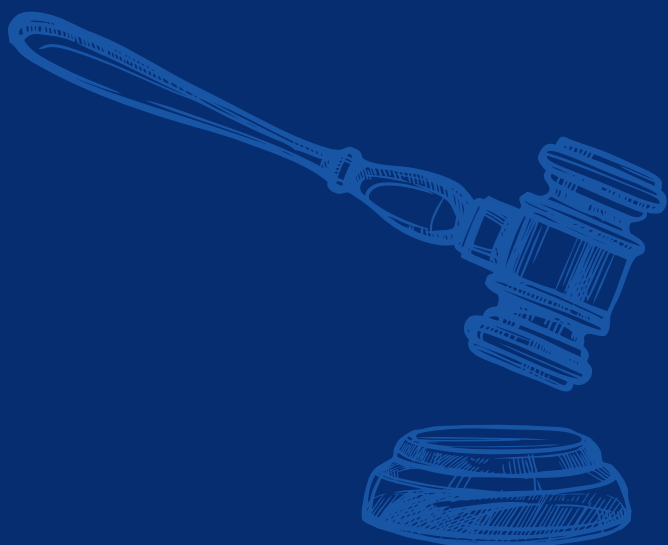


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Introduction

Russia is a transitional country on its way from a socialist past to a future which has no definite contours. The ultimate point to which Russia moves is still under discussion in Russian public opinion and among researchers. In the 1990s, it seemed that Russia was ready to endorse globalism and to consider itself as a part of Western civilization which then imposed itself as a model for global development. Since then, Russia has changed its goals and, apparently, returned to the eternal question of whether it shall follow the West's lead or shall determine its own development trajectory: a question that was discussed by Slavophiles and Westernizers in the 19th century and, since then, has been reformulated by many other thinkers and politicians.

This is an identarian issue and the matter of religion is of crucial relevance. Since Petr Chaadaev, Westernizers identified Russia with Christianity and the West. Slavophiles and their intellectual descendants, however, tried to define Russia as a specific Orthodox (Byzantine, communitarian) civilization as opposed to a Western Catholic and Protestant one. Religion is one of the main national identity factors for Russia.¹ While there are many research projects that tackle this issue from a sociological or political standpoint, there are few publications where Russia's legal development is examined in terms of the methods proper to Law & Religion (e.g., Berger 2011). Our paper contributes to this discussion, using Law & Religion methods to reveal the argumentation and legitimation strategies that stand behind statutory acts and judicial decisions.

The transitions between the three “empires” (Tsarist Russia, the Soviet Union, and the Russian Federation) were not smooth and included ruptures with the preceding legal orders and ideology. The Soviets disbanded the “prison of the peoples” (Lenin's description of the Russian Empire), discontinued imperial law (establishing a new legal order from the scratch) and abandoned the official conservative-religious ideology of “Autocracy, Orthodoxy, and Nationality”. The

¹ Orthodoxy is the key religious denomination in Russia. According to Russia Public Opinion Research Center (WCIOM), about 57% of Russians consider themselves followers of the Orthodox faith (WCIOM, 2023: *Religiya i obshchestvo: monitoring [Religion and Society: Monitoring]*. <https://wciom.ru/analytical-reviews/analiticheskii-obzor/religiya-i-obshchestvo-monitoring>). Orthodoxy occupies a special position in the political and legal system due to its huge historical influence on Russian culture, as underscored in the Preamble of the Law on Religious Freedom.

dissolution of the USSR in 1991 had similar effects which were enshrined in the 1993 Constitution. Yeltsin and his government made it clear that the Soviet era was a tragic rupture in the national history of Russians and that the new Russia would restore what had been destroyed by the Bolsheviks and by their Communist ideology. In both cases the new Russian statehood and its legal order affirmed themselves by denying their predecessors and their ideology.

Nonetheless, the underlying legitimization strategy and ceremonial, liturgical, and acclamatory aspects which represent this strategy paradoxically remained the same. To follow Agamben's terms (Agamben 2011), the kingdom's glory in these three empires meant the Russian state and its law are justified insofar as they subordinate themselves to a messianic task. For the Romanoff empire it was to lead to God's Kingdom by supporting Orthodox Christianity; for the Bolsheviks to lead to the "bright future" of Communism by changing the world accordingly; and for Russia's legal order today the justification lies in the reestablishment of the traditional moral and religious order. Agamben's point was that "glory" in the legitimization of political power is a thing of the past in the West. For Russia, which has always symbolically been between the West and the East, this way of legitimization is still a powerful ideological instrument.

In terms of this Agambenian analysis, one can analyze the dialectics of the formal denial of this mystic-emotional ideology (plainly denied in the Soviet Constitutions and the 1993 Russian Constitution) which nonetheless inexorably reimposes itself: in Stalin's "Great Retreat" (a term that Nicholas Timasheff coined in Timasheff, 1946) back to the imperial symbols of Russian glory. This axiological legitimization implied a specific alliance of the political authorities and the (de facto) spiritual ones (the Church or the Party). The actual constitutional development of Russia (especially in the light of the 2020 Constitutional Amendments²) suggests that this strategy is still in play. The state de facto seizes on the old legitimations despite the formal constitutional provisions: the ban of official ideology and the separation of state and church.

The Russian Constitution, adopted in 1993, established the separation of religion from the state, proclaiming in Article 14 that Russia is a secular state and mandating that no religion may be established as State or compulsory. Religious associations are separated from the State and are equal before the law. Article 28 adds that everyone shall be guaranteed the freedom of conscience, the freedom

² This set of amendments considerably reshuffled the 1993 Constitution in many respects. In terms of symbolic representation of power, among the important amendments are the mention of faith in God as the basis of Russian statehood; the obligation to protect "historical truth" as one of the State's key missions; the proclamation that Russia is a successor of the USSR and a continuator of the Russian empire.

of religion, including the right to profess faith individually or together with other any religion or to profess no religion at all, to freely choose, possess, and disseminate religious and other views and act according to them. These provisions gave legislative freedom for religious service and dissemination of different religious movements.

The 1997 Federal Law “On Freedom of Conscience and Religious Associations” became the fundamental act that regulated religious relations in Russia. This law preserves and supplements the constitutional provisions on the secularism of the State and the freedom of religion, regulating and defining the legal status of religious denominations. The law declares that all religious associations are equal before the state and the law. The Preamble of the 1997 law proclaims the special role of the Orthodox Christianity in the history of Russia, in the formation and development of its spirituality and culture. Following this provision, a number of agreements have been concluded between the Russian Orthodox Church and various state bodies and institutions. There are such agreements in the Federal Penitentiary Service and the Ministry of Defense, which provide spiritual care for prisoners or military personnel. All this has led to the strengthening of cooperation between the Russian Orthodox Church and the state, and has contributed to the strengthening of Orthodox public relations.

In 2010, Federal Law “On the transfer to Religious Organizations of State or Municipal Property for Religious purposes” was adopted. The law established the gratuitous transfer of ownership or the gratuitous use of property owned by the state, its regions, or municipal entities to religious organizations for religious purposes. This law mainly concerned the Russian Orthodox Church, since most of the property complexes, buildings, and art objects belonged to the Russian Orthodox Church. In fact, the Solovetsky Monastery, the Valaam Monastery, the Kazan Cathedral in St. Petersburg and many other objects, confiscated by the Soviet State, were returned to the Church after 1991.³ Which was not the case for other religious denominations that have not always got back their pre-revolutionary possessions with the same ease.

In 2012, a course of “Fundamentals of Religious Cultures and Secular Ethics” was introduced in Russian primary and secondary schools.⁴ This course includes teaching on the fundamentals of Orthodox Christian culture, which is sometimes taught at Russian schools by Orthodox priests following agreements

³ An overview of court practice in disputes concerning the transfer of religious property to religious organizations, was released by the Russian Supreme Court on 16 November 2022. Most of the case law cited in this Overview concerned the Russian Orthodox Church.

⁴ Decree of the Government of the Russian Federation No. 84-r of 28.01.2012

with the Ministry of Education. Recently, a Presidential Decree⁵ was issued, which gives a special role in the formation and strengthening of the Russian traditional values to the Orthodox Church.

However, it would be erroneous to claim that only Orthodox Christianity determines religious narratives in Russia and has a say in political and legal issues. The 1997 Law mentions Islam, Buddhism, and Judaism, along with Christianity, as the “traditional” religions in Russia and each of them is prevalent in some regions of Russia: Islam in the republics of the Volga region (Tatarstan, Bashkortostan), in the republics of the North Caucasus (Chechnya, Dagestan, etc.), Buddhism prevails in the republics of Kalmykia, Tuva, Buryatia, while there is the Jewish autonomous region in the Far East of Russia. The state tried to strike practical alliances with all these religions, each of them is represented in the consultative bodies that cooperate with the state and lobby on behalf of their believers.

A crucial step in this legal development was marked in 2022 by the Presidential Decree on traditional values.⁶ This Decree underscored the symbolic and emphatic meaning of these values for the Russian statehood, treating these values as de facto substitutes for the state ideology formally interdicted by the Constitution. Underscoring the role of Orthodox Christianity and other three “traditional religions” in shaping these traditional values in Russian history, the Decree allowed the Russian Orthodox Church and, to a lesser extent, the three other traditional religious denominations to form the implicit state ideology and thereby to exert indirect influence on the creation and application of Russian law.

It is also important to remember that Russian Orthodoxy itself is not homogeneous. There are different trends and movements inside the Russian Orthodox Church. A full treatment falls outside the scope of the present work, however, since the 17th century the Russian Orthodox Church has been divided between the official (Nikonian) and the oppositional (Old Believer) denominations. It goes without saying that inside Christianity itself, Orthodoxy coexists with other denominations. The main rival of Orthodoxy is Catholicism which also has many believers in Russia and exerts its influence in Russia.

There are many studies which deal with the relations between Orthodox Church and the Russian State and the influence of the Church on Russian law.

⁵ Presidential Decree of 09 November 2022, No. 809 “On Approval of the State Policy Framework for Preserving and Strengthening Traditional Russian Spiritual and Moral Values”

⁶ Decree of the President of the Russian Federation No. 809 (2022, November 9). *Ob utverzhdenii Osnov gosudarstvennoj politiki po sohraneniyu i ukrepleniyu tradicionnyh rossijskih duhovno-nravstvennyh cennostej* [On Approval of the State Policy Framework for Preserving and Strengthening Traditional Russian Spiritual and Moral Values]. Available at: <http://www.kremlin.ru/acts/bank/48502>.

The literature that considers the role that these other religious denominations play in the Russian legal regulation is far less abundant. Our paper examines this topic. Below, we examine each of the main religious denominations which coexist with the Orthodox Christianity: Catholicism and Old Believers inside the Christianity, Islam, Buddhism, and Judaism. We describe their status under Russian law, their respective roles in Russian social life, and the main problems they encounter.

Islam

Islam is the second most popular religion in Russia. According to the Russian sociological agency WCIOM, 8–10 percent of the population (about 15 million people) are Muslim (Vremya Namaza, 2024). This important position is endorsed by the Preamble of the 1997 law “On Freedom of Conscience and Religious Associations”.

There is a consultative and representative religious organization, the Council of Muftis of Russia (the Council), acting on behalf of Russian Muslims. This association engages in educational activities, provides assistance to Muslims in Russia, and acts as an intermediary in relations with State authorities. The Council is the central body of all regional Muslim religious associations. It has the power of interpreting religious issues and adapting Shariah norms to Russian realities, which is not an insignificant competence.

“The Social Doctrine of Russian Muslims” issued by the Council describes the historical background of the development of Islam in Russia, the principles and dogmas of this religion, and determines which Islamic religious teachings are accepted by the Council in Russia (Council of Muftis of Russia, n.d.), and which are not. First and foremost, the Council condemns radical interpretations of Islam and those who carry out or approve terrorist acts and other crimes. In this regard, the Council de facto defines traditional Islam in Russia and its interpretations (Council of Muftis of Russia, n.d.), leaving it up to the State to decide whether to persecute such interpretations as extremist, should there be legal grounds for it.

Islam is clearly regulated due to the long lasting relatively unified doctrines in its main denominations, which distinguishes it from other religions with more flexible regulations. Of particular importance is Sharia, which contains the prescriptions regulating the order and rules of life of Muslims. This body of rules encompasses not only religious, but also moral and legal regulations, without drawing a strict difference between them. In some Muslim countries, these religious dogmas are part of the legal system and are reflected in the official law of these countries. Not infrequently, Shariah norms claim to have higher legal force than secular laws (Sokolov, Starostina, 2008: 98), which is a hallmark of any religious norms.

As the HSE Professor Leonid Sukiyainen has repeatedly noted in his works, it is wrong to reduce the Muslim law only to the norms of Sharia and to put unconditional equality between them and legal prescriptions, since Sharia is primarily religious prescriptions that are based on human faith, conscience, and

piety (Sukiyainen, 2018: 53-54). Due to such specifics, the inclusion of Sharia norms directly into legislation is impossible. In this regard, the institute of *fiqh* (doctrine) acquires an important role adapting the prescriptions of religious texts, interpreting them and serving as one of the main mechanisms for the implementation of Sharia norms in Muslim law and the legal field (Sukiyainen, 2018: 53-54).

Sharia norms are mandatory for all Muslims to observe, regardless of their country of residence. For their violation, believers shall respond both to God and to the religious community. There is no difference whether such an offense is punishable by the secular authorities or not: once certain behaviors are prohibited by religious dogma, they must be avoided, no matter whether secular law admits them or not. In this regard, there may be a number of contradictions between legislative regulation and Sharia norms.

Wearing a hijab at educational institutions is a very controversial point not only in Russia, but also in many Western countries. The hijab is a special religious garment for women, leaving only their face and hands exposed. In some interpretations, the obligation to wear the hijab in public places is required by the norms of the Shariah (Bocharova, 2010: 4-5). In other interpretations, this obligation is only relevant for Arabic culture and is not mandatory in other cultures. In Russia, this norm was taken into account, for example, in 2003, when the Russian Supreme Court allowed Muslim women to take photographs for documents (including passports) without taking off their hijabs.⁷

Despite this precedent, wearing a hijab and Muslim headscarves is still subject to a number of restrictions, especially at public schools. Dress regulations are the responsibility of educational organizations. The Russian state introduces only general rules for school uniforms, but their type and other elements are determined at the level of educational institutions themselves.

One paradigmatic case on this issue was decided in 2012 in Stavropol Region, where the administration of a public school issued an order that prohibited students from wearing hijabs and Muslim headscarves in class (Dudorova, Markova, 2019: 58). This restriction angered the local Muslim community. In the opinion of some parents of these Muslim students, this decree violated their constitutional right to free exercise of religion and discriminated against their children on religious grounds. They sought for judicial protection by bringing a complaint to the regional Public Prosecutor's Office, but the Prosecutor's Office did not find any violations.

⁷ Case No. KAS03-166, 2003

Later in the same year, the Government of Stavropol Region issued a decree that prohibited wearing of religious clothing and other religious symbols in public schools. This regulation prompted the parents of the schoolchildren who practice Islam to file a lawsuit and to seek this decree to be annulled. The claim went through the trial, appellate, and cassation courts where judges concluded that the applicants' rights had not been violated, as the ban on religious dress did not affect religious beliefs and their exercise in mosques and at other religious sites. In the last instance, the case was heard by the Russian Supreme Court.⁸ The Supreme Court held that the regional decree did not affect the plaintiffs' rights to the free exercise of religion in the form of rites and to education, and dismissed the application.

In 2014–2015, similar restrictions were adopted in the Republic of Mordovia. They were also challenged in court; the case again went to the Supreme Court. Following its ruling of 2012, the Court rejected the complaint and expressed its support for the ban on hijabs in public educational institutions as, in the Court's opinion, wearing certain clothes does not directly relate to religious beliefs which are the matter of "internal convictions and external rites".

This ruling indicated a difference in the conceptual understanding of religious practices and their symbolic meaning for Christians and Muslims. The former usually pays little attention to what is worn by believers and stresses internal belief as the core of the religion, while the latter puts equal emphasis on internal feelings and external behavior, including clothing. The Head of the Council of Muftis of Russia, Ravil Gainutdin, addressed an open letter to President Putin, asking him to protect the rights of Muslim women (Forbes, 2015). The President responded to this appeal by publicly pointing out that it is important to respect religious feelings and traditions, but one should not forget the secular nature of the Russian state (Forbes, 2015). The context of this response suggests that the President considered secularity in terms of the Enlightenment ideals developed in the Western Christianity.

Grounded in different approaches to the limits of secularity, such disputes continue to this day. In 2023, for example, several female students were expelled from a medical college in Novocherkassk for wearing hijab in class (Lashko, 2023). But the case did not go to trial, as after the situation began being publicly discussed, the girls were readmitted.

In order to resolve such situations, several Ingush deputies submitted a draft bill in March 2023 that contained provisions on allowing hijab at public

⁸ Case No. 19-APG13-2, 2013

secular educational institutions and submitted it to the State Duma (Moskva²⁴, 2023). They argued that the hijab is an everyday garment traditionally worn by Muslim women everywhere pursuant to their religious norms, and attending public schools makes no exceptions from this requirement. Nor does the hijab contain any religious symbols and does not encroach on the principle of secularity and does not endanger the secular nature of education.

Another important issue is the relationship between Islam and the economy. Shariah norms contain a ban on any kind of usury, i.e. Muslims cannot make deposits or take loans from banks receiving or paying interest, and generally are not allowed to lend or borrow money for interest. In many Muslim countries, there are specialized banking systems that formally exclude the concept of interest. Such systems have a special financial institute called the Islamic loan, which does not impose interests for taking credit, but involves a voluntary payment for the service rendered by the bank by lending a certain amount of money (such payment is called *hiba*). In this regard, in countries without this banking system, Muslims can be essentially limited in their financial operation because of the interdictions contained in Shariah law.

In Russia, this problem is quite common, as there are about 15 million Muslims living in the country. As a result, a large amount of money does not circulate through the banking sector. This situation remained unresolved for many years, and only in August 2023 an experimental Federal Law⁹ was adopted (Law 417). This law was initially valid from 1 September 2023 to 1 September 2025 (and later extended to 1 September 2028), and only in four Russian regions: the Republics of Bashkortostan, Dagestan, Tatarstan, and the Chechen Republic (Art. 1).

The main idea of Law 417 is to introduce a special economic and legal scheme called “partner financing”. Its rules are similar to *hiba*. Banks and other participants cannot demand interest rate for loans, but they have the right to charge variable amounts for banking services and other operations, calculated proportionally to the value of the transaction (para. 2, Art. 2). The money received by the participants of “partner financing” cannot be invested in the production of alcohol, tobacco products, in the military-industrial complex, or in gambling businesses (para. 3, Art. 2). It is important that such restrictions do not apply to

⁹ “On conducting an experiment to establish special regulation in order to create the necessary conditions for the implementation of partnership financing activities in certain subjects of the Russian Federation and on amendments to certain legislative acts of the Russian Federation”

the usual activities of the bank, and partner financing is an additional service that the client has the right to but is not obligated to choose.

According to the expert estimates, Law 417 could help to attract about 55 billion rubles into the Russian banking system per year (RBK Otrasti, 2023). If the experiment is successful, it could be extended to the whole territory of Russia, so that Muslims throughout the country will be able to use banking services without contradicting Shariah norms.

The next important issue is polygamy. This interdiction is enshrined in Art. 14 of the Family Code,¹⁰ which prohibits entering into a second marriage before the first one is cancelled. However, according to the norms of Sharia, it is permissible for a man to be married to several women at the same time (Kuliev 2021: 67). The Qur'an introduces rules that must be observed in order to marry several women: a man must have sufficient material wealth to support all his wives; each of the wives shall be treated equally by the husband; a man shall treat all his women fairly (Sura 4, ayat 129).

The normative development of attitudes towards polygamy in Russia has undergone serious changes. In Soviet times, polygamy was criminalized.¹¹ For entering into a second marriage one could be sentenced to up to one year of imprisonment. The 1996 Russian Criminal Code decriminalized polygamy, however the Family Code's interdiction on registering a marriage with several persons (male or female) at the same time remains. Therefore, polygamy (and polyandry) does not formally exist in Russia. However, due to the lack of sanctions, in some Muslim regions of Russia, polygamic marriage is practiced, although only the first marriage is recognized by Russian law.

Ingushetia, one of the Muslim regions of Russia, is of particular interest. On July 19, 1999, a special decree was adopted by the Ingush President, which recognized Sharia norms on polygamy and allowed it in Ingushetia (Sukiyainen, 2014: 7). Further, the People's Assembly of Ingushetia adopted the law "On the Regulation of certain issues of family and marriage relations in the Republic of Ingushetia", which finally allowed polygamy in this republic (Ibid.: 7-8).

However, legal status of polygamy in Ingushetia did not last long. On July 13, 2000, the Ingushetia Supreme Court annulled the law finding it incompatible with federal law (i.e. Articles 14 and 123 of the Family Code). The Ingushetian Decree and the Law lost their effect immediately. Now, the Ingush local legislation only mentions national customs and traditions concerning marriage.

¹⁰ Federal Law No. 223-FZ, 1995

¹¹ Article 235 of the Criminal Code of the RSFSR (dd. October 27, 1960, as amended)

Article 37 also mentions national and traditional specificities in family relations in the Constitution of Ingushetia (Respublika Ingushetiya. n.d.). Ingush persons can follow traditional and religious customs when entering into a marriage relationship, but this however excludes the possibility of the legal registration of subsequent marriages. Similar attempts to consolidate polygamy at the local level were made in Bashkortostan, but could not be implemented.

From a legal point of view, the existence of polygamy in Russia is now formally denied, but, due to the lack of criminal and administrative responsibility for de facto marriages with several women, Muslims living in Russia may remain legally unpunished when entering into polygamic relationships. It is the de facto wives who suffer from this regulation, as in cases of divorce, inheritance, etc., only the first wife is legally recognized and is entitled to material claims. If there are any disputes related, for example, to inheritance or other civil-family relations, it is impossible to obtain judicial protection since the legal rights and obligations between husband and wife occur only within the official registration of civil status.

The Russian Ulema Council has repeatedly noted in its reports and acts the existence of religious polygamy in Russia, but the impossibility of any legal protection thereof, and warned that this situation leads to the infringement of women's rights in a number of cases (TASS, 2021). The Spiritual Directorate of Russian Muslims issued a fatwa¹² "Polygamy in the Russian Federation" (TASS, 2021).

As in every country that adheres to the principle of secularity, there are tensions between state law and religious law in Russia. These tensions are, nonetheless, mitigated in Russia by two factors that are absent in the Western countries. Firstly, there are several Russian regions where the Muslim population dominates. These regions, republics as constituent parts of Russia, have autonomy in a number of issues where local parliaments may legislate and where local executive authorities may adopt executive orders. This local legislation remains valid in many aspects (including the allowance to wear religious dresses in these republics), unless it infringes on the exclusive competence of the Federation (as is the case of registration of marriage which is within federal competence pursuant to Art. 76 of the Russian Constitution). It is certainly important that judges, prosecutors, and other court officials in these regions are normally recruited from the local population and therefore are lenient to the

¹² Fatwa is a decree made by a mufti, *faqih* or *alim* clarifying religious or other issues from the standpoint of Islam.

practices informed by local religions and traditions, even if these practices are not entirely in line with Russian law.

Secondly, even if Russia formally proclaims itself to be a secular country, practically, the State enters into various de facto alliances with the main religious denomination such as Orthodox Christianity or Islam (represented by the recognized religious institutions such as the Spiritual Directorate). These alliances allow State authorities to reinforce their legitimacy by endorsing traditional values and the religious teachings that stand behind these values, while religious denominations are supported by the State in their controversies with dissenters, and obtain certain economic, political and other benefits from the State.

The relations between the State and Islam in Russia follow this pattern of semi-official cooperation. The State readily admits Sharia rules where it does not lead to conflicts with other religions, but is reluctant to admit them where such conflicts may arise. The example of Islamic banking shows this tendency – as no ideological or other interests of the Orthodox Church stand in the way of a specific regulation of loans for the Muslim population, the State engaged a pilot experiment and introduced the Islamic banking in four Russian regions. Still, in the matters of polygamy the Russian State is less tolerable as such marriages are not reconcilable with the religious precepts of the Christianity. The third case studied here shows an in-between situation – wearing religious clothing does not necessarily enter into conflict with other religions. However, such conflicts are possible in some specific regions, contexts or environments, or at certain institutions. That is why the State preferred to decentralize decisions about wearing religious clothes and avoid any comprehensive legal regulation at the federal level. Thus, depending on their own policies, Russian regions may make decisions in this area, and so may smaller units such as municipalities, or even particular schools, universities, or other institutions. Should their interdictions on religious dress be challenged in courts, these authorities and institutions must be ready to justify them with regard to other values and interests that are relevant in their specific context.

Buddhism

In Russian law, Buddhism is considered as “an integral part of the historical heritage of the peoples of Russia” in the preamble to the Federal Law “On Freedom of Conscience and Religious Associations”, along with Christianity, Islam, and Judaism. The significance of this faith has been emphasized by President Putin. In his address to the participants of the International Buddhist Forum, Putin stated: “Buddhism, its culture and traditions have had a great influence on the development of Russia, [they] have played a truly unique role in the formation of a single, united people and have become a high spiritual and moral guide for hundreds of thousands of people” (Kremlin, 2023).

Statistically, Buddhism is not widely represented in Russia: various sources estimate the number of adherents to be between 500,000 and 900,000 people (less than 1% of the population). Nevertheless, it is one of the three most popular religions in Russia and is a world religion. Buddhists mainly reside in the territories of Eastern Siberia: especially, Buryatia and Tuva. The Republic of Kalmykia in the Caucasian region also has a predominately Buddhist population.

Despite the small number of adherents of Buddhism in Russia, the relationship between the Russian state and this faith goes back a long way. In 1741, Empress Elizaveta Petrovna issued a decree allowing representatives of Buddhism to disseminate their faith and practice religious rites, although the number of *datsans* and *lamas* was limited (Istoriya Buryatii, 2011: 170). The religion was referred to as “Lamaism”—its more familiar name (Buddhism) was adopted at the state level much later. The official status of the head (*lama*) of the Buddhist congregation (*sangha*) was confirmed in 1764 in a decree by Catherine the Great.

After this recognition of Buddhism in the Russian Empire, a long period of interaction began between the state authorities and Buddhists, who remained dominant in remote and rebellious regions, such as the Eastern Siberia. Buddhism in Russia followed a path of cooperation with the authorities (for example, the figure of the Russian monarch was introduced into the sphere of Buddhist sacred symbols (Istoriya Buryatii, 2011: 177)). The Buddhist *lamas* supported the Empire during the war of 1812, even if for many Buryats this (and any other) war was meaningless and incomprehensible (Bogdanovich, 1859).

During the 19th century, the number of Buddhists increased, as did the number of *lamas* and *datsans*. However, with the arrival of the Bolsheviks, the relationship between Buddhism and the authorities changed. Initially, the

Bolshevik leadership planned to use Buddhism as a means of spreading Soviet influence in Mongolia and Tibet (Kuzmin, 2019). Buryatia again played a decisive role in these plans, as it was considered as a potential ideological center for influencing neighboring states. Buddhism was also seen as a religion that did not promote belief in any god and therefore fitted within the atheistic framework of the Soviet state or, at least, did not suffer in the cruel atheist campaigns of the 1920s.

Subsequently, however, Soviet policy toward Buddhism changed. In 1929, the secularization of confessional lands began, and all *datsans* were closed. The persecution of Buddhist representatives began and continued in the USSR until 1944, when the rhetoric of state–religion relations changed significantly (Maksimov, 2019). Buddhism once again occupied an important place in the USSR’s transnational policy, being used as a means of ideological influence in Tibet and Mongolia (Badmacyrenov, Badmacyrenova, 2016). It was during this period that a self-governing body of Buddhism was created—the Central Spiritual Administration of Buddhists. In the mid-20th century, Buddhism spread from the Siberian and Transbaikal regions into the European part of the USSR, finding quite a few adherents especially in Moscow, Leningrad, and the Baltic republics.

Unlike, for example, Islam, Buddhism does not collide with any legal regulation, since it does not impose strict requirements on its followers (such as for marriage or dress codes). Buddhism has always differed from other confessions because of the various currents and doctrines, all considered equally orthodox and the lack of centralized governance (Safronova, 2009). In many regional forms, Buddhism in Russia is characterized by syncretism (for example, mixed with shamanism in Tuva). Because of this diversity, the Buddhist community remains highly fragmented.

This previously led to a near-total freeze of Buddhism’s functioning within the Russian legal system, with the exception of the main “Buddhist regions,” namely Buryatia, Kalmykia, and Tuva. Para. 1 of Art. 9 of the 1997 Law “On Freedom of Conscience and Religious Associations” permitted the registration of a local regional religious organization only if it had been present in the region for no less than 15 years. Such a presence was atypical for most regions outside the three core regions. This introduced a barrier to the expansion of registered Buddhist organizations. As such, the lack of registration did not make it impossible to carry out religious activities, but with significantly limited rights (non-registered religious organizations are deprived of the opportunity to participate in public events, get funding, etc.). As the European Court of Human

Rights noted in 2009, this measure violated the rights to freedom of religion and association (ECtHR. Case of Kimlya and Others v. Russia, 2009: paras. 98-102). In 2015, the Russian legislature eliminated the requirement to prove a fifteen-year presence. This legislative change aimed to simplify the activities of religious organizations, and this goal was partially achieved: Buddhist religious associations became part of the state–confessional discourse.

The 2010s in Russia were marked by the explosive spread of Buddhism in various forms, ranging from classical versions to marginal versions of Buddhism, such as the Shambhala Ashram. A significant portion of these sects had the right to call themselves “versions of Buddhism” and, as a result, to claim the right to engage in dialogue with the government. The situation was further complicated by the different interpretations of the basic concepts of Buddhism.

The largest centralized Buddhist religious organization recognized by the Russian state is the Buddhist Traditional Sangha of Russia (BTSR). This organization is responsible for representation of the Buddhist community in relations with the state and is a member of the Council for Cooperation with Religious Associations under the President of the Russian Federation. However, unlike, for instance, the Russian Orthodox Church, the BTSR does not hold a monopoly of representation due to the diverse nature of Buddhism. An example of this problem is the legal dispute between the BTSR and the religious organization “Maidar” regarding control over a *datsan* in St. Petersburg (Filatov, 2023). This conflict is connected with the control over significant Buddhist religious sites: *datsan* communities want to independently elect *lamas*, whereas the BTSR’s charter required that elections are approved by the BTSR. The Russian government supported the BTSR, implicitly considering it as the sole representative of Buddhist communities in Russia, despite the fundamental impossibility of such representation.

There are also several problems related to admittance of Buddhists to realization of state educational programs, as well as problems with Buddhist religious education as such. There is a noticeable trend in Russia toward the representation of Buddhism in general education curricula. For example, the curriculum for primary school includes a mandatory subject called “Foundations of the Spiritual and Moral Culture of the Peoples of Russia”.¹³ As part of this elective subject, chosen by parents of younger students, it is possible to study the

¹³ Order of the Ministry of Education and Science of the Russian Federation No. 373, 2009. This was later renamed “Foundations of Religious Cultures and Secular Ethics” (Order of the Ministry of Education and Science of the Russian Federation No. 1060, 2012).

fundamentals of Buddhist religious culture. In practice, however, only few parents usually opt for the study of Buddhist culture. Apart from primary schools, Buddhist culture is not studied at school, which partly reflects the secular nature of general education.¹⁴ An exception is made for optional religious education.¹⁵

Religious organizations are legally permitted to establish higher educational institutions.¹⁶ Such institutions award “religious qualifications” which meet the requirements of the denomination and academic degrees which are recognized by the State. In order to conduct educational activities and issue state-recognized degrees, institutions must undergo state accreditation—a process that involves the evaluation of educational programs for compliance with federal standards.¹⁷

For many Buddhist educational institutions, obtaining accreditation is virtually impossible. This is due to the fact that Buddhist religious teachings can involve subjects such as tantric disciplines, Buddhist logic, Tibetan medicine, ritual practices, and techniques of meditation and mental concentration. These rarely fit within the secular federal educational standards and, more generally, within modern scientific standards. Unlike the case of Orthodox Christianity, no special religious standard exists that would enable Buddhist institutions to undergo accreditation. As a result, for example, the Buddhist university *Dashi Choinkhorlin* has been unable to receive accreditation for more than 20 years (Buddijskij universitet “Dashi Chojnxorlin”, n.d.). The problem may lie deeper—the presence of numerous fundamentally different schools within Buddhism may significantly complicate the formulation of any uniform standards and, consequently, hinder the recognition of religious education within secular institutions.

Another problematic aspect for legal regulation arising from Buddhist teachings is the principle of non-violence (*ahimsa*). In the interpretation of certain schools, this principle equates to pacifism. *Ahimsa* comes into conflict with the compulsory military service for men in Russia in the absence of grounds for deferral, as provided for in Article 59 of the Constitution (one such ground being enrollment in an accredited university, which Buddhist educational institutions are not). In cases where a person’s religious or other beliefs fundamentally contradict the idea of compulsory military service, the legislation allows for the possibility of performing alternative civilian service. Adherence to Buddhism is

¹⁴ Federal Law No. 273-FZ, 2012: Art. 3

¹⁵ Federal Law No. 273-FZ, 2012: para. 5 of Art. 5

¹⁶ Federal Law No. 273-FZ, 2012: Art. 5

¹⁷ Federal Law No. 273-FZ, 2012: Art. 92

recognized as a valid basis for obtaining the right to perform alternative civilian service.¹⁸

However, the law also imposes on applicants the obligation to provide evidence of adherence to specific beliefs if their request for alternative service is based on religious affiliation.¹⁹ In such cases, documentary proof issued by religious organizations is required; furthermore, this religious affiliation must be of a prolonged nature.²⁰ The approach taken by current court practice significantly complicates the exercise of the right to alternative civilian service. In particular, with regard to Buddhism, such documentary confirmation may not always be obtainable, since Buddhist temples and monasteries are present in only 13 regions of Russia. This greatly hinders the ability of Buddhists to exercise their constitutional right to alternative civil service.

In Russia, Buddhism is becoming increasingly popular not only in the Siberian territories where Buddhism is traditionally practiced but also more broadly. This gave rise to the phenomenon of so-called engaged Buddhism, which is the emergence of a tradition aimed at the public popularization of the faith (King, 2009). The popularity of this teaching is linked to its specific set of postulates and values: non-violence, focus on the inner individual world, and the seemingly detached character of the religion. This trend became especially noticeable at the end of the 20th century, after the world had witnessed several horrifying events (world wars, genocides, etc.), resulting in a societal demand for a religion that preaches peaceful coexistence (King, 2023). Additionally, meditation—a Buddhist form of prayer—in the 21st century has ceased to be an exclusively religious sacrament and is now practiced even by atheists, which has further influenced the spread of Buddhism. The religion’s growing popularity has led to increased global recognition and, consequently, the widespread use of Buddhist symbolism.

One illustrative case in Russia is that of the “Buddha-Bar”—an establishment that used a statue of the Buddha as a design element and served alcoholic beverages (Batenka, da vy transformer, 2016). A general director of the chain was held administratively liable under Article 5.26, Part 2 of the Russian Code of Administrative Offenses for the public desecration of religious objects of veneration. According to the expert opinion presented during the proceedings, “the use of religious symbols in names of alcoholic beverages, as well as the

¹⁸ Sakmarsky District Court of the Orenburg Region. Case No. 2(2)-284/2015~M(2)-275/2015, 2015

¹⁹ The Russian Constitutional Court. Ruling No. 1644-O, 2020

²⁰ Nevsky District Court of Saint Petersburg. Case No. a-9134/2022, 2022

placement of statues in drinking and entertainment establishments, is inadmissible from the point of view of people who practice Buddhism; this offends their religious feelings” (the Russian Supreme Court. Overview of Judicial Practice, 2019). This case law prohibited the commercialization of the image of the Buddha and, as a result, the desecration of the religion. Nevertheless, this prohibition is interpreted in further case law narrowly: a wine bar in St. Petersburg using a Buddha statue as a design element managed to defend itself from the charges of desecration and continues to operate.

In 2015, a significant ruling was issued by the Russian Constitutional Court.²¹ According to the Court’s position, using a swastika or similar solar symbols were recognized as extremist activity. The prohibition introduced by the Federal Law “On Countering Extremist Activity,” as interpreted by the Russian Constitutional Court, was extended to the “Heart Seal” (a reversed swastika)—a symbol of well-being and prosperity in Buddhism. Traditionally, this symbol was depicted on the chest of the Buddha and is present in many sculptures. Following this ruling, case law emerged involving the prosecution of Buddhists wearing the Heart Seal under administrative law for the public display of Nazi symbols. For example, in Omsk, a 30-year-old Buddhist adherent was fined for a tattoo of a solar symbol placed in its traditional location—the solar plexus (Daily Storm, 2017). Arguments by the religious community that the solar symbol is not a Fascist swastika and is much older were ignored by the courts of law which rely on the public reception of this symbol by the majority which is not cognizant of the history of Buddhism and its symbolism.

One of the most sensitive issues for representatives of Buddhism is the construction of *datsans* and *khuruls*—traditional Buddhist temples—as well as statues of the Buddha and Buddhist stupas, which require long and expensive approval procedures that are frequently skipped by believers. Numerous cases have been reported in which Buddhists have defended (or attempted to defend) their ritual structures from demolition — for example, a stupa in Moscow (Kommersant, 2016), a stupa and a Buddha statue in Sverdlovsk Oblast (RBC, 2022), a *datsan* in Irkutsk Oblast (Interfax, 2012). The grounds for demolition in most cases were the lack of authorization and approval. In many cases, Buddhists—due to a lack of means to finance such approval procedures—are left with no alternative but to erect statues or stupas illegally. However, the State does occasionally subsidize regional Buddhist societies and allocates funds for the construction of sites for religious worship (Seldon news, 2020).

²¹ Ruling No. 347-O, 17 February 2015

These installations are typically located in mountainous or remote areas far from urban centers and are ignored by the courts. For instance, according to some observations, after the demolition of a stupa and a Buddha statue in Irkutsk Oblast, no sacred Buddhist site remained in the Urals. According to data from 2023, as reported by the PROBUDDA digital development project, there are 368 Buddhist religious objects in Russia, including temples (*datsans* and *khuruls*), Buddhist Dharma centers, educational and cultural centers, and foundations with a Buddhist orientation.

In 2010, the Federal Penitentiary Service (FSIN) and the Buddhist Traditional Sangha of Russia signed a bilateral agreement on cooperation concerning the spiritual and moral education of inmates and the construction of religious facilities within penitentiary institutions. This agreement was prompted by numerous complaints from Buddhist prisoners regarding the inability to practice Buddhism due to a lack of access to places and objects of religious worship. In some instances, such complaints were submitted to the courts, but they were dismissed on the grounds that special conditions for performing Buddhist rites are not included among the basic conditions of detention.²² The agreement granted lamas and Buddhist representatives the right to provide spiritual care to inmates if they follow a special Buddhist diet. Nevertheless, the agreement did not bring about substantial changes: although a few new *dugans* (small temples) were established, their number remains insufficient. According to the most recent data from 2015, there are only ten Buddhist prayer rooms and seven *dugans* operating within FSIN institutions, while approximately 1,278 inmates belong to Buddhist religious communities (FSIN, n.d.).

It can be concluded that the current legal regulation of the status of Buddhists in Russia faces a number of issues. First, the state's religious policy does not take into account the decentralized nature of Buddhism. Second, there is a shortage of places of worship for Buddhists, particularly within the penal system. Third, there is the problem of the desacralization of Buddhist symbols. Fourth, it is difficult for Buddhist adherents to receive formal religious education, as often it is not recognized by federal educational standards. Fifth, there are serious obstacles to the realization of the right to alternative civilian service based on Buddhist faith.

²² Third Court of Cassation of general jurisdiction. Case No. 88a-9789/2023, 2023; Eighth Court of Cassation of general jurisdiction. Case No. 2-122/2020, 2020

Judaism

Not infrequently, Jewish believers are considered obligated to follow their religious law rather than the official law of the country where they live. This perception gave many false ideas about Judaism and historically served as a justification for hostility towards Jews. When answering the question about what is primary, society or the individual, when analyzing their mutual influence, Glotzer, the public relations consultant of the Chief Rabbi of Russia, argued that “it is impossible to put the question in this way. No individual can develop without society as well as there is no society without self-developed individuals. There must be a harmony in this dialog. Speaking about the protection of fundamental rights and freedoms, the Jewish tradition emphasizes the inviolability of the position advocating the observance of human rights” (Ananyev, 2010: 177).

Judaism in Russia has ancient roots. The first mentions relate to the Bosphorian kingdom in the southern Russia in the 4th century CE, where Jews were associated into the Taman Synod (Shaub, 2010: 107). Later, it was the Khazar Khaganate also in the Southern Russian which in the 8th century accepted Judaism as its official religion. According to the Primary Chronicle, Jews took part in the legendary choice of religions by Vladimir the Saint in the 9th century, sending their envoys to this Prince to explain him the advantages of Judaism. The presence of Jews and their religion in medieval Russia is mentioned in a number of other historical documents. Today Judaism is one of the four traditional religions in Russia, with its center in Moscow (Central synagogue. Moscow, 2015). Beginning in the 18th century, Jews faced restrictions on land ownership, participation in public service, and other oppressions that were enshrined and normalized by the society of the era (Egorov, 2016: 142-148). These restrictions were imposed basing on religious grounds, so that Jews could avoid them by baptizing themselves into Christianity.

Nevertheless, Judaism was allowed as a religion and Jews could exercise their religious rites, build synagogues, even if, from time to time, Jews were persecuted (Khritov, 2023: 104). From the late 19th and early 20th centuries, there were numerous pogroms in the cities and villages of Russia, when the Jewish population was subjected to violence and looting by anti-Semitic movements such as the Black Hundred (Khritov, 2023: 105).

With the establishment of Soviet power, numerous anti-religious, atheistic campaigns were launched which affected all religious denominations, including

Judaism (e.g., the so called “case of doctors” under Stalin, directed against the Jewish intelligentsia). Many religious communities were closed, priests and rabbis were arrested, charged with espionage and treason. Jews who held high positions in government and society were also persecuted, although there is no clear connection of these persecutions with their specific religious beliefs (Mordekhay, 2016: 172-173).

After the collapse of the Soviet Union, the situation began to improve, as evidenced by numerous surveys conducted by the Levada Center, statistics on which have been collected and analyzed since 1990 ((Zeev) Khanin, 2019), and Jews gained more freedom and religious rights. However, in some opinions, anti-Semitism is still a problem in contemporary Russia, and there are reports about Jews still facing discrimination.

Judaism is not only a religion, but also a complex of traditions, ethical and legal rules “combining religious, national and ethical elements, which, in turn, determine the beliefs and way of life of the Jewish people” (Antonov, 2007: 79). Judaism is characterized by: (1) the absence of a universally accepted dogma and, consequently, the diversity of movements in the modern Judaism; (2) in Judaism, there is not a spiritual hierarchy typical for Christian churches; (3) the absence of a unified spiritual-administrative center both in Israel itself and, for example, in Russia (Elishev, 2013: 169).

According to various estimates, about 150,000–200,000 Jews now live in Russia, mostly in large cities such as Moscow and St. Petersburg (RIA Novosti, 2021). Many Russian-speaking Jews also hold second citizenship (Israeli or other). Among Russian regions, the Jewish Autonomous Oblast (JAO) in the Far East stands out. It is the country’s only autonomous region and, apart from Israel, the world’s only Jewish administrative-territorial entity with official legal status. It is also the only region globally where Yiddish is recognized as an official language (Spektor, 2008: 20). Notably, the JAO maintains a multi-confessional character: 67% of its population identifies as non-religious, reflecting nationwide secularization trends in Russia (Kordonskij, Chernov, Molyarenko, Plyusnin, 2018: 111-112, 115). The JAO has accumulated extensive experience in interfaith collaboration and is regarded as a model of interfaith harmony at the national level. The region hosts Orthodox Christian, Muslim, and Jewish communities (LIVE DV, 2024). Jewish communities not only provide for the religious needs of their members, but also engage in cultural and community initiatives (Rossiya v globalnoy politike, 2019). In some opinions, “the creation of Jewish NPOs as religious and cultural communities began in 1988, when on the 1000th

anniversary of the Baptism of Russia, the religion was officially rehabilitated and representatives of various religious groups from Israel and other countries came to Russia to create new religious institutions and communities” (Vereshchagina, 2003: 91). In some areas of Russia, where the Jewish population is relatively large, there are initiatives to introduce cultural and Hebrew language courses into traditional educational institutions.

In general, Judaism in Russia is represented by various movements, with the orthodox ²³ and liberal (reformed) ones being the most predominant (Lyubivyy, 2024). The country is also home to Jews practicing different branches of Judaism, including Hasidism and Conservative Judaism (Nosenko-Shteyn, 2016: 122). There are three main Judaic organizations in Russia: (1) The Russian Jewish Congress (RJC), a public organization dedicated to protecting the rights and interests of Russian Jews (RJC. Moscow, 1996); (2) The Federation of Jewish Communities of Russia (FEOR), the largest network of religious organizations that unites regional centers of Jewish culture throughout Russia, such community centers are usually formed in large cities or the regions where historically there is a high agglomeration of Jews. However, this Federation is not an official representative of Jews or Judaism (FEOR, 2000). (3) The Russian Jewish Youth Congress, the largest national youth organization, created on the initiative of leaders of RJC. It holds annual forums to provide the opportunity to implement youth initiatives (Remk. Ulianovsk, 2012). These communities and movements play an important role in maintaining the identity, traditions, and religious life among the Jewish population in Russia. The influence of each of them depends on their scope of activities, resources, and, for the most part, directly depends on the support of the wealthy members of the Jewish community.

Religious representation of Judaism in Russia is also carried out through the Chief Rabbinate of the Russian Federation (Ravvinat. Moscow, 2008). Rabbis are the spiritual leaders of the Jewish community; they are responsible for issues of the education of believers and for various religious issues. In Russia, there are several rabbis responsible for their communities. At the moment there are two Chief Rabbis: Berl Lazar, appointed by the FEOR in 2000, representing, as noted earlier, the interests of the FEOR (Ravvinat. Moscow, 2008). From Congress of the Jewish Religious Organizations and Associations in Russia (KEROOR) in 1993, Adolf Shaevich was elected as a spiritual leader (Central synagogue. Moscow, 2015).

²³ The association of followers of Orthodox Judaism in the Russian Federation is represented by the “Congress of Jewish Religious Organizations and Associations in Russia” (abbreviated as KEROOR).

These Jewish organizations exert considerable influence on Russia's Jewish community. Their activities, notably FEOR and RJC, transcend the religious domain. For instance, RJC organizes the annual All-Russian Grant Competition for Museum Initiatives and Exhibition Projects, supported by subsidies from the Ministry of Culture (RIA Novosti, 2023). This underscores the integration of Jewish-led initiatives into federal programs, thereby aligning with Russia's National Policy Strategy through 2025. In Russia, as elsewhere, rabbis act as spiritual leaders and consultants on issues related to public life and politics, act as judges in disputes, and issue binding regulations (Rav, 2019). Although in Russia religious figures do not have such a direct influence on political processes, their authority and role in society remain significant. In their public statements, the chief rabbis of Russia do not confront the official line of state policy (TASS, 2023), choosing careful formulations when it comes to publicly sensitive issues for Russian society (RIA Novosti, 2024).

Originally, traditional Jewish education, including the functioning of *yeshivas*, played a significant role in the life of the Jewish population. Judaism in the Russian Empire was closely associated with educational institutions, where Jewish youth received both religious and secular knowledge. Home education was also widespread among Jews in Russia (Lokshin, 2018: 254). Today in Russia, Judaism continues to play an important role in education. There are a number of Jewish educational institutions²⁴ that provide opportunities for the study of Jewish religion, culture, and history in Russia.

Jewish religious traditions and modern law from time to time collide in practice, especially in the context of the school education. This is primarily due to the conservative state approach to school education which prioritizes Orthodox Christianity and its ethics over other religious beliefs. To overcome this conservatism, some scholars suggest that the introduction of general education courses, such as "Introduction to Judaism", could make a significant contribution to the rapprochement of cultures: "Nothing prevents Orthodox Christians, while maintaining their theological convictions, from addressing the true history of Christian-Jewish relations. And the first necessary condition here is to show ordinary honesty. For example, it is necessary to clearly and unequivocally reject the idea of Jews killing God [Christ], at least from the immutable and fixed in the Gospels fact that Jesus was crucified by the Romans" (Tabak, 1998). This

²⁴ Today, these are mostly private secondary schools for children or organizations of additional education offering traditional circles and sections, Hebrew studies, etc. (e.g., School No. 550 in St. Petersburg and School No. 1311 "Tkhiya" in Moscow); however, there are also examples of municipal institutions where courses in Jewish culture are taught (School No. 12 in Kazan).

multiculturalism combined with multi-confessionalism can contribute to the promotion of traditional values protected by Russia law, given that such educational courses “are designed to instill in students the norms of morality and ethics” (Poyezhalova, 2016: 10).

One problem is connected with public holidays as it is not uncommon for various minorities to demand to have days off for their religious holidays and rituals. The Jewish Sabbath, requiring abstinence from work, according to the Torah, begins on Friday evening and lasts until Saturday evening (1:1-2:3, the Torah). In Russia, Saturday and Sunday are normally free from work, but in some cases working days can be situationally shifted so that Saturday becomes working day.²⁵ Under Russian law, employment agreements can determine working days other than the official ones, so that people who adhere to religious rites have the opportunity to agree on a convenient schedule for them. The RF Labor Code allows the establishment of regional public holidays, for example Islamic religious holidays were established in Dagestan, Chechnya, and other Muslim regions of Russia. There is nothing that would prevent the establishment of such holidays for municipalities with large Jewish populations.

Among other things, sacred texts may instruct their followers to abstain from eating certain animal and plant products, which is also the case in Judaism. Consequently, members of Jewish communities may face difficulties in their daily lives due to the lack of a legally established system for labeling kosher foods. To overcome these problems, representative organizations of Jewish and other relevant religious communities themselves agree on voluntary certification of products.

KEROOR—an Orthodox Jewish organization—is described on its official website as a “supervisory and regulatory body ensuring adherence to *kashrut* laws within Jewish communities” (Ravvinskiy Sud, n.d.). Notably, the legal force of such rulings remains contingent on religious affiliation and relies on voluntary compliance. While the rabbinical regulation of communal relations is generally deemed effective, the contemporary legal order classifies kosher certification as part of the voluntary certification system.²⁶ Kosher rules and their meaning are, for example, discussed in the “Fundamentals of the Social Concept of Russian

²⁵ For example, if a public holiday falls on Tuesday, the preceding Saturday is a working day instead of Monday, so that employees in this case have three consecutive days off (Sunday, Monday and Tuesday). This can happen several times each year and generally is not a serious problem, except for followers of Judaism who observe Sabbath.

²⁶ Article 21 of 2002 Federal Law No. 184-FZ “On Technical Regulation”

Judaism” (Russkiy Arkhipelag, 2020) which reflects the Russian Orthodox Church’s program document under the same title.

There is no unified standard of *kashrut* legislatively established. However, there is an unofficial system of voluntary certification provided by the Department of Kashrut under the Chief Rabbinate of Russia (Kosher Rossiya, 2001). Consumers can check whether it is allowed from the point of view of their religious beliefs to eat certain labelled products. However, consumers can find themselves in a difficult position, since the “kosher certificates” are voluntary and there is no legal framework to verify the appropriateness of these certificates through courts or state agencies; there is no legal mechanism to revoke inappropriate certificates or to impose legal sanctions for falsified certificates.

Judaism in Russia continues to develop and adapt to modern challenges and requirements. The prospects for the development of Judaism in Russia are related to strengthening the dialog between different religious communities, improving legislation on religious freedoms and supporting its cultural heritage.

Catholicism

The Catholic Church is the largest Christian church and has a lot of cultural ties with Russia including historical connections between Catholic countries and Russia and the relationship that Russia has with the Holy See. Foreign policy often influenced attitudes towards Catholics in Russia and elsewhere. Nowadays the Vatican is a state which has diplomatic relations with Russia, and the Catholic Church is a powerful political actor in many Western countries. Therefore, the Russian State cannot treat Catholics without regard for any possible foreign-policy effects resulting from this treatment. The Holy See and the Kremlin have some common ideological ground concerning family and other traditional values. This is reflected in the positive attitudes that some Western rightist political movements have towards the Russian State and which are informed by a wish to protect the same civilizational concerns as are shared by the Holy See. Despite their historical rivalry, the Orthodox and the Catholic Churches have much in common in their ideological stances.

Catholics in Russia are represented by two main organizations: the Russian Greek Catholic Church and the Roman Catholic Church. The first one is a Church *sui iuris* (of one's own right) that follows Byzantine (Orthodox) rites, but is included in the Catholic Communion and is subordinated to the Holy See. The believers of the Greek Catholic Church live mainly in western Ukraine and western Belorussia; a large number were moved forcibly during Stalin's rule, many decided on their own to move to other regions of the former Russian Empire or the former USSR. The same can be said about Roman Catholics, many of whom are descendants of those who were forcibly resettled from Poland, Lithuania, and other parts of the Empire, or descendants of those who immigrated to the Russian Empire. There are also those who recently immigrated to Russia from the Latin America and other Catholic regions for work, family, or other reasons.

According to sociological data, Russia has around 300,000 people who identify themselves as Catholics (Catholic-Church.org), though the true number is hard to determine. As a rule, Catholics in Russia often identify their religion depending on their nationality, it can serve for some as a hallmark of their national identity, e.g., it is normal that Russian citizens with Polish origins mention Catholicism as their religion, even if they do not really practice it. A survey in 2012 said that the population of Russian Catholics is less than 0.5% of the population (Sreda, n.d.). More recent data from representatives of the Catholic

Church says that the number of Catholics in Russia ranges from 600,000 (RIA Novosti, 2022) to one million (Moslenta.ru, 2023). One of the main problems for Catholics in Russia, as noted by auxiliary Bishop of the Archdiocese of the Mother of God in Moscow, Nikolai Dubinin, is the accessibility of Catholic churches. Some followers need to travel 100 kilometers or more to get to the nearest Catholic church (Nezavisimaya Gazeta, 2020). It is far from easy to get approval from local authorities to build a new Catholic church in Russian regions.

The Catholic Church's activity in Russia can be traced back to the times of Rus' when in 991 the Grand Prince Vladimir sent his ambassadors to Rome, and the Holy See sent ambassadors in return (New Advent, n.d.). Later, due to the Great Schism of 1054, the unity between the Roman Catholic and Eastern Orthodox churches was broken (New Advent, n.d.). The situation began to change with Tsar Peter I's ascension to the Russian throne and the rapid westernization and the influx of foreign specialists that his administration hired (Andreev, 2009: 435-442). He allowed Catholics to build churches in Moscow and invited Jesuits to work in Russia (New Advent, n.d.). Gradually, the number of Catholic churches increased. The Catholic and Orthodox Churches were rivals in many aspects. Given that Orthodoxy was the Russian Empire's official religion and the Russian emperor was the head of the Orthodox Church, this could not but trigger negative attitude toward Catholics in the official ideology. The treatment of Uniates in the view of imperial attempts to convert them into Orthodoxy and the expulsion of Jesuits under Nicholas I were also sensitive issues.

The situation changed in 1905 when the emperor Nicolas II signed a decree on strengthening the principles of religious tolerance which somewhat improved legal standing of Russian Catholics (Chaplitskiy, n.d.). In 1917, the February revolution granted full freedom of conscience, the Russian provisional government also took steps to establish formal diplomatic relationship with the Roman Holy See (Chaplitskiy, n.d.). The Bolshevik government had anti-religious views which were implemented in its first decrees; the Russian Catholic Church lost hundreds of its churches and monasteries and its activities were strictly controlled or prohibited (Chaplitskiy, n.d.). Further repression and atheist propaganda severely weakened the Catholic Church during the Soviet era and by 1939 almost no official (c.f. clandestine) activity of the Catholic Church in the USSR was recorded. Only in 1989, after a meeting between Gorbachev and Pope John Paul II, did the Soviet state accept the Catholic Church as a religious power allowed to run its activities in the USSR (PostNauka, 2013). This meeting influenced the Soviet leader's decision to pass the law "On Freedom of

Conscience and Religious Associations” in 1990 that formally recognized religious and legalized their activity which also benefited the Catholic Church.

The Catholic Church has an Archdiocese (ecclesiastical district under the jurisdiction of an archbishop) in Russia, registered as a religious organization, and a considerable number of local organizations (216 in 2018 according to Russian Association for the Protection of Religious Freedom (Religsvoboda, n.d.)).

The main “building block” of the Catholic Church in Russia, as elsewhere, is the parish which can be described as a community of religious followers that are living in the same area. Parishes typically have their own church and several parishes form a diocese, which in turn make up an archdiocese. Today Russia has four main dioceses which cover the whole of Russia.

Restrictions on missionary activities remain an issue in the relations between the Catholic Church and the Russian authorities today. These restrictions were adopted by the Federal Assembly in 2016 and constituted a part of a larger set of amendments known as the Yarovaya law.²⁷ Although these restrictions are new, they were preceded by other restrictions, similar in nature, under imperial and Soviet rule. The Yarovaya law was formally aimed at improving Russian counter-terrorist laws and the measures against religious extremism, but in fact impairs the rights of many religious denominations, except for the Russian Orthodox Church, by putting their missionary activities under state control. This regulation can be explained by the Russian government’s protectionist attitude toward the Russian Orthodox Church. This protectionism stems from the ties the Russian political leadership has with this Church: President Putin, for example, publicly demonstrates his Orthodox beliefs (Forum18, 2020).

The 2016 law defines missionary activity as “the activity of a religious association aimed at spreading information about its creed among persons who are not participants (followers) of this religious association, in order to involve these persons in the membership of participants (followers) of a religious association, carried out directly by religious associations or citizens and (or) legal entities authorized by them publicly, with the help of the media, information and telecommunication network Internet or by other means”. This legal definition is very broad so it can be interpreted in a variety of ways which creates the high degree of uncertainty and leads to discretion action on the part of law-enforcement agencies. For example, the Catholic principle “option for the poor” which is often used to introduce people into the teachings of Catholic Church,

²⁷ Federal Law No. 374, 2016

was considered by law-enforcement to fall under the definition of missionary activities. The penalties for failing to comply with the law²⁸ include financial sanctions ranging from 5,000 to 50,000 rubles for individuals and from 100,000 to 1 million rubles for legal entities^{29,30}. The most severe punishment is the deportation of foreign missionaries. The first case against Catholic individuals based on this anti-missionary clause took place in 2020 when a leader of the Catholic Society of Saint Pius X was charged with organizing a Latin Mass in a hotel conference hall, the fine imposed on him was minimal—5,000 rubles (Forum18, 2020). This minimal penalty and the rarity of such cases in which Catholics were punished under the 2016 law suggests that law enforcement did not really intend to hinder Catholic missionary activities. Other non-traditional religious denominations suffered much under the Yarovaya law, e.g., Jehovah Witnesses, which were finally disbanded and expelled from Russia. Catholics in Russia enjoy a great deal of tolerance and acceptance towards them, as compared with “non-traditional” Christian believers.

From 2012,³¹ the school curriculum has included a new subject: “Fundamentals of Religious Cultures and Secular ethics” within which elementary schoolers can learn about Catholicism. This Order marked a symbolic step towards positive engagement with other traditional Christian confessions and their recognition as “friendly” to the Russian state and its ideology.

Despite some fundamental differences, the Russian Orthodox Church and the Roman Catholic Church are trying to find common ground, as demonstrated by the talks between Pope Francis and Patriarch Kirill (head of Russian Orthodox Church) in Cuba in 2016 (Washington Post, 2016). President Putin has had three meetings with the Pope, the last one in Vatican in 2019. In the eve of that meeting, Archbishop Paolo Pezzi of the Archdiocese of the Mother of God in Moscow told reporters that it was very unlikely that Pope Francis would visit Moscow without a separate invitation from the Russian Orthodox Church (Crux, 2019). Politically, the Holy See keeps a mostly balanced attitude and avoids wholesale condemnations of Russian policy in Ukraine and elsewhere, calling for the de-escalation in the geopolitical conflict between Russia and the West, which strengthens the position of the Catholic Church inside Russia.

In many ways the Catholic and the Orthodox churches are now ideological allies. When the theological questions are put aside, there is room for

²⁸ Federal Law No. 195-FZ, 2001

²⁹ set out in the Russian Code of Administrative Offenses of the Russian Federation

³⁰ The average exchange rate at time of writing is about 100 rubles for one euro.

³¹ Order of the Ministry of Education and Science No. 74, 2012

representatives of both confessions to collaborate as conservatives and traditionalists (Stoeckl, Uzlaner, 2022). Conservative Catholic and Orthodox Christians in many parts of the world are struggling with what can be described as “neo-liberal” agenda that promotes practices that both churches oppose.

Catholics in Russia may benefit from the strong political standing of the Catholic Church in some European and Latin-American countries, with which the Russian government seeks to uphold good relations. Even if it is not classed among the “traditional religions” of Russia, the Catholic Church does not suffer from the limitations imposed in Russia onto “non-traditional religious denominations”. This does not come as surprise, as this Church has very long traditions and these are rooted in the same Christian heritage as those of the Orthodox Church. The Catholic Church also agrees with the Russian State and the Russian Orthodox Church on many ideological matters. Belonging to the same ancient Christian tradition reinforces the legitimacy of all these three actors. Neither the Yarovaya law nor other normative regulations harm Russian Catholics in a substantial way, allowing their religious community in Russia to thrive.

Old-Believers

In the mid-17th century, Patriarch Nikon, with the support of Tsar Alexei Romanov, carried out a major church reform: liturgical books, church rituals, and sacred texts were retranslated and brought into line with the texts of the Greek Orthodoxy of that period. This reform scandalized a number of priests, such as clergy-priest (*protopop*) Avvakum, who refused to accept the changes and continued to practice according to the old ways. Initially, Old Believers were persecuted by the authorities, but in the 19th century these persecutions gradually dissipated. Although not subject to persecutions, Old Believers in the 19th century were subject to different limitations. In particular, they had no access to a number of offices and professions accessible only to Orthodox Christians and sometimes to Catholics and Protestants. In the Soviet era, Old Believers were subject to the same discrimination as other religious denominations, so that for the Soviets it made no difference whether a believer belonged to the standard Orthodox Christianity or to the pre-Nikonian Orthodoxy.

Today there are about two million Old Believers living in Russia (Kazmina, n.d.). Unlike Orthodox Christians of the Moscow Patriarchate organized into the Russian Orthodox Church, Old Believers are not united into one structure. There are different religious associations which include various movements of Old Believers. The largest confessional association of Old Believers registered in Russia is the Russian Old Believer Church. Another large religious association that claims to represent Old Believers is the Russian Ancient Orthodox Church (RAOC, n.d.a). Another important religious organization of Old Believers is the Ancient Orthodox Pomeranian Church (Sar-starover, n.d.) a “non-priest” [*bespopovtsi*] movement which is characterized by the absence of clergy and church hierarchy. Apart of these groups of Old Believers, there are many local religious organizations registered as such. There are also groups of Old Believers: Fedoseevtsy, Chasovennye (Kostrov, 2021), Spasovtsy (McGuckin, 2012: 420), and others which have no organized structures and no state registration at all.

Along with these movements and organizations one can single out a large group of Old Believers that is the part of the official Russian Orthodox Church – Old Believers of the same faith [*Edinoversti*] (Mitrofan (Abramov), 1906). They were officially reunited with the Orthodox Church in 1800, under Metropolitan of Moscow Platon (Levshin) (Mitrofan (Abramov), 1906: 41). *Edinoversti* were allowed to serve in full accordance with the old rite (Mitrofan (Abramov), 1906: 42) but recognized the supremacy and hierarchy of the Russian Orthodox Church. Nowadays *Edinoversti* exist in more dioceses of the Russian Orthodox Church.

According to the Patriarchal Center of Old Russian Liturgical Tradition, today under the jurisdiction of the Russian Orthodox Church there are 31 *Edinovertsi* parishes (parishes in which services are carried out only in the ancient rite) and 7 dual-rite parishes (RPSC, n.d.a). *Edinovertsi*, as noted earlier, are under the jurisdiction of the Russian Orthodox Church. The incorporation of Old-Rite parishes into the structure of the Russian Orthodox Church became possible largely thanks to the reforms of Metropolitan Nikodim (Rotov). Thanks to his efforts, in 1971, the Local Council of the Russian Church adopted a resolution, according to which the old rites were allowed and recognized as equal to the new ones.

There is a tacit agreement on mutual non-intervention into the political and the religious domains between Old Believers and the State. The Russian State no longer attempts to coerce Old Believers into the Russian Orthodox Church and tolerates religious practices and churches of Old Believers. Old Believers are supportive of the conservative ideology and public policies concerning traditional values. The values mentioned in the Presidential Decree on spiritual and moral values³² are often praised and supported by the leaders of Old Believers in their public speeches, readily confirming that, despite almost 300 years of persecution, Old Believers “sincerely loved their Motherland and were always law-abiding” (RPSC, 2021).

In 2017, a meeting took place between the Primate of the Russian Old Believers Church, the Metropolitan Cornelius, and the President Putin. The Primate of the Russian Old Believers Church called this meeting “historic” underscoring the fact that “for the first time in the last 350 years, the head of state officially receives the Primate of the Orthodox Old Believers Church” (Anastasova, 2007). This indicates an improvement in relations between the Russian State and Old Believers. The website of the Russian Old Believers Church regularly publishes congratulations from representatives of the Russian authorities on Christian religious holidays (RPSC, 2024a). The Metropolitan Cornelius attends different official events as a representative of the Old Believers. For example, on February 29, 2024, he attended the announcement by the President of the Address to the Federal Assembly (RPSC, 2024c). On December 7, 2023, an international Old Believers forum was held in Moscow, the purpose of which was to exchange experience between various Old Believer communities (RPSC, 2023).

³² Decree of the President of the Russian Federation No. 809, 2022

In his capacity of leader of the Russian Old Believers Church, the Metropolitan Cornelius (RPSC, n.d.b) participates in the Presidential Council for Cooperation with Religious Associations. There is another representative of the Old Believer denomination on the Council: Deputy Chairman of the Russian Council of the Ancient Orthodox Pomeranian Church, Andrey Klyamko (Saratovskaya staroobryadcheskaya obshhina, n.d.).

Russian state authorities provide support to the Old Believer community. For example, in April 2020, some Old Believers got exemptions from conscription to military service.³³ Sometimes, financial subsidies are allocated for the restoration of cultural heritage sites utilized as religious buildings by Old Believers.³⁴ The State concedes to some Old Believer ideological requests: for example, changes were brought to the Federal Literature Program for Schools: the topic “The Persecution of Old Believers” was added.³⁵

The Old Believers, like representatives of other confessions, seek the return of church buildings seized from them during the Soviet period. In 2021, representatives of the Russian Orthodox Old-Rite Church appealed to a government commission for the return of church property nationalized by the Soviet authorities (RIA Novosti, 2021). A notable example of such disputes is the judgment of the Arbitration Court of Rostov Region, where authorities transferred only part of a historic church complex to the Old Believer community, withholding the adjacent priest’s residence.³⁶ Bargains and considerations can be expected by the local authorities from the Old Believers. For example, Metropolitan Cornelius of the Russian Orthodox Old Believer Church said in 2020 that the authorities agreed to return the bells seized from the Old Believers’ church in Gavrikov Lane and transferred to the Bolshoi Theater only if the Church makes exact copies of these bells at its own expense and transfers them to the state (Danilova, Korobov, 2020: 28).

Court disputes surrounding restitution often hinge on the ability to establish historical ownership and previous religious use of contested property. For example, in St. Petersburg, the court twice, in 2016 and 2022, refused the Old Believer community’s request to restitute the Chubykin almshouse. The court argued that the evidence submitted by the applicant did not confirm that the

³³ Decree of the President of the Russian Federation No. 256, 2020

³⁴ Federal Law No. 466-FZ, 2022; Federal Law No. 390-FZ, 2021; Federal Law No. 385-FZ, 2020; Order of the Ministry of Finance of the Russian Federation No. 20n, 2024: para. 64062

³⁵ Order of Ministry of Education No. 171, 2024: p. 8, para. 1, 150.6.2.2.3

³⁶ Arbitration Court of the Rostov Region. Case No. A53-29493/2023, 2024

building was built for religious purposes, while the archives that could contain such confirmations had been destroyed (RuVera, 2016).

There are also positive decisions on the restitution of churches. For example, on February 25, 2025, the Old Believer community was granted ownership of a village church in the Pskov region by virtue of acquisitive prescription (RuVera, 2025). In 2017, a church building in the center of Moscow, in Maly Gavrikov Lane, was returned to the Old Believers (RPSC, n.d.e).

Unlike in the past, relations between the Russian Orthodox Church and Old Believers are relatively good. The Russian Orthodox Church website contains letters containing doctrinal discussions with the RAOC (RPSC, n.d.d). There is a dialogue between these two churches, although it is still too early to talk about unification between these denominations. On October 6, 2023, a meeting took place between the Metropolitan Cornelius and the Chairman of the Department for External Church Relations of the Russian Orthodox Church, Metropolitan Anthony (Sevryuk) (Moscow Patriarchate, 2023).

Relations between the Russian Orthodox Church and the Old Believers began to improve significantly after the 1990s. A significant role in this belongs to the Russian Orthodox Church's Patriarch Kirill. In 2004, the topic of dialogue with the Old Believers was discussed at the Council of Bishops of the Russian Orthodox Church, where the then Metropolitan Kirill presented a detailed analysis of the Old Believers (Moscow Patriarchate, n.d.). At that time, a decision was made to establish a Commission for the Affairs of Old Believer Parishes and for Interaction with the Old Believers aimed at resolving the "Old Believer issue" and reuniting the Old Believers with the Russian Orthodox Church.

The attitude of Old Believers towards the State and the Orthodox Church changes over the time as does their legal status, and the State treats this system of beliefs differently. Outlawed and persecuted in the 17–18th centuries as opponents of the official authorities, Old Believers did not recognize the authority of the tsars and emperors of Russia, even considering some of them as predecessors of Antichrist. Old Believers preferred to resettle in the Far North, in Siberia, and in other remote lands to escape from government control, some of them self-immolated in order not to be subject to state power.

Despite the increasing integration of Old Believers into contemporary society, there are still Old Believers who live in the forested regions without official documentation. A notable case occurred in the northern Krasnoyarsk Territory. The Brazilian Old Believer, Hanover Efimoff de Queiros, cohabited with a Russian woman (TASS, 2018) and they had children together. Hanover

would probably have continued to live there peacefully if not investigated by law-enforcement officers. Initially, the court decided to deport the Brazilian from Russia because he had no residence permit, visa, or other migration documents. However, after human rights activists intervened in the case, the court's decision was overturned and he was allowed to stay in Russia. The media reported that Hanover did not have any Russian documents, because he did not know about the need for it.

The 1997 Law on Freedom of Conscience in its preamble recognizes the historical role of the Orthodox Christianity and its impact on Russian culture, without making difference between the main line of Orthodoxy, represented by the Russian Orthodox Church, and other traditions represented by different religious movements that follow pre-Nikonian Orthodoxy. These lines of Russian Orthodoxy current peacefully coexist and build mutually beneficial alliances with the Russian State, but grounds for possible conflicts remain given lack of uniformity and hierarchy of Old Believers.

Conclusion

Russian law formally assigns a modest role to religion and religious denominations in the public sphere. The Orthodox Church is mentioned in the 1997 Law “On Freedom of Conscience and of Religious Associations” as one of the traditional religions of Russia, the law also recognizes its historical importance for the development of Russian culture and spirituality. This Law also mentions Islam, Buddhism, and Judaism as the basic religious faiths in Russia, without explaining the meaning of their privileged status as “integral part[s] of the historical heritage of the peoples living in Russia” (Preamble). These words have seemingly little legal weight and are formally neutralized by the superior constitutional principles of separation and secularity and by the constitutional requirement of equal treatment of all religions. However, the reality looks quite differently and today hardly any political analyst or lawyer doubts that the Russian Orthodox Church has privileged relations with Russian authorities, benefits from its cooperation with the Russian state and, in return, legitimizes the state authorities.

One way to explain this situation is to consider the difference between the law in books and the law in action and between the formal and the real constitutions which helps to understand what the basic rules of game are between the officially recognized religious denominations and the Russian state on paper and in reality. Such an examination suggests an interdisciplinary approach, developing socio-legal and historical approaches to better understand the gap between the formal principles enshrined in the Russian Constitution and the de facto political and spiritual powers in Russia and the normative framework of their intensive cooperation in the ideological sphere.

Reflections about the State–Church relations in Russia usually focus on the role of the Orthodox Church. However, the State does not limit itself to one Church and tries to balance its religious policies to accommodate other religions. In particular, the State cannot neglect Islam, which is followed by a large percentage of the Russian population. The ratio of believers is even higher if one considers the number of labour migrants in Russia (between six to ten million, according to different estimates): most migrants come from the Central Asia and are Muslims. The Russian State pays attention to Judaism and Catholicism, given the importance of international relations between Russia, Israel and the Holy See, let alone the influence these religions have in business and politics, in the US and other countries. The same can be said about Buddhism. The position of Old

Believers is somewhat different, as they do not have support of foreign nations. However, the State mitigates potential conflicts between the Russian Orthodox Church and the Old Believers and they maintain religious harmony. Another major reason for the cooperation between the State and the “traditional religions” is the coincidence of the conservative ideological agenda of the State and the conservative principles shared by these religions.

In 2019, Vladislav Surkov, then an aide in the Presidential Executive Office, wrote a controversial paper in which he described the real political machinery of the Russian state, contrasting it to the formal legal framework set out in the Constitution. He argued, referring to such conceptions as “deep state” and “deep nation”, that the negative effect of Western-style rules and principles on Russian statehood (weakening the personal power of the sovereign) is mitigated by the Russian political culture that favors the concentration of power in the hands of the sovereign. This observation is to the point and one can compare the constitutional separation of powers in Russia with their factual concentration in the president, in order to see the difference.

Such a comparison of the formal legal provisions and the de facto rules of game (which, in this sense, are also legal³⁷) opens up ways for similar analyses of other dimensions of the Russian state in its relations with other powerful social institutions, including other religious faiths. In this paper we have analyzed the de facto framework of the relations between the Russian state and these faiths.

Similarly to the basic norm in the conception of Hans Kelsen that establishes the foundations of legal validity, the deep Constitution describes the cornerstones of the Russian political and legal systems, inclusive of the state–church relations that are the focus of this article. In contrast to the formal 1993 Constitution, this deep Constitution exists in Russia on the level of the mutual expectations informed by the behavior and narratives, the State and the officially recognized traditional religious denominations. These expectations are stabilized with references to centuries-old ideological constructs and patterns that have so far defined state–church relations in Russian history.

Even if incompatible with the official constitution, the de facto arrangements between the Russian state and the officially recognized religious denominations from the 1990s on did not take their form in an haphazard manner, but followed clearly distinguishable patterns. This suggests that they rely on traditions dating from Russia’s medieval theology up to the highest points of the

³⁷ That the legal is not reducible to the formally enacted rules can sound doubtfully for legal positivists but is quite clear to socio-legal scholars who examine as legal all the coercive mechanisms of the normative coordination of social behavior.

Russian intellectual culture in the Imperial Russia; the intellectual landmarks which are recognized by the State and the Russian Orthodox Church, in particular. The Russian state has pragmatic reasons for allying with the officially recognized religious denominations in order to reinforce its legitimacy by referring to religious traditions.

This pragmatic cooperation can be better understood and explained by the history of these traditional faiths in Russia, which was briefly described in our paper. We have also highlighted the main points about the collaboration between the State and the traditional faiths, the purposes and the difficulties for each. Certain provisions of Russian law potentially impede and complicate the cooperation. This can be seen in case law where these nuanced issues are dealt with. In this respect, the state authorities and the courts often need to strike a difficult balance between the constitutional provisions on official state secularity and the pragmatic interests of the State to mitigate conflicts with these denominations, to have them on side in the ideological fight against those who challenge traditional values in the contemporary world.

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