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The Transformation of State-Religion Policy in Central Asia: The Case of Kazakhstan

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Abstract

The paper presents research on state-religion relations in Kazakhstan since 1991. In particular it identifies the stages that the state has gone through forming its policy toward religion and religious associations. The materials on which the research is based include, first, the annual reports of the Bureau of Democracy, Human Rights and Labor (The US Department of State) for 1991-2017, and, second, the reports of the United States Commission on International Religious Freedom, which cover 2013-2018. These are materials from independent observers monitoring regularly the state-religion relations in Kazakhstan and reflecting on their implications.

The author identifies a three-stage process. Stage One (1991-2004) marked the so-called "religious resurgence" period typical for all post-Soviet states. Stage Two (2005-2015) is characterized by the launch of anti-extremism and counterterrorism campaigns, which experts perceived as a pretext for the oppression of political opposition and infringement on the right to peaceful religious observance and expression. Stage Three (2016-2018) expanded some of the trends of the previous period and institutionalized the subordinating position of religion to the state.

In the paper's conclusions, the author seeks to sketch a future for the state-religion relations in Kazakhstan. Recognizing the plurality of possible futures, she dwells on a "preferable" one, mapping out specific actions/indicators across a timeline that might end up linking tomorrow with today.

Key words: Kazakhstan, religious freedom, state-religion relations, futures.

Introduction: Importance and Methodology

Religion has always played an ambiguous role serving as a source of both violence and peace, unity and separation. Nowadays religion makes headlines all around the world entwining with political, economic, and many other issues. This implies that religion and state have formed rather complex relationships that could hardly be described as ideal. Scholars usually call the society of the second half of the 20th century "post-secular," meaning a return of religion to public space and its right to take part in shaping and influencing public opinion. Religion draws more and more attention at both the intra-state and inter-state levels. This happens because of the globalization and the increasing interdependence of different sociocultural components when the internal affairs of a state become a factor of international importance.

Religion has become one of the central themes not only for scholars, but also for numerous international agencies that regularly monitor it. The present paper relies on the analysis of the information from the organizations that have been tracking the trends in the development of statereligion affairs in Kazakhstan since 1991. The annual reports of the Bureau of Democracy, Human Rights and Labor of the US Department of State constituted the main body of materials (International Religious Freedom Releases)¹ and cover the period from 1999 to 2017. Structurally, they include: Executive Summary; Section I "Religious Demography"; Section II "Status of Government Respect for Religious Freedom" that includes Legal Framework and Governmental Practices; Section III "Status of Societal Respect for Religious Freedom"; and Section IV "U.S. Government Policy." Brief results of these analyses are summarized in three tables placed in Appendixes 1 (Tables 1-3), focusing primarily on the status of religious freedom, conditions of religious organizations (RO) operations, the position of local authorities and the government to religious organizations of different categories, and actions of the government in the field of statereligion relations. A separate Appendix 2 includes the chronology of some trends stipulated in the reports from 1999 to 2017. The annual reports of the United States Commission on International Religious Freedom (USCIRF) constitute the second corpus of research materials (Annual Report USCIRF).²

These and some other additional materials helped to distinguish three main stages of state-religion relations in independent Kazakhstan: Stage One (1991-2004), Stage Two (2005-20015), and Stage Three (2016-2018). The division explains the structure of the paper and its main parts. As for the

¹ "International Religious Freedom Releases." *The Bureau of Democracy, Human Rights, and Labor*, www.state.gov/j/drl/rls/irf/index.htm. Accessed 25 Mar. 2019.

² The value of those documents is mainly in those conclusions and recommendations that the experts draft for the US administration. "Annual Report." *The United States Commission on International Religious Freedom*, www.uscirf.gov/reports-briefs/annual-report. Accessed 31 Mar. 2019.

conclusion, it presents an attempt to picture a possible preferable future of state-religion relations in the post-Nazarbaev era.

Stage One: Allowing Religion Back to the Public Sphere (1991-2004)

The year 1991 was a turning point not only in the political life of the newly independent state but marked out the beginning of a period of considerable religious activity in Kazakhstan. Experts in Islamic Studies expressed their interest in the region before religious freedom specialists did so. The so-called "religious resurgence" prompted their enthusiasm. Since the early 1990s, the number of Kazakhs who identified themselves as adherents of Islam has doubled and exceeded 80 percent³ (Esposito 305). Such a shift led foreign scholars to concentrate on qualitative versus quantitative research of Muslimness. They were more concerned that people in Kazakhstan were not Muslims from a perspective of a perceived Islamic orthodoxy and practices. The common conclusion was that the "number of Soviet-era atheists has dropped, but piety and observance have not increased dramatically, especially at the individual level" (Esposito 305).⁴ Widely acknowledged facts included the following:

- (1) The majority of the so-called "Muslims" were only nominally practicing mainly rituals related to life-cycle ceremonies and the veneration of saints that continued to be observed;
- (2) The knowledge of Islamic orthodoxy among those who declared themselves adherents of Islam was next to zero;
- (3) The Islamic zeal seemed to be higher in Southern regions that shared a border with Uzbekistan and traditionally were considered as the entry point for this religious tradition into the territory of present-day Kazakhstan.

Therefore, the scholars' interest was mainly in the connotations that Islam had for the professed "Muslims," which led them to the conclusion that the general perception of Islam shrank to a *tradition, a marker of national identity*. In the cause of history that designated the collapse of the Soviet Union and marked the religious resurgence, some fears started to penetrate the socio-political fabric that the ideological vacuum that emerged during could make room for religious extremism. Therefore, in the 1990s and the early 2000s, the specialized studies and reports started to shift from purely academic to the more sociopolitical, which included state-religion relations (Cummings).⁵

From the beginning, the newly independent Kazakhstan positioned itself as a secular republic where no religion could claim a privileged status. President Nursultan Nazarbaev formulated a policy of religious and ethnic tolerance in the multinational and multiconfessional country. The Constitution

³ Esposito, John L. *The Oxford Encyclopedia of the Islamic World*, vol. 3, 2009, pp. 304-307.

⁴ Esposito, Op. cit., p. 305.

⁵ Cummings, Sally N. Kazakhstan: Power and the Elite. London: I.B. Tauris, 2005.

guarantees freedom of religious affiliation and worship.⁶ No mention of Islam or Islamic identity was made in the legislation until 2011. Foreign experts emphasize that Nazarbaev's state-religion policy of the first decade of independence contrasted to the other Central Asian leaders' position regarding Islam (Olcott).⁷

As mentioned in the report of the United States Commission on International Religious Freedom (USCIRF) that makes recommendations to the US State Department⁸, "before its 2011 religion law was enacted, Kazakhstan was one of the least repressive post-Soviet Central Asian states with regard to freedom of religion or belief" (USCIRF 2017: Kazakhstan 171).⁹ Though the Constitution of Kazakhstan defines the country as a secular state, it provides the citizens with freedom of religion and belief, as well as the freedom to decline any religious affiliation. Under the Constitution, everyone has the right to follow their religious convictions, take part in religious activities, and disseminate their beliefs.¹⁰

Before 2005, as indicated in Table 1, believers in Kazakhstan actively practiced their constitutional rights without any concern that something or someone, at the national or local level, might hinder their privileges. Religious organizations had to register with the Ministry of Justice in order to receive a legal status that could help them to carry out their activities such as buying or renting real property, hiring employees, obtaining visas for foreign missionaries, thus "giving to the Caesar what is the Caesar's." As for "giving to God what is God's," the worship practices of different denominations were "largely without government interference," and the respect for religious freedom was not deteriorating during Stage One in 1999-2004 (Table 1). The Kazakhstani government often invited the leaders of Islam and Russian Orthodoxy to participate in jointly held state holidays and activities. Members of other faiths often criticized this practice as a violation of the constitutional separation of church and state. Another point for objection was the *rare* distinction between "traditional" and "nontraditional" religions that was often considered a violation of the fundamental standard of equality among religions (Appendix 2).

Nominally a Muslim, Nazarbaev was quite successful in keeping the balance between the Islamic sensibilities of the Kazakh population and the secular foundation of the state without compromising

⁶ The Constitution of the Republic of Kazakhstan, www.constitution.kz/english/section2/. Accessed 24 Mar. 2019.

⁷ Olcott, Martha B. *Kazakhstan: Unfulfilled Promise?* Washington, DC: Carnegie Endowment for International Peace, 2002.

⁸ **USCIRF** is an independent, bipartisan U.S. federal government commission, the first of its kind in the world, dedicated to defending the universal right to freedom of religion or belief abroad. USCIRF reviews the facts and circumstances of religious freedom violations and makes policy recommendations to the President, the Secretary of State, and Congress. USCIRF Commissioners are appointed by the President and the Congressional leadership of both political parties. (www.uscirf.gov/about-uscirf. Accessed 26 Mar. 2019).

⁹ "Kazakhstan." United States Commission on International Religious Freedom. Annual Report of the United States Commission on International Religious Freedom. Washington D.C.: U.S. Commission on International Religious Freedom, April 2017, pp. 170-175, www.uscirf.gov/sites/default/files/Kazakhstan.2017.pdf. Accessed 31 Mar. 2019. ¹⁰ The Constitution of the Republic of Kazakhstan, www.constitution.kz/english/section2/. Accessed 24 Mar. 2019.

the latter. Though he performed the Hajj in 1994, Nazarbaev did not allow Muslim holiday to become national holidays. His position as an ecumenical leader and proponent of the dialogue between civilizations paved the path to Pope John Paul II's visit to Kazakhstan at the personal invitation of Nursultan Nazarbaev in 2001.¹¹ In 2003 he launched another ecumenical initiative: the meetings of the Leaders of World and Traditional Religions in Astana.¹²

Stage One was also marked by a weak implication of the Muslim Spiritual Administration of Kazakhstan (DUMK), a quasi-state institution that separated from the Tashkent-based Spiritual Directorate of the Muslims in Central Asia and Kazakhstan in 1990.¹³ While the *muftiyat* is formally a non-governmental institution, in reality, it remains under massive control of state authorities, an indication that the Kazakh government seeks to control Islam. However, until the late 1990s government officials in Kazakhstan did not show any zeal to dominate the will and activities of the DUMK. The main efforts of the authorities at different levels were directed to the restoration of shrines, their patronage, and the nationwide celebrations of the saints and scholars associated with those places. But such activism ended up with an ambiguous outcome.¹⁴ Firstly, the secular rulers facilitated the revival of the cult and veneration of saints closely linked to the belief that the sacred places can give baraka (blessings), a critical aspect of popular Islam in the region. Secondly, the clash between two waves of Islam that distinguished that time period became quite obvious. The fact is that throughout the 1990s hundreds of Kazakh scholars received their religious training abroad, mostly in Egypt, Turkey, and even Pakistan (Esposito 306). They formed a cohort of Muslims who promoted the so-called "qur'anic" interpretation of Islam. They had to confront two main groups: the first one was the "traditionalists," who practiced and advocated local forms of Islam lavishly mixed with Kazakh popular beliefs; these had no formal religious education and often very little (if any) knowledge of the Scriptural sources, the Arabic language, and the doctrines. The second group was comprised of the "secularists" who claimed Muslim identity but had little interest in religion and its orthodoxy or orthopraxy.

The clash between the "traditionalists" and scripturally oriented Muslims is one of the most notable. It found its most vivid manifestation in the confrontation between religious "specialists," who serviced at religious rituals and provided Islamic education to children, and the new generation of graduates of religious, educational institutions, such as Al-Azhar. The latter started to compete with

¹¹ Henneberger, Melinda. The Visit of Pope John Paul II to Kazakhstan, September 22-25, 2001,

https://tokazakhstan.wordpress.com/2014/07/20/the-visit-of-pope-john-paul-ii-to-kazakhstan-september-22-25-2001/ Accessed 22 Mar. 2019.

¹² Congress of Leaders of World and Traditional Religions. www.akorda.kz/en/national_projects/sezd-liderov-mirovyhi-tradicionnyh-religii-1 Accessed 22 Mar. 2019.

¹³ Crews, Robert D. For Prophet and Tsar: Islam and Empire in Russia and Central Asia. Cambridge, Mass: Harvard Univ. Press, 2009.

¹⁴ Haghayeghi, Mehrdad. *Islam and Politics in Central Asia*. New York: St. Martin's Press, 1995.

the "traditionalists" and often questioned their knowledge and interpretation of Islam (Hibbard, Saud, and McCloud 228).¹⁵ The official reaction to those internal collisions turned out to be entirely predictable, and the new trends in the Muslim community were denounced as "radical" and "alien to Kazakhs." Coupled with some external factors, e.g., the rise of such terrorist groups as Al-Qaeda and the Taliban and then the 9/11 attacks in the US, the concerns about extremism and radicalism made the government launch an internal policy review in 1999. The liberal law on religion was restricted by several legislative and administrative acts that endorsed state power against religious communities, without specifying their affiliation.¹⁶ For example, a new Administrative Code that entered into force in February 2001 allowed the national and local authorities to suspend the activities, or fine the leaders, of unregistered religious organizations. A few months later, in April 2001, the Government sent to the Parliament a draft series of amendments to the National Religion Law that would have placed significant restrictions on religious freedom. They included increasing the membership required for a religious organization registration, forbidding missionary activity, limiting Muslim groups registration, prohibiting children religious education and others. However, on June 27, 2001, the Government withdrew the draft amendments due to strong criticism from non-governmental and international organizations. But in 2005 the Government enacted the Extremism Law, thus marking a new stage in the development of state-religion relations in Kazakhstan.

Therefore, the general results of the first decade of Kazakhstan independence in the field were positive. The socio-cultural climate experienced more freedom and gave rise to different currents within the denominational communities of Kazakhstan. The aggressive atheism of the Soviet period, when authorities used religion to fulfill their political goals and reach primarily political objectives, gave way to a milder approach. Yet that new way inherited the same view of religion as an additional and often supplementary tool of the state apparatus.

Stage Two: Bolstering State Power (2005-2015)

The unprecedented religious freedom that the Republic experienced during Stage One prompted some concerns among the authorities, which impacted Stage Two. For example, many people in independent Kazakhstan have seen religion as a source of values for a purposeful and morally righteous life, which could serve for the good of society (Burova 50-53)¹⁷. Yet *practicing* religion usually surround particularly Islam, its rites, pillars, and beliefs with many suspicions. Local officials have regarded strong religious devotion as a sign of religious extremism. Muslim piety

¹⁵ McCloud, Aminah B, Scott W. Hibbard, and Laith Saud. Op. cit., p. 228.

¹⁶ For a full list, see Appendix 4.

¹⁷ Burova, Elena E. Trendy Novoy Religioznosti v Sovremennom Kazakhstane (Opyt Sotsiogumanitarnogo Izmereniya) (The Trends of New Religiosity In Modern Kazakhstan (The Experience of the Socio-Humanitarian Dimension). Almaty: the Institute of Philosophy, Political and Religious Studies, 2014.

equals radicalism and should be seen as a threat to the secular order by definition. A new trend that marked the next stage in state-religion affairs had declared that the proclamation of the secular character of the state and enshrining of this principle in the constitution is not enough. It should be legally forced within the borders of the nation-state and unequivocally imposed on people's consciousness. Multilateralism¹⁸ is not welcomed in Kazakhstan society anymore. Moreover, the pyramid of power, on all its levels, has got involved directly in the process of close watching of religious institutions and organizations.

The local authorities took on themselves the main "burden" of this task. The annual reports of the US Bureau for 2005-2015 regularly mention the hostile position of regional governance to both registered and unregistered religious entities (the latter hardly fitted the bureaucrats' idea of "traditional") (Table 2). The harassment of Islamic, Christian and other groups by low-level officials could be identified all around Kazakhstan and relate to such religious organizations as Jehovah's Witnesses, Ahmadiyya Muslims, independent Christian Orthodox groups, the Hare Krishna, the Bahai, and Scientology.

Critical changes took place in the Spiritual Administration of Muslims of Kazakhstan as well. In 2000, Absattar Derbisaliyev, a former diplomat and vice-rector of the Kazakh National University, was named as a new chief mufti of Kazakhstan. This was an appointment rather than an election; a secular scholar could hardly obtain a top clerical position without support from outside. As the annual report of the US Bureau puts it, "[t]here were credible allegations that the Government played a significant role in the appointment in June 2000 of the new Mufti, the head of the National Muslim Organization" (2000 Annual Report: Kazakhstan). ¹⁹ Under Derbisaliyev's leadership, DUMK has launched the so-called "Hanafi Project" (Karimov 300-312)²⁰ to safeguard Hanafi orthodoxy in Kazakhstan and secure the country from the intervention of "radical forces." In reality, it turned out to be a reductionist plan to shrink Islam to a nationalistic element of a secular doctrine when practicing believers face growing ostracism in society. Being an antithesis to classical Islamic, *Hanafi madhhab*, the Hanafi Project signifies "a hybrid ideology of a secular type built on an agglomerate of the state national policies, local ethnic traditions, and certain elements of the classical Islamic Hanafi School disguised as the only historically predetermined local authentic form of the Sunni Islam" (Karimov 301)

¹⁸ *Multilateralism* means a many-sided structure of society that supports a pluralistic variety and a multiple-paradigm development.

¹⁹ "2000 Annual Report on International Religious Freedom: Kazakhstan." *The Bureau of Democracy, Human Rights, and Labor. U.S. Department of State*, www//1997-2001.state.gov/global/human_rights/irf/irf_rpt/irf_kazakhst.html. Accessed 27 Mar. 2019.

²⁰ Karimov, Nodar. "A Contested Muslim Identity in Kazakhstan: Between Liberal Islam and the Hanafi Project." *Cultural and Religious Studies*, vol. 6, no. 5, 2018, pp. 300-312.

Such a new turnabout in state-religion relations led to the rise of hostility to foreign non-Muslim missionaries, resurgent Sufis, Shafi'i and Hanbali communities receiving support from abroad. The number of religious students sent overseas has dropped to something like twenty annually; most of them went to Al-Azhar University in Cairo (Esposito 306)²¹. What is more significant, in 2005, President Nazarbaev sighed a new law on combating extremist activities, giving security services a far-reaching mandate to monitor and close down offending groups (Appendix 2). By 2006 the list of banned Islamic organizations accused of terrorist activity included twelve organizations, with Al-Qaeda, the Islamic Movement of Uzbekistan, the Muslim Brotherhood, and Taliban in the top ten (Spisok Zapreshchennykh Organizatsiy)²². In October 2015 ISIS and Jabhat al-Nusra became the latest entries, thus expanding the list to twenty-three organizations.

Since the enactment of the Extremist Law in February 2005 the overall status of religious freedom has been deteriorating (Table 2). According to the US Bureau experts, the new legislation has given *carte blanche* to the Government in the field, including the possibility to criminalize membership in designated political or religious organizations. Later on, that remarkable law triggered an avalanche of amendments that looked quite aggressive. The experts emphasize: "The amendments were not referred to the Constitutional Council for review before their passage" (Kazakhstan. International Religious Freedom Report 2005).²³ The whole Stage Two period was marked by persistent attempts to violate the constitutional guarantee of church-state separation. The climax was reached on October 13, 2011 when the president signed a new law that introduced more stringent mandatory registration requirements for missionaries and religious organizations. The government now demanded a three-level check-in (i.e., local, regional, and national) with such membership quotas that made the legal existence of small religious organizations and groups almost impossible. The absence of any accompanying implementing legislation gave the government broad grounds to deny religious organizations legal status.

As a result, by October 2012, when the yearlong re-registration period ended, the situation was the following 24 :

- the number of registered religious organizations fell from 46 to 17;
- the number of registered faith-based civic groups fell from 4,551 to 3,088;

www.state.gov/j/drl/rls/irf/2005/51561.htm. Accessed 24 Mar. 2019.

²⁴ "Kazakhstan." USCIRF 2013 Annual Report, pp. 1-7,

²¹ Esposito, Op.cit, pp. 304-306.

²² "Spisok Zapreshchennykh Terroristicheskikh I Ekstremistskikh Organizatsiy" (The List of Banned Terrorist and Extremist Organizations). Komitet obshchestvennogo soglasiya Ministerstva obshchestvennogo razvitiya Respubliki Kazakhstan (The Committee of the Public Consent of the Ministry of the Public Development of the Republic of Kazakhstan). https://din.qogam.gov.kz/ru/content/spisok-zapreshchennyh-terroristichesk. Accessed 25 Mar. 2019.
²³ "Kazakhstan." International Religious Freedom Report 2005. Bureau of Democracy, Human Rights, and Labor,

www.uscirf.gov/sites/default/files/resources/Kazakhstan%202013.pdf. Accessed 2 Apr. 2019.

- Out of 666 registered Protestant religious associations in Almaty, 462 were re-registered, and the remaining 204 were to be "liquidated";
- Out of 48 "non-traditional" religious organizations, only 16 were registered;
- Catholic organizations were exempted from re-registration because of an agreement between the Holy See and Kazakhstan.

Religious groups described the re-registration process as "complex," "burdensome," "arbitrary," "unnecessary," and "expensive." The experts of USCIRF in the Annual Report 2013 called the law "repressive," significantly limiting freedom of religion. It happened "despite a 2009 ruling by the Constitutional Council that a similar law violated the constitutional provision of equal status for all religious groups under the law" (Kazakhstan. USCIRF 2013 Annual Report 2).²⁵

The international community expressed sharp criticism of the new law as well. The Organization for Security and Cooperation in Europe (OSCE) that Kazakhstan chaired in 2010 showed much concern about the situation. The Director of the OSCE Office for Democratic Institutions and Human Rights commented: "In its current form the new legislation would constitute a step back in Kazakhstan's compliance with OSCE commitments" (Roudik).²⁶ However, no reaction or an attempt to mend the situation locally followed that critique. Moreover, closures, police raids, short-term detentions, fines, and other penalties that authorities of different levels used against religious organizations only increased; worship practices of various denominations started to experience regular governmental interference, and the harassment of "nontraditional" religious organization in mass media grew stronger (Table 2). It prompted USCIRF in 2013 place Kazakhstan on Tier 2 for the first time (Kazakhstan. USCIRF 2013 Annual Report 2)²⁷. This rating is assigned to certain countries "for engaging in or tolerating religious freedom violations that meet at least one of the elements of the 'systematic, ongoing, egregious' standard for designation as a 'country of particular concern, or CPC, under the International Religious Freedom Act (IRFA)"" (Kazakhstan. USCIRF 2018 Annual Report).²⁸

Therefore, Stage Two was marked by a deterioration in the state-religion relations. An autonomous and disengaged religion was out of the authoritarian state system that had been gaining momentum

²⁵ "Kazakhstan." USCIRF 2013 Annual Report, pp. 1-7,

www.uscirf.gov/sites/default/files/resources/Kazakhstan%202013.pdf. Accessed 2 Apr. 2019

 ²⁶ Roudik, Peter. "Kazakhstan: New Law on Religion Enacted." *The Library of Congress. Global Legal Monitor*, 2011, www.loc.gov/law/foreign-news/article/kazakhstan-new-law-on-religion-enacted/. Accessed 4 Apr. 2019.
 ²⁷ "Kazakhstan." USCIRF 2013 Annual Report, pp. 1-7,

www.uscirf.gov/sites/default/files/resources/Kazakhstan%202013.pdf. Accessed 2 Apr. 2019 ²⁸ "Kazakhstan." USCIRF 2018 Annual Report, www.uscirf.gov/sites/default/files/Tier2_KAZAKHSTAN.pdf. Accessed 02 Apr. 2019.

in Kazakhstan. Belonging to the countries with the so-called "non-alternative presidential power"²⁹ (Furman 2), the Kazakhstani political system has always considered any sign of opposition, whether political, social or cultural, as an impingement to its status quo.³⁰ Besides, the 2008 Financial Crisis could not but affect Kazakhstan economy causing severe recession, budget deficit, the banking system crisis, galloping inflation and a collapse of the local currency (The Recession in Kazakhstan; Kazakhstan Overview).³¹ In this complex context, the Government had to deflect the public attention from its reduced ability to combat the consequences. Religion turned out to be a good scapegoat, thus bringing those changes that marked a new stage in state-religion relations of the country.

Stage Three: Institutionalizing Subordination of Religion to the State (2016-2019)

A multivocal event marked a new stage. In September 2016 the government created two new entities: the Ministry of Religious and Civil Society Affairs (MRCSA) that took responsibility for religious issues; and the Committee for Religious Affairs (CRA) that started to guide official policies on religion (Appendix 4). The formation of a separate institutionalized body (i.e., the Ministry) was facilitated by two attacks (in Aktobe in June and in Almaty in July) on security forces during the summer of 2016, which the government attributed to Islamist fundamentalists. By establishing a separate ministerial structure, president Nazarbaev and the Government signaled that religion is no longer a citizen's private matter, as it should be in civic, secular society. From now on, religion was to be strictly controlled and regulated by the state, just like during the Soviet era. This rebound had been in progress through the whole Stage Three, resulting in the eroding trust between government and civil society and had a "repressive, chilling effect on all religious groups" (Kazakhstan. International Religious Freedom Report 2016).³²

A specific understanding of religious freedom could explain this type of state-religion policy of Kazakhstan that local governmental elites have in contrast to the definition of this concept. In our opinion, the contrast has a direct connection with the understanding of what secular society is and how it could/should be defined. Generally, researches identify two types of secular societies

²⁹ Furman, Dmitry. Postsovetskiy Politicheskiy Rezhim Kazakhstana (Post-Soviet Political Regime of Kazakhstan),

^{2012,} pp. 1-70, www.dmitriyfurman.ru/wp-content/uploads/2012/03/rezhim_kazahstana.pdf. Accessed 22 Aug. 2019. ³⁰ "In these countries, it is not winners and losers who change places while the rules of the game are the same, but the rules of the game are changed while the winner is the same" (Furman 2)

³¹ *The Recession in Kazakhstan.* 2009, June 18. www.worldview.stratfor.com/article/recession-kazakhstan. Accessed 22 Aug. 2019; *Kazakhstan: Overview.* The World Bank in Kazakhstan (Official Website). www.worldbank.org/en/ country/kazakhstan/overview. Accessed 22 Aug. 2019.

³² "Kazakhstan." *International Religious Freedom Report 2016. Bureau of Democracy, Human Rights, and Labor,* www.state.gov/j/drl/rls/irf/2016/sca/268932.htm. Accessed 24 Mar. 2019.

(Muzykina 10).³³ The first example is the USA. Due to its historical heritage, state-religion relations there are characterized by the following:

- the state serves as the guarantor of religious freedom;

- it protects religion from governmental interference, without introducing a state religion;

- religion feels quite comfortable in public space.

The example of the other type of secular society is found in France with its remarkable *laïcité* (laicism), a concept of secularism that promotes

- rigid control of religion by the state;

- closed public space for religion;

- perception of religion and any religious organizations as a constant threat to civil society, its rights, and freedoms.

Kazakhstan, with its Soviet-Muslim heritage, can be put somewhere in-between. On the one hand, as it was mentioned above, the constitution of the Republic proclaims adherence to secular values. On the other hand, Kazakhstan is a member of the Organization of Islamic Cooperation (formerly Organization of the Islamic Conference), the second largest inter-governmental organization after the United Nations, and because of this membership some scholars consider Kazakhstan a Muslim state (Sardar 87).³⁴ Besides, proclaiming all religions equal before the law, the legislation declares Sunni Hanafi Islam, Orthodox Christianity, Roman Catholicism, and Judaism as "traditional" religions, discarding all the others and placing strong registration barriers to smaller denominations (Tables 2-3). Such an approach is justified by the concern of religious extremism and the security of society.

Summarizing the current situation in Kazakhstan, three main trends stand out in state-religion relations. Firstly, the state objectively cannot ban the presence of religion in the public sphere because of the «religious resurgence» of the 1990s. Secondly, to compartmentalize that process the secular state stipulates some measures with a more restrictive and repressive character that hardly promote religious freedom. Thirdly, due to a long Soviet period of atheistic propaganda, the mode of state and religion interaction should be re-built from scratch. The Kazakhstani authorities face a serious problem when dealing with religion, primarily with Islam, but the measures the government agencies have taken so far have led to an increase in the risk of internal instability and tension, which the above-mentioned events in Aktobe and Almaty illustrate. This is the main result of the country development in the field of state-religion relations since 1991 to 2018.

³³ Muzykina Ye.V. "Ontologiya i fenomenologiya sovremennosti cherez prizmu religii i religioznogo (Ontology and Phenomenology of Modernity Through the Prism of Religion and Religious)." *Voprosy. Gipotezy. Otvety: Nauka XXI veka (Questions. Hypotheses. Answers: Science of the XXI century)*, Krasnodar, 2015, pp. 6-24.

³⁴ Sardar, Ziauddin. "Islam and Nationalism" *Islam, Postmodernism and Other Futures: A Ziauddin Sardar Reader,* Sohail Inayatullah and Gail Boxwell, London: Pluto Press Ltd, 2003, pp.81-88.

Now let us conclude with some comments on how thing might be unfolding in the post-Nazarbaev's future.

Conclusion: Backcasting a Future of State-Religion Relations

In light of the reports and the materials considered above, the conclusion about the further development of state-religion relations in Kazakhstan might be somewhat discouraging. While the religious resurgence and liberation during Stage One (1991-2004) marked the first decade of the state independence, gradually the situation started to deteriorate, and after a relatively mild period of Stage Two (2005-2015), that, however, conceived and bore radical discriminatory acts, the violation of religious freedom has become an institutionalized norm at Stage Three (2016-2018). The restrictive measures have been justified with a concern for social security and extremism threat.

Nevertheless, no religious law, criminal or administrative code prevented 250-400 ethnic Kazakhs (the official government estimate) from joining ISIS and forming the *Al-Kazakh*, an ethnic military battalion that fought in Syria (Tucker).³⁵ Unofficial accounts put the number close to 1,000 and include not only men but women and children as well (Tucker).³⁶

So what might be a possible future of the state-religion relations in Kazakhstan after 2019? Answering this question, it is important to remember that the future is not linear and can have many alternatives depending on various decisions made and the impact of external factors. We would like to suggest trying backcasting to add some positive emotions to the expectations. John Robinson developed it as a tool or a pathway to possible/preferred futures that could be constructed from the present with "the end" in mind (Robinson).³⁷ The backcasting methodology deserves a separate paper; an abridged version comprised of the results is introduced below to catch main points.

Step One: Determining the Timeline. The significant complexity of the state-religion problem in Kazakhstan requires a long enough temporal horizon, and we will assume a 10 to 20-year perspective.

Step Two: Describing the Current Situation. The paper has presented the contemporary conditions of state-religion relations in Kazakhstan that USCIRF experts in 2018 qualified as repressive, infringing, and violating international human rights standards (Kazakhstan. USCIRF 2018 Annual Report).³⁸

³⁵ Tucker, Noah. "Public and State Responses to ISIS Messaging: Kazakhstan." *Central Asia Program, CERIA Brief,* no. 13, February 2016, www.centralasiaprogram.org/archives/9296. Accessed 06 Apr. 2019.

³⁶ Ibid.

³⁷ Robinson, John B. "Futures Under Glass." *Futures*, vol. 8, no. 22, 1990, pp. 820-842.

³⁸ "Kazakhstan." USCIRF 2018 Annual Report, www.uscirf.gov/sites/default/files/Tier2_KAZAKHSTAN.pdf. Accessed 02 Apr. 2019.

Step Three: the Future Stage. Religious freedom and equality of all religious organizations become not only a state slogan but also a social reality.

Step Four: Actions and Indicators. They could include the following (the list is not exhaustive):

Actions.

- the country transits from a presidential to parliamentary form of governance with a genuine separation of powers into three branches: a legislature, an executive, and a judiciary;

- Kazakhstan strictly complies with international requirements on human rights;

- professionals, scholarly experts, and religious figures are not only involved in the process of discussing legislation related to religious issues but have a casting vote;

- the administrative officers and local officials engaged in religious issues take introductory courses on Islam and other religions;

- the discussion of religious issues with the participation of religious groups representatives is performed on national as well as regional and local levels because main problems arise there;

- the fear about religious conversion is dissolved through local consulting meetings that include converts of both Christianity and Islam thus helping to comprehend that changing of religious affiliation does not mean abandoning native culture;

- a genuine structural modernization starts that secures wellbeing of people in Kazakhstan. *Indicators*.

- the Constitution of Kazakhstan acquires the status of the governing document and is not used as a patching tool in political shuffling;

- the Constitution stays the supreme document that governs state-religion relations; no other legislation that relates to religious issues contradict it;

- Kazakhstan experiences the genuine separation of state and religion when secular society is defined as a state equidistance from all religions and organizations;

- religion is not equated with culture thus allowing freedom of personal religious choice;

- anti-extremism and counterterrorism campaigns are not used as a pretext for infringement on the right to peaceful religious between and expression;

- worship practices of various denominations go without governmental interference.

Step Five: Risks and Opportunities. The primary opportunity that serves as a leading risk as well is the current transition of presidential office after Nazarbaev. On the one hand, a new president could launch a restructuring of powers and modernization of political, economic, and social courses of the country, thus bringing positive changes. On the other hand, however, a successor could continue past practices in all fields of social life, thus proceeding with the disruptive state-religion policy.

Summing up, the reconfiguration of the state-religion relations in Kazakhstan has become imperative. Trying to focus on a desirable future, we can see how to reach it, using those opportunities that unfold today.

Appendix 1

The Changes in the Religious Law, Governmental Policy, and Local Authorities' Attitude (According to the Annual Reports of the Bureau of Democracy, Human Rights, and Labor by the U.S. State Department)

Table 1 1999-2004

	1999	2000	2001
Change in the status of respect for religious freedom during the period	no	no	n/m
Required registration of Religious organizations (RO):1) to worship	no	no	No, but could be fined or suspended (new Admin Code)
2) to conduct "business" (rent, buy, register missionaries, etc.)	yes	yes	yes
Applying Admin Code to un-registered	Fine-	Fine-	Suspension –
RO	Rarely if ever	Rarely if ever	two cases
Registration1) number of people required for anapplication	10	10	10
2) How easy	Quick and	Quick and	Quick and
	simple	simple	simple
Position of local authorities on registration of RO	Enforcing	Enforcing	Insist
Worship practices of various denominations	Largely without government interference		
Local officials interfere RO activities	No	No	Yes
Harassment of Islamic and Christian groups by:			
the Government officials	Sometimes	Sometimes	Not mentioned
local authorities	Often	Often	Often
Religious groups not favored by the authorities (<i>but not banned</i>):			
Jehovah's Witnesses	yes	yes	yes
Protestants	Some Korean groups	Many different groups	Some different groups
Independent Muslim groups	yes	yes	yes
Independent Orthodox Christian groups	yes	yes	yes

Hare Krishna groups			yes
Bahai groups			yes
Scientology			yes
Imposing new legal restrictions on	no	no	yes
religious freedom			
The Government's "benefits" to RO to			
some denominations:			
- Tax exemption	No	No	No
- Donation of buildings and other	Yes	Yes	Yes
assistance to the DUMK and Eastern			
Orthodox churches			
Distinction between "traditional" and	Sometimes	Sometimes	More often
"nontraditional" religions			
Amendments to the National Religious	No	No	Suggested
Law			

Table 2 2005-2015

	2005	2010	2011	2015
Change in the status of respect for religious freedom during the period	deteriorated	no	deteriorated	deteriorated
Requiredregistrationof RO:1) to worship2) to conduct "business"	Mandatory on national and regional levels	Mandatory on national and regional levels	Mandatory on national and regional levels	Mandatory on national, regional, and local levels
Applying Admin Code to un-registered RO	yes	RO fine \$961 (141,300 KzT) and 3-mnth suspension of activity; Individual fine \$481(70,650 KzT);	Different fines to leaders of RO from \$1,101 (161,800KzT) to \$5,503 (809,000KzT); 3-mnth suspension of activity	Individuals - 99,100 KzT (\$292) and 396,400 KzT (\$1,167); 3- mnth suspension of activity; Repeated violation - fine of 297,300 KzT (\$876) and a three- to six- month suspension of activity
Applying Criminal Code				18 members of Tablighi Jamaat sentenced
Registration of RO			50 – local level	50 – local level

with the Ministry of Justice 1) number of people required for an application	10	10	500 in each of 2 separate regions, 5000 –national level with sufficient representation in each of the country's oblasts	5000-national, with at least 300 members in each of the country's oblasts and the cities of Astana and Almaty
2) How easy	Not easy	Not easy	Not easy	Not easy
Worship practices of various denominations	Largely without government interference	Largely without government interference	n/m	With governmental interference
Local officials interfere RO activities	Yes	Yes	Yes	Yes
HarassmentofunregisteredIslamicandChristiangroupsby:the Government officials	Often	Often	Often	Often
local authorities	Often	Often	Often	Often
Religiousgroupsnotfavoredbytheauthorities(butnotbanned):	yes Baptists	yes Baptists, New	yes Evangelical	yes Baptists,
	F	Life Church, Adventist, Evangelical Churches	Christians, Baptists, Grace Church, New Life Church	Adventists
Independent Muslim groups	yes (Ahmadiyya)	yes (Salafi)	Yes (Sufi, Ahmadiyya)	Yes
Independent Orthodox Christian groups	n/m	n/m	n/m	n/m
Hare Krishna groups	yes	yes	yes	n/m
Bahai groups	yes	yes	n/m	n/m
Scientology		yes	yes	yes
Imposing new legal restrictions on religious	yes	yes	yes	yes
freedomTheGovernment's				
"benefits" to RO to some denominations: - Tax exemption	Yes for registered	Yes for registered	Yes for registered	Not mentioned
- Donation of buildings	37			Not mentioned
and other assistance to	Yes	Yes	Yes	

the DUMK and Eastern	ern				
Orthodox churches					
Distinction betwee	en N	More often	More often	Sunni Hanafi	Sunni Hanafi
"traditional" a	ind			Islam, Russian	Islam, Russian
"nontraditional"				Orthodoxy,	Orthodoxy,
religions				Roman	Roman
				Catholicism,	Catholicism,
				and Judaism -	and Judaism -
				traditional	traditional
Amendments to t	he Y	ſes	No	Yes	Yes
National Religious La	w				

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Резюме

Трансформация государственно-религиозной политики в Центральной Азии: пример Казахстана

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В статье представлено исследование государственно-религиозных отношений в Казахстане с 1991 года. В частности, определены этапы, которые прошло государство, формируя свою

политику в отношении религии и религиозных объединений. Материалы, на которых основано исследование, включают, во-первых, ежегодные отчеты Бюро демократии, прав человека и труда (Госдепартамент США) за 1991-2017 гг. и, во-вторых, отчеты Комиссии США по международным свободам вероисповедания, которые охватывают 2013-2018 гг. Это материалы независимых наблюдателей, регулярно отслеживающих отношения между государством и религией в Казахстане и анализирующих их значение.

Автор выделяет трехэтапный процесс. Первый этап (1991-2004 гг.) ознаменовался характерным для всех постсоветских государств периодом так называемого «религиозного возрождения». Второй этап (2005-2015 гг.) характеризуется началом антиэкстремистских и контртеррористических кампаний, которые эксперты восприняли как предлог для подавления политической оппозиции и ущемления права на мирное религиозное исповедание и выражение. Третий этап (2016-2018 гг.) расширил некоторые тенденции предыдущего периода и институционализировал подчиненное положение религии перед государством.

В выводах статьи автор пытается обрисовать будущее государственно-религиозных отношений в Казахстане. Признавая множество возможных вариантов будущего, она останавливается на «предпочтительном», намечая конкретные действия/индикаторы на временной шкале, которые в конечном итоге могут связать завтрашний день с сегодняшним.

Ключевые слова: Казахстан, свобода вероисповедания, государственно-религиозные отношения, будущее.

Түйіндеме

Орталық Азиядағы мемлекет-дін саясатының трансформациясы: Қазақстан мысалы

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Мақалада 1991 жылдан бері Қазақстандағы мемлекет-дің қатынастары туралы зерттеулер берілген. Атап айтқанда, мемлекеттің дінге және діни бірлестіктерге қатысты саясатын қалыптастырудың кезеңдерін анықтайды. Зерттеуге негізделген материалдарға, біріншіден, Демократия, адам құқықтары және еңбек бюросының (АҚШ Мемлекеттік департаменті) 1991-2017 жылдарға арналған жылдық есептері, екіншіден, Америка Құрама Штаттарының халықаралық комиссиясының есептері кіреді. 2013-2018 жылдарды қамтитын Діни еркіндік. Бұл тәуелсіз бақылаушылардың Қазақстандағы мемлекет пен дің қарым-қатынасын жүйелі түрде бақылайтын және олардың салдары туралы ойлайтын материалдары.

Автор үш кезеңді процесті анықтайды. Бірінші кезең (1991-2004) барлық посткеңестік мемлекеттерге тән «діни қайта өрлеу» кезеңін белгіледі. Екінші кезең (2005-2015 жж.) экстремизмге қарсы және терроризмге қарсы науқандардың басталуымен сипатталады, сарапшылар оны саяси оппозицияны басып-жаншу және бейбіт діни рәсімдерді өткізу мен пікір білдіру құқығын бұзу үшін сылтау ретінде қабылдады. Үшінші кезең (2016-2018 жж.) өткен кезеңдегі кейбір тенденцияларды кеңейтіп, діннің мемлекетке бағыныштылығын институттандырды.

Мақаланың қорытындысында автор Қазақстандағы мемлекет пен дін қатынастарының болашағын суреттеуге тырысады. Мүмкін болатын фьючерстердің көптігін мойындай отырып, ол ертеңді бүгінмен байланыстыруы мүмкін уақыт шкаласы бойынша нақты әрекеттерді/индикаторларды салыстыра отырып, «жақсысына» тоқталады.

Түйін сөздер: Қазақстан, дін бостандығы, мемлекет-дін қатынастары, болашақ.