author formulated his own classification, which includes the five most popular models of state-confessional interaction.

3. Institutional and non-institutional mechanisms of relations between the state and religious associations are identified and described, including the main forms of partnership. The value-ideological factors used by the state for the formation of national and confessional policy are analyzed. On the basis of this information, the author's preferential-cooperative model for the development of Russian state-confessional relations is proposed and substantiated.

4. A detailed analysis of the state strategy for the protection of traditional spiritual and moral values was carried out. The socio-political reasons for its consistent introduction into the legal field are considered, as well as some assumptions are made regarding the ideological consequences that may arise in connection with the further implementation of this strategy.

5. Taking into account the permanent transformation of the political and legal processes taking place in the state, the instability and uncertainty of the state policy in relation to religious associations, the necessity of developing the Concept of state-confessional policy has been proved and proposals have been made regarding the improvement of relations between the state and religious associations in Russia.

The main provisions for defense:

1. As a result of a study of about 30 classifications of state-confessional relations of varying complexity, a new typology has been developed that includes five models of interaction between the state and religious associations: confrontational, separation, cooperation, preferential, theocratic. This typology is as close as possible to the universal one, since it uses the most common models of relations between the state and religious associations today.

2. Modern relations between the Russian state and religious associations are presented in two formats: institutional and non-institutional. The first assumes the functioning of state-confessional interaction on the basis of bodies that are part of the power structure. The author identifies three types of such relationships: between state (municipal) bodies of special competence and religious associations of their level; between a specific executive authority (institution) and a certain religious association on the basis of a partnership agreement; representation of religious associations in the Civic Chamber of the Russian Federation, which, although not related to government bodies, is the most important platform for the formation of state-confessional policy. Based on the results of a detailed study of these forms of state-confessional interaction, the following features were revealed: religious associations are represented by a narrow confessional composition (only traditional confessions, mainly Orthodox and Muslims), the activities of most bodies of state-confessional interaction are not publicly covered (especially at the regional level), and therefore it is difficult to track the effectiveness of their work. The author proposes the following measures to improve the activity of institutional forms of interaction between the state and religious associations: to oblige the authorities interacting with religious associations to publish quarterly information about their activities on the Internet; to recommend to the authorities to include in their membership representatives not only of traditional religious organizations, but also of other religious associations; regulate the procedure for making decisions by these bodies concerning the interests of certain religious associations, with the obligatory consideration of their opinion.

3. The non-institutional type of communication between the state and religious associations is realized, firstly, through the President of the Russian Federation, who directly interacts with the spiritual leaders of religious organizations, mainly traditional ones. Another channel for state-confessional communication is the World Russian People's Council, where important religious and cultural concepts are formed, supported by the state. Over the past three decades, Russian legislation and judicial practice have reflected a number of ideas developed in the framework of conciliar discussions, in particular, the return of property nationalized by the Soviet authorities to religious organizations, the restriction of foreign religious missions and the activities of non-traditional religious associations, the introduction of religious education in schools and universities, the need for patriotic education and the protection of historical truth, and some others. The first persons of the state invariably take an active part in the annual activities of the

Councils and share the position of the exclusive role of Orthodoxy and the Russian Orthodox Church both in historical retrospective and in modern life.

4. One of the most controversial topics in the field of state-confessional relations remains the topic of choosing a model of such relations that is relevant for Russia. The author of this dissertation research suggests that the modern Russian model of state-confessional relations can be characterized as preferential-cooperative (according to the above-mentioned author's classification). From the point of view of the current legislation, as well as the institutional interaction of the state with religious associations, we can talk about a cooperative model, while their extra-institutional interaction, as well as the position of civil society, rather testifies to a preferential model. It seems that this model takes into account the objectively established political situation in the field of state-confessional relations, while maintaining positive neutrality, due to the constitutional principle of separating religious associations from the state.

5. With the incumbent President coming to power in Russia, there have been clear trends in the formation of a state ideological strategy for the protection of traditional values. Since 2020, the concept of preserving and strengthening traditional Russian spiritual and moral values is beginning to be decisively introduced into the political and legal space: the constitutional amendments of 2020, stating the reception of historical and religious ideals (spiritual and moral values); identification of the protection of traditional values with one of the main national priorities and interests of the state ("The National Security Strategy of the Russian Federation"); the introduction of the definitions of "traditional values" and "destructive ideology" with their subsequent opposition to each other, which is actually seen as the legitimization of the ideological element ("Fundamentals of the State Policy for the Preservation and Strengthening of Traditional Russian Spiritual and Moral Values"). Obviously, these legal reforms give rise to some legal conflict between the constitutional provisions on the prohibition of state ideology and the actual establishment of a national "constructive" ideology to strengthen and protect traditional Russian spiritual and moral values. It seems that in the context of the orientation of modern state policy towards the consistent confident introduction of an ideological element into the legal field, the resolution of this conflict may be associated with the next amendments to the Russian Constitution.

6. The political duplicity that has developed in Russia, which is reflected in the hybrid preferential-cooperative model of state-confessional relations, requires, in the author's opinion, its legalization. The optimal solution would be the adoption of the Concept of state-confessional policy for the short term, which would reflect

the main goals and directions for the development of interaction between the state and religious associations at the present stage (including the political-ideological, legal and historical aspects of the state structure; principles and prospects for building institutional relations between the state and religious associations; regulations on educational projects in the field of religious studies).

Approbation of the research results. The main provisions of the work were discussed and approved at the Department of National and Federal Relations of the Institute of Public Administration and Management of the The Russian Presidential Academy of National Economy and Public Administration under the President of the Russian Federation (RANEPA).

The main conclusions and provisions of the study were reflected in 10 articles published in scientific journals, including 6 in journals included in the list of peer-reviewed scientific publications, in which the main scientific results of dissertations for the degree of candidate of sciences should be published:

1. Shikher N.D. (2020). Institutional forms of state-confessional interaction in modern Russia. Scientific journal "Issues of national and federal relations", 11, 3 (72), 874-883 (HAC list).

2. Shikher N.D. (2021). Analysis of modern classifications of state-confessional relations. Bulletin of the Volga Institute of Management, 21, 2, 104-114 (HAC list).

3. Shikher, N.D. (2021). Political implications of Orthodox identity: An example of the World Russian People's Council. RUDN Journal of Political Science, 23(4), 600–613 (HAC list).

4. Shikher N.D. (2021). Legal analysis of the evolution of the state-confessional policy of modern Russia. Bulletin of Moscow University. Series 12. Political sciences. 6, 70-80 (HAC list).

5. Shikher N.D. (2022). The role of Orthodoxy in the formation of the Russian national idea. Modern Science and Innovations, 1 (37), 171-179 (HAC list).

6. Shikher N.D. (2023). Ideological tendencies of modern Russian legislation. Bulletin of the Volga Institute of Management, 23, 1, 36-43 (HAC list).

7. Shikher N.D. (2022). Discussions about the prerequisites and results of the formation of a modern model of Russian state-confessional relations. Bulletin of State and Municipal Administration, 11, 2 (44), 58 – 67.

8. Shikher N.D. (2019). Executive authorities as arbiters of the "legal realization" of the freedom of public religious events. The Constitution of the Russian Federation and the modern legal order: materials of the conference: at 5 hours - Part 2. - Moscow: RG-Press, 394-398.

9. Shikher N.D. (2019). State-legal status of the Russian Orthodox Church in princely and tsarist Russia. Church Historian: Scientific Journal, 2, 2, 203-220.

10. Shikher N.D. (2022). Understanding the principle of secularism in the conditions of modern political and legal reality. Russia and the world: transnational communications and interpenetration of cultures: Collection of articles of the international interdisciplinary scientific conference (Moscow, April 22, 2022) / Comp. R.A. Ogorodnikova, A.A. Emelyanov. M.: Knigodel, 443-453.

Some of the results of the study were presented at the following scientific and practical conferences:

- National Scientific Conference "Actual Issues of Modern Theological Science" (Moscow, 2019);

- XIII International Scientific and Practical Conference "Modern Challenges and Actual Problems of Science, Education and Production: Intersectoral Disputes" (Kyiv, 2021);

- VI International Scientific and Practical Conference "Society and Christianity" (Minsk, 2022);

- International Interdisciplinary Conference "Russia and the World: Transnational Communications and Interpenetration of Cultures" (Moscow, 2022);

- Interuniversity scientific conference "Modern Theological Science" (Moscow, 2022).

The structure of the dissertation research is determined by its goals and objectives. The work consists of an introduction, four chapters containing 12 paragraphs and several subparagraphs, a conclusion and a bibliography. Scope of work: 388 pages. The composition of the bibliography: normative legal and law enforcement acts (106), literature (150), periodicals (169), literature in foreign languages (21), reference literature and other sources (39).

