



Legal regulation of confessional relations in Kazakhstan

Elmira Toilybekova*

Korkyt Ata Kyzylorda University, Republic of Kazakhstan

ORCID: 0009-0002-9301-9626

*Email: toilybekovae@gmail.com

Madina Zhusupbekova

Korkyt Ata Kyzylorda University, Republic of Kazakhstan

ORCID: 0000-0002-3858-0472

Sholpan Zhumagulova

Korkyt Ata Kyzylorda University, Republic of Kazakhstan

ORCID: 0000-0002-2033-6260

Gulnur Abubakirova

Korkyt Ata Kyzylorda University, Republic of Kazakhstan

ORCID: 0009-0009-5306-6680



<https://doi.org/10.46222/pharosjot.105.37>

Abstract

Multinationalism and the presence of many different religious groups in the country can be causes of inter-ethnic and inter-confessional conflicts. A tool to help avoid them is the implementation of an effective legislative mechanism. The research aims to investigate the legal foundations of confessional relations in Kazakhstan, including constitutional norms, norms of laws and bylaws, and the provisions of international acts in the sphere of relations between the state and religion. The system of methods of scientific knowledge of different levels – from the most general methods to special methods of legal science – was used to implement the goal. The study, the model of state-confessional relations of the Republic of Kazakhstan, its basic principles, as well as the existing legal support of this model were analysed and conducted. The authors concluded that the legislation of the Republic of Kazakhstan regulating confessional relations partially corresponds to international normative legal instruments regulating freedom of religion. In addition, the study showed that the model of state-confessional relations in force in the Republic of Kazakhstan contributes to the observance of citizens' rights to freedom of religion, the prevention of inter-confessional conflicts among religious groups within the country, and the establishment of peace. The practical significance of the results makes it possible to assess the effectiveness of the current mechanism of legislative regulation of confessional relations and to identify the main problems and ways to resolve them.

Keywords: legislation, state mechanism, associations, freedom of religion, society.

Introduction

A distinctive feature of social relations in Kazakhstan is their multiculturalism, due to the presence of many ethnic groups residing on the territory of the country. A multi-ethnic society is also multi-confessional; as different ethnic groups have their religious views. Data from Kazakhstan's Bureau of National Statistics under the Agency for Strategic Planning and Reforms (2021) shows the country's seven largest ethnic groups as follows: Kazakhs constitute the majority population with 13,497,891 people, while sizable minorities include Russians at 2,981,946, Uzbeks at 614,047, Ukrainians with 387,327 people, Uyghurs totalling 290,337, Tatars numbering 218,653, and 226,092 of German ancestry (Aimaganbetova et al., 2023).



In terms of religious affiliation, the population is as follows: Islam (69.3%), Christianity (17.2%), and others (0.1%). According to the Ministry of Information and Public Development of the Republic of Kazakhstan, 3,877 religious associations covering 18 confessions are registered in the country. Countries with multi-ethnic societies, and therefore with many religious movements, are more susceptible to the spread of radicalism and extremist movements of all kinds. Young people are vulnerable, as studies have shown. For example, a study of students' predisposition to radicalism in multi-ethnic and multi-confessional societies in Kazakhstan showed very high rates of violent extremism: reverence for force, the permissiveness of aggression, conventional coercion, and opportunism (Spytska, 2023). Based on the results of the study, the conclusion has been reached that even though Kazakhstan is considered a rather quiet region in terms of dissemination of extremist ideas, this is only an appearance, and the risks of an outbreak of religious conflicts in the country should be taken into account (Aimaganbetova et al., 2023). It should be noted that other countries are also concerned about the spread of radical movements in society. This is relevant both for third-world countries, where extremist ideas are fuelled by bad economic situations, and for developed countries (Adam-Troian et al., 2021; Finlay & Hopkins, 2020).

Law is an effective regulator of social relations; the extent to which legal norms fully and generally regulate existing confessional relations determines the observance of citizens' rights to freedom of religion, ensuring the principle of equality between faiths and preventing possible conflicts on religious grounds (Shopina et al., 2019). Considering the historically formed structure of society in the Republic of Kazakhstan, the question of the legal provision of state-confessional relations is still relevant, and the research aims to analyse the legal instruments that regulate confessional relations in the Republic of Kazakhstan and constitute the domestic legislation of the country, as well as to review international instruments in the sphere of relations between state and religious associations.

Literature Review

The issues of legal regulation of confessional relations in the Republic of Kazakhstan have been the subject of study by several scholars, such as Finlay and Hopkins (2020), and O. Aimaganbetova et al. (2023). Rosenfeld and Zekrist (2021) investigated the legal provision of freedom of religion in the Republic of Kazakhstan and analysed the state-religious policy of the Republic of Kazakhstan as a director of national security, while the authors did not delve into international normative acts that set standards for state-confessional relations. A review article on the main changes in the relationship between the state and religious associations that have occurred since the independence of Kazakhstan was prepared by Yang and Kozhirova (2021). Noteworthy is the article by Shyngysbayev (2020), which highlights the stages of the formation of Kazakhstan's legislation on confessional relations during the period of independence and raises the question of changing the secular approach to religion in the public space. One should also note the studies devoted to the influence of the religious factor on Kazakh society (Alimova, 2015), as well as the importance of establishing a model of state-confessional relations in a multi-ethnic society, which is the society of the Republic of Kazakhstan (Shamshudinova et al., 2019; Constitution of the Republic..., 1995).

Within the context of this study, it is necessary to focus on the legal instruments that regulate confessional relations in Kazakhstan, identifying the national and international levels of regulation, assessing the compliance of Kazakhstan's legislation in this area with international standards; to examine the current legal model of state-confessional relations from the point of view of its functionality and the extent to which it upholds the constitutionally established principle of equality of human and civil rights regardless of religious belief.

Materials

The materials of the study were normative legal instruments of Kazakhstan of different legal forces: legislative acts, subordinate normative legal instruments (governmental decrees, orders), as well as several international normative legal instruments devoted to the issues of relations between states and religious organisations. The regulations of Kazakhstan that were investigated in the article,



which constitute the national level of regulation, include: legislative acts (Law of the Republic..., 2011; Law of the Republic..., 2001; Law of the Republic..., 2007; Decree of the Government..., 2020; Order of the Minister..., 2019); bylaws (Cliteur & Ellian, 2020; Kettell, 2019; Wibisono et al., 2019; Lösel et al., 2020); international acts regulate the sphere of relations between the state and religious associations (Svante et al., 2018; Koopmans et al., 2021; Sandberg & Andersen, 2019; Kursuncu et al., 2019).

Scientific studies devoted to the formation of confessional relations in Kazakhstan were investigated in the framework of this article: monographs and articles (Adam-Troian et al., 2021; Finlay & Hopkins, 2020; Rosenfeld & Zekrist, 2021; Yang & Kozhirova, 2021; Shyngysbayev, 2020; Alimova, 2015; Shamshudinova et al., 2019; Constitution of the Republic..., 1995; Stephens et al., 2021; Çakir, 2020; Svante, 2021; Mahmut, 2019).

Methods

The study of the legal framework regulating state-church relations in Kazakhstan necessitated identifying fundamental aspects. The formal-legal method enabled analysing relevant normative legal instruments in the sphere of confessional relations. This included selecting domestic legislation and international acts studying this area of legal relations between the state and religious organizations. Applying legal hermeneutics methodology helped reveal issues in the legal provision for confessional relations in Kazakhstan to be discussed further. Additionally, logical analysis required closely and directly examining the provisions of chosen normative-legal instruments related to confessional relations in Kazakhstan. By analysing and comparing the texts of these legal instruments governing confessional relations domestically and internationally, a comparative characterization was possible. This allowed formulating overall conclusions of the study regarding the legal framework in this area. Another vital methodology was functional analysis, which studied relevant scientific works by scholars examining legal regulation issues of confessional relations in Kazakhstan. The synthesis method consisted of compiling the progress of the study and literary articulating the conclusions drawn based on the full investigation utilizing the array of aforementioned methodologies.

The study utilized several scientific knowledge methods: general philosophical, universal scientific, and specific legal methods. The dialectical method enabled examining how confessional relations legal regulation in Kazakhstan changed since independence, as a general research approach. Analyzing and synthesizing theoretical legal instruments governing confessional relations in Kazakhstan and related international acts required applying universal scientific methods - analysis, synthesis, induction, deduction, generalization and systematization. These logical methods also facilitated studying the current legal model of state-church relations in Kazakhstan. The formal legal method specifically analyzed relevant legal norms in Kazakhstan's legislation as a specialized legal approach. Comparative legal analysis assessed the alignment of Kazakhstan's laws concerning confessional relations with existing international laws on state-church relations. In summary, philosophical, scientific and legal methods together evaluated the evolution and current framework of legal regulation of confessional relations in the Republic of Kazakhstan.

Results

The Constitution of the State of Kazakhstan in Article 1 provides for the secular nature of the state (Constitution of the Republic..., 1995). A secular state separates government from religious institutions, ensuring equal treatment for all beliefs and religions. Other constitutional provisions governing state-church relations further uphold the right to freedom of religion. These include the right to freedom of conscience for all; equal standing of everyone before the law and courts; banning discrimination based on religious views; prohibiting associations promoting religious disunity; forbidding political parties, foreign trade unions and faith-based parties; regulating religious affiliation; and restricting advocacy of religious superiority. In summary, Kazakhstan's constitution encodes various rights and restrictions aimed at ensuring religious freedom and harmony while



limiting discrimination or conflict on religious grounds. Here is a table summarizing key legal documents on confessional relations in Kazakhstan (Table 1):

Table 1. Key legal instruments regulating confessional relations in Kazakhstan

Legal Document	Year	Brief Description	Currently Valid?
Law on Freedom of Religious Confession and Religious Associations	1992	First law regulating religious activities after independence	No, replaced in 2011
Constitution of the Republic of Kazakhstan	1995	Established secular nature of Kazakhstan (Article 1)	Yes
Law on Non-Commercial Organizations	2001	Defines religious associations as a type of non-profit legal entity	Yes
Law on Education	2007	Prohibits religious propaganda in schools	Yes
Law on Religious Activities and Religious Associations	2011	Key law regulating registration, activities, rights of religious groups	Yes
State Program on Religious Policy	2016-2020	Policy program focused on promoting interfaith dialogue	Expired
Law on Amendments to Religious Activities Law	2020	Increased punishments for violations related to religious activities	Yes

The constitutional principles underpinning state-religious relations in Kazakhstan are elaborated in greater detail in Law No. 483-IV "On Religious Activities and Religious Associations" (2011). Article 3 delineates fundamental tenets comprising the country's model for the governance of the state-church relationship and religious organizations. It proclaims the separation of state institutions and functions from religious groups and associations and establishes equality under the law for religious organizations, individual citizens, foreigners and stateless persons regardless of their personal religious beliefs or lack thereof. Additionally, it prohibits the establishment of any mandated official or compulsory state religion. The educational system must remain separated from religion as well. Analysis shows that the law constitutes the primary legal instrument regulating religious relations across the country and establishes specific rules and boundaries for state interactions with faith-based organizations. This includes defining the procedures for establishing and legally registering religious associations, which grants official recognition to these groups as entities with defined rights under the law. In effect, this Act creates a legal framework enabling religious organizations to function as proper subjects of legal relations in the country. It allows them to carry out operational activities like owning property and assets while being accountable under the law.

Beyond the main Law on Religious Activities and Associations, additional legal norms governing confessional relations appear in other legislation. Law No. 142 "On non-profit associations" (2001) states religious associations must register as non-profit entities, defining and regulating their legal status. Kazakhstan's Law No. 319-III "On Education" (2007) enforces the separation principle, prohibiting various religious activities in educational institutions. These bans include: creating organizational arms of political parties or religious groups in schools; propagating racial, ethnic, religious intolerance contrary to humanist principles; spreading militant ideologies opposing international law; and utilizing the educational process for religious propaganda. In summary, laws on non-profits and education complement the main Act on religious activities by requiring registration and restricting proselytization in schools to further codify Kazakhstan's secular governance model (Kopcha, 2021).

Among the by-laws in the field of confessional relations is Decree of the Government of the Republic of Kazakhstan No. 953 "On approval of the Comprehensive Plan for the Implementation of State Policy in the Religious Sphere of the Republic of Kazakhstan for 2021-2023" (2020), within the framework of each goal of which the measures to achieve it have been developed. Based on an analysis of the norms, it follows that they are aimed at preventing violent extremist manifestations



and terrorist threats in the country. The provisions of this regulation are based on the inviolable nature of the constitutional rights of citizens of the Republic of Kazakhstan to freedom of conscience. According to the Order of the Minister of Information and Social Development of the Republic of Kazakhstan No. 33 "On Approval of the Regulations of the Republican State Institution "Committee for Religious Affairs of the Ministry of Information and Social Development of the Republic of Kazakhstan" (2019), the Ministry of Information and Social Development of the Republic of Kazakhstan is authorized to implement the formation of state policy in the sphere of religious activity, including the development of rules for religious expertise and ensuring its implementation; implementation of the state policy in the sphere of religious activity, interaction with religious associations, ensuring public concord and national unity; ensuring research in the sphere of religious activity, public concord, development of public institutions and spiritual potential of Kazakh society.

There are laws at the international level that are adopted by international authorities and signed by the Republic of Kazakhstan. International law and the legislation of the Republic of Kazakhstan allow religious organisations not only to function in the social sphere but also to be included in the system of state administration. Religious organisations are viewed as political actors in resolving social issues. International and national legislation contains provisions on freedom of conscience and freedom of religion. In the Republic of Kazakhstan, Islam is a widespread confession among social groups and communities. The second most important religion, along with Islam, is Orthodoxy. The growth in the number of religious organisations, both traditional and non-traditional, leads to a rethinking of the state-confessional policy implemented by the state authorities of the Republic of Kazakhstan. The first stage of the strategic development of state-confessional relations began in 2006 with the analysis of the current situation in the state and the world, as well as the revision of legislation. From 2017 to 2020, the Republic of Kazakhstan moved to the second stage of the development of state-confessional relations, actively signing international agreements and adopting a law on religious activity (Law of the Republic..., 2001). During this period, scientific and analytical centres dealing with religious issues were established. The centres conducted research that served as the basis for the formation of the internal policies of state bodies.

Kazakhstan's current legislation regulates the activities of religious organizations operating within the country. Registered groups have the right to own places of worship, conduct services in designated facilities, and restrict worship from state entities. After registration, citizens can partake in missionary work. Citizens and groups can acquire and utilize religious literature and media if deemed permissible after mandatory religious expert reviews. They can distribute reviewed religious material only on registered religious premises. Religious organizations can also participate in local charitable activities. In addition, the law permits international engagement for religious purposes like pilgrimages, event participation and training. In summary, existing laws delineate the array of regulated privileges and acceptable actions granted to religious bodies and individuals to enable faith practice within Kazakhstan's secular governance model.

Kazakhstan has a tiered framework governing the establishment of religious organizations. Local groups require at least 50 citizens as founders, regional entities need 500 participants from 2+ local bodies, while national organizations call for 5,000 backers. Registration, conferring legal entity status, is mandatory for groups performing faith rituals, educational and spiritual activities. Registration goes through the justice authorities, necessitating an application, founder list, charter and supporting documents detailing the religious association's proposed activities. After thorough vetting, acceptable associations get registered enabling them to operate legally as religious institutions integrated within the state governance and legal systems. In summary, Kazakh law defines procedural requirements and government oversight regulating the founding and integration of faith-based organizations under the country's secular model. The main document regulating the activity of a religious organisation is the charter (Tymoshenko & Makarenko, 2022). The charter specifies the objectives, legal address, structure, rights, obligations, and other details. If the documents submitted for registration do not pass the religious examination, the registration may be rejected.



Relations between the authorities and religion are built following existing legislation, which guarantees the right to freedom of religion and the existence of religious organisations. The principle of secularism in the state means that state bodies do not interfere in the activities of religious organizations (Kim & Chung, 2023). Under conditions of religious freedom and socio-economic and political transformations in the territory of the Republic of Kazakhstan, radical religious movements are coming in from abroad. Strict control and oversight of the activities of religious organisations are associated with the emergence of non-traditional religious organisations, which have been gaining influence in society in recent decades. They are becoming sources of social tension, spreading religious intolerance in the social environment, and causing conflicts on religious grounds. It can be concluded that the role of religion in society and the state will increase, which will inevitably lead to changes in the existing legislation. This legislation should not only address emerging issues but also prevent and anticipate global threats to the state, society, and religion (Dzhansarayeva et al., 2015).

Currently, the conditions for defining women's roles in society have not been established. It is essential that the development of religious perspectives in suitable circumstances contributes to the legal and economic progress of the state rather than hindering it. A recurring issue is that young people often receive religious education overseas, especially in Muslim-majority countries. In such cases, students may become involved in radical religious movements and engage in extremist activities upon their return to Kazakhstan. The challenge of dealing with the return of students who studied at questionable religious institutions abroad remains a pressing concern for Kazakhstan (Kelman & Kelman, 2022).

The state's constitutional order in Kazakhstan prohibits religious canons from influencing legislation, public authorities, and the conduct of officials. Citizens have the right to freely choose their religious beliefs or live without any faith, without coercion or reliance on religious institutions. State bodies and officials cannot impose or prohibit specific religions but can promote mutual respect and harmony among citizens of different faiths. Societies with strong civil liberties are more stable, while those with limited freedoms and a rigid power structure may experience social unrest. Kazakhstan is in a transitional phase, lacking a definitive framework for regulating religious matters. The country's choice in this regard will significantly impact its statehood and future development.

At the international level, there are laws and standards adopted by bodies such as the United Nations, the Office for Democratic Institutions and Human Rights, and the Venice Commission that promote freedom of religion. Although not legally binding, Kazakhstan has endorsed the principles contained in documents such as the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights. As a member of the Organization of Islamic Cooperation, Kazakhstan also participates in initiatives related to religious rights and freedoms. While Kazakhstan's domestic legislation does not fully align with international standards on religious freedom, the government has expressed a commitment to upholding the basic principles outlined in these international agreements and declarations.

The legal regulation of state-confessional policy in Kazakhstan is based on societal structure, government-society-religious organization interaction, history, and socio-political processes. The state must maintain neutrality and not interfere in religious matters. Religious organizations are under state control, with legislation enforcing oversight and registration for charity and missionary work. Despite state efforts, there's a threat of terrorism and religious violence. Amendments to suppress destructive religious groups harm law-abiding associations. Harsh administrative measures won't solve religious issues; protecting traditional foundations and freedom of religion is crucial. The confrontation between authorities, religion, and society continues, with evolving policies impacting society's view of religion. Future research will focus on religious extremism in Kazakhstan.

Discussion



Academic literature extensively debates principles and models of state-religion relations. For instance, Cliteur and Ellian (2020) categorize five potential configurations based on how the state-church relationship is structured: atheist, theocratic, official state church, multiculturalist and secular states. The secular state links closely to the concept of secularism in legal theory. Fundamentally, secularism necessitates the state remain neutral regarding religious matters. That is, the state cannot endorse, advocate or obstruct any particular faith or spiritual viewpoint over others. Institutionally, this typically means supporting the separation of church and state functions (Kettell, 2019). Academic discourse analysing state-church models recognizes the secular state as requiring neutrality concerning faiths and keeping state functions separate from religious affairs.

There have been many attempts to classify types of secularism and distinguish between its forms. The difficulty is that the concepts of "secularism" and "secularism" are influenced by various historical, sociopolitical, economic and cultural factors that change over time along with the role of religion in society (Wibisono et al., 2019). A common distinction is made between French secularism, which strictly separates church and state and also faith from civil society, versus American secularism, which separates institutions but does not remove religion from public spaces (Lösel et al., 2020).

In their study of state-religious relations in the Republic of Kazakhstan, Svante et al. (2018) note that Kazakhstan has implemented an isolationist model drawing from French and Turkish secularism, while also distinguishing between traditional and non-traditional faiths. State policy explicitly supports traditional groups to help them regain position in society but restricts non-traditional influences. The authors argue there are elements of a "dominant church" model in Kazakhstan, giving preference to historical traditional religions rather than one single faith.

The formation of the legislation of the Republic of Kazakhstan regulating confessional relations is assessed differently in the academic environment. Multiple perspectives exist on Kazakhstan's laws regulating religious activities. While the 2011 law systematized registration and oversight procedures, as noted by Koopmans et al. (2021) it restricted religious freedom by mandating re-registration under more stringent requirements. Immediately after adoption, 78 groups reported facing problems and unfair conditions.

Though Kazakhstan's laws uphold constitutional religious freedom and align somewhat with international standards, full compliance has not been achieved. Certain provisions, such as those related to registration, literature distribution, age restrictions, etc., limit religious freedom and have been critiqued by experts (Bazilova et al., 2016). However, these tighter restrictions may aim to combat extremism threats. The government must balance security measures while still protecting the rights of believers. Overall, the secular model remains a work in progress requiring ongoing reforms to fully uphold both freedom and security (Jeong et al., 2022). Sandberg and Andersen (2019) argue that numerous provisos within Kazakhstan's 2011 Law on Religious Activities and Religious Associations contravene international laws concerning freedom of conscience as well as the country's constitution. Specifically, aspects of the law fail to uphold guarantees and protections encoded in global agreements and domestic statutes meant to preserve liberties around religious beliefs. They believe the 2011 Religious Activities law falls short in adhering to legally binding global and national commitments safeguarding ideological and spiritual freedoms. One must agree with this and note such provisions as an examination of religious literature, charters of associations, materials used in missionary activity (Article 6); reduction in the number of places where religious rites and ceremonies may be held (Article 7); registration of missionary plan activities on a compulsory basis (Article 8); and restrictions relating to the use and distribution of items and materials (Article 9); prohibition of the activities of organisations which are not registered under the law as religious associations (Article 3, paragraph 11); status of associations (Article 12); complicated procedures for registering associations (Articles 13 and 14); prohibition for minors to participate in the activities of a religious association without the consent of a parent (Article 3, paragraph 16).



A possible reason for stricter legislative restrictions in the sphere of religious freedom in Kazakhstan is the need to prevent and combat the spread of extremist religious movements and radical Islamism within the country (Shapoval et al., 2018). As noted by Kursuncu et al. (2019), the increase in the number of supporters of radical religious movements leads to their ideological struggle against the secular state and may subsequently turn into a violent armed conflict. The issue of preventing religious extremism and terrorism remains relevant for Kazakhstan. Alongside guarding religious freedoms for citizens and confessional groups, Kazakhstan's state policies concerning faith also prioritize fostering harmony amongst belief systems, social stability and national security regarding religious affairs. While upholding liberties around religious activities and associations, the government simultaneously pursues goals of productive interfaith relations, a cohesive secular society, and protection from threats tied to ideological extremism. In effect, the state takes a balanced approach - preserving constitutional guarantees for diverse faiths while actively nurturing religious harmony and guarding against risks of sectarian divides undermining security and national unity (Akimzhanov et al., 2014; Omurzakova et al., 2022). The country has also adopted a legal instrument of a policy nature aimed at combating religious extremism and terrorism. In this regard, one can argue that in the Republic of Kazakhstan, the fight against terrorism through addressing the problems of radicalization and violent extremism has become a feature of the national strategy of the country (Stephens et al., 2021).

The authors of this study agree with the assertion of Çakir (2020), that even though "Kazakhstan has assumed several international obligations and responsibilities to respect, protect, and fulfil human rights, there are still huge gaps between principles and practice in the country". According to the author, minority groups, whether ethnic or sexual, continue to be discriminated against, mistreated, and disadvantaged. Although the scholar refers to minorities based on gender and ethnicity in his article, his conclusions are also true for religious groups existing in the Republic of Kazakhstan. Kazakhstan's contribution to international security and peace is recognised by the international community, yet the country continues to be criticised for its human rights record by both international and non-governmental organisations (Svante, 2021). In its most general form, secularism is the principle of separation of state and religion. As shown by the analysis of the legal regulation of confessional relations in the Republic of Kazakhstan, the country has formed a secular model of state-confessional relations. However, some scientists believe that despite the proclamation of the Constitution of the Republic of Kazakhstan as a secular state, the Republic of Kazakhstan is a predominantly Muslim country (Mahmut, 2019).

The analysis of the legal provision of state-confessional relations in Kazakhstan allows to conclude that the country pays attention to the development of legislation regulating the freedom of religion. The task of developing a secular state in the Republic of Kazakhstan is complicated by the heterogeneity of Kazakhstani society and its multi-ethnic and multi-confessional composition, which is a threat to the spread of radical religious movements and possible inter-confessional conflicts.

Conclusions

This study analysed the legal governance of church-state relations in Kazakhstan. The current model aims to uphold citizens' religious freedom while containing potential religious conflicts and extremism. We examined relevant legislation defining the activities, nature, and operating principles of religious groups. State interaction with faith communities observes laws safeguarding religious liberty and enabling religious organizations. Still, tensions persist between securing individual rights, promoting public order, and addressing national security concerns. Kazakhstan continues weighing these competing aims as the legal framework evolves to shape religious life. Further analysis could assess this complex balance and how effectively the model realizes constitutional guarantees despite ongoing debates. Examining state regulation of religion illuminates the broader challenge of crafting policy to protect minority groups while prioritizing societal stability.

An important fact is that the principle of secularism is consolidated in the state, which means that the state authorities do not interfere in the activities of religious organizations. At the same time, a



characteristic problem in today's conditions is the influx of radical religious movements from neighbouring countries. Consequently, stricter control and oversight of religious organisations are associated with the emergence of non-traditional religious organisations that are gaining influence in society. Thus, they become sources of social tension, spread religious intolerance in the social environment, and cause conflicts on religious grounds. This poses a threat not only to national but also to global security. In this regard, it was concluded that the role of religion in society and the state will increase, which will have an impact on the current legislation. Therefore, legal instruments must contain provisions that will enable the prevention of global threats to the state, society, and religion, i.e. – extremism. Subsequent research will be aimed at conducting a detailed analysis of the activities of religious organisations, studying the phenomenon of extremism in the territory of the Republic of Kazakhstan in modern conditions, and identifying ways to prevent it.

References

- Adam-Troian, J., Tecmen, A. & Kaya, A. (2021). Youth extremism as a response to global threats? A threat-regulation perspective on violent extremism among the youth, *European Psychologist*, 26(1), 15-28.
- Aimaganbetova, O., Lashkova, Y., Madaliyeva, Z., Zakaryanova, S., Sadvakassova, Z. & Kassen, G. (2023). Youth's disposition of radicalism in a poly-ethnic and poly-confessional society from the perspective of tolerance/intolerance, *Journal of Ethnic and Cultural Studies*, 10(1), 141-164.
- Akimzhanov, T.K., Dilbarkhanova, Z.R., Begimbaev, S.A., Beysenbayeva, M.T., Ismailova, D.Sh., Madykhan, S.M., Omarova, A.B., & Tulekova, A.M. (2014). Liberalization of criminal policy of the Republic of Kazakhstan - One of the conditions to form the democratic, secular, legal and social state, *Life Science Journal*, 11(SPEC. ISSUE 10), 498-502.
- Alimova, S.B. (2015). State-professional relations in the Republic of Kazakhstan, *National Association of Scientists*, 1(6), 124-126.
- Bazilova, A.A., Malikova, S.B., Omarova, A.B., Atakhanova, G.M., & Daubassov, S.S. (2016). Disadvantages in differentiation and exceeding limits of necessary defense according to the legislation of the Republic of Kazakhstan, *Journal of Advanced Research in Law and Economics*, 7(4), 752-758.
- Bureau of National Statistics of the Agency for Strategic Planning and Reforms of the Republic of Kazakhstan. (2021). Census 2021 dashboard, accessed October 3 2023, <https://new.stat.gov.kz/ru/instruments/dashboards/8763/>
- Çakir, A. (2020). Contemporary rivalry in Central Asia: Challenges and opportunities, *Avrasya İncelemeleri Dergisi*, 9(1), 75-94.
- Cliteur, P. & Ellian, A. (2020). The five models for state and religion: Atheism, theocracy, state church, multiculturalism, and secularism, *ICL Journal*, 14(1), 103-132.
- Constitution of the Republic of Kazakhstan (1995). Accessed October 1 2023, https://www.akorda.kz/ru/official_documents/constitution
- Decree of the Government of the Republic of Kazakhstan No. 953 "On approval of the Comprehensive Plan for the Implementation of State Policy in the Religious Sphere of the Republic of Kazakhstan for 2021-2023" (2020). Accessed September 29 2023, <https://adilet.zan.kz/rus/docs/P2000000953>



Dzhansarayeva, R.Y., Dilbarkhanova, Z.R., Malikova, S.B, Atakhanova, G.M, & Daubassova, S.S. (2015). Countermeasures to bioterrorism acts, *Biosciences Biotechnology Research Asia*, 12(2), 1849-1856.

Finlay, R. & Hopkins, P. (2020). Resistance and marginalisation: Islamophobia and the political participation of young Muslims in Scotland, *Social & Cultural Geography*, 21(4), 546-568.

Jeong, M.-J., Seok, J.-O., Han, W.-S., Seon, S.-H., & Chung, J.-K. (2022). A righteous war: comparing Milton's external revolution and Bunyan's internal struggle, *Astra Salvensis*, 2022(1), 217-228.

Kelman, M., & Kelman, R. (2022). Religion – a significant factor in law-making and law enforcement processes. *Social and Legal Studies*, 5(2), 77-85.

Kettell S. (2019). Secularism and religion. <https://doi.org/10.1093/acrefore/9780190228637.013.898>

Kim, K.-Y., & Chung, J.-K. (2023). The public roles of early Korean Protestant Christianity and future prospects, *European Journal of Science and Theology*, 19(3), 57-72.

Koopmans, R., Kanol, E. & Stolle, D. (2021). Scriptural legitimation and the mobilisation of support for religious violence: Experimental evidence across three religions and seven countries, *Journal of Ethnic and Migration Studies*, 47(7), 1498-1516.

Kopcha, V. (2021). Modern rule of law: Basic approaches to understanding. *Law Journal of the National Academy of Internal Affairs*, 11(2), 7-12.

Kursuncu, U., Gaur, M., Castillo, C., Alambo, A., Thirunarayan, K., Shalin, V., Achilov, D., Arpinar, B.I. & Sheth, A. (2019). Modeling Islamist extremist communications on social media using contextual dimensions: Religion, ideology, and hate, *Proceedings of the ACM on Human-Computer Interaction*, 3, 151.

Law of the Republic of Kazakhstan No. 142 “On non-profit associations” (2001). Accessed September 28 2023, https://adilet.zan.kz/rus/docs/Z010000142_

Law of the Republic of Kazakhstan No. 319-III “On Education” (2007). Accessed October 2 2023, https://adilet.zan.kz/rus/docs/Z070000319_

Law of the Republic of Kazakhstan No. 483-IV “On Religious Activities and Religious Associations” (2011). Accessed September 30 2023, <https://adilet.zan.kz/rus/docs/Z1100000483>

Lösel, F., Bender, D., Jugl, I. & King, S. (2020). Resilience against political and religious extremism, radicalization, and related violence: A systematic review of studies on protective factors, *Understanding Recruitment to Organized Crime and Terrorism*, Cham: Springer, 55-84.

Mahmut, D. (2019). Controlling religious knowledge and education for countering religious extremism, *FIRE: Forum for International Research in Education*, 5(1), 22-43.

Omurzakova, A., Shalbolova, U., & Mukhanova, G. (2022). Risk assessment of social public-private partnership projects, *Public Policy and Administration*, 21(2), 140-150.

Order of the Minister of Information and Social Development of the Republic of Kazakhstan No. 33 “On Approval of the Regulations of the Republican State Institution “Committee for Religious Affairs of the Ministry of Information and Social Development of the Republic of Kazakhstan” (2019). Accessed September 30 2023, https://adilet.zan.kz/rus/docs/G190000033_



Rosenfeld, V. & Zekrist, R. (2021). Social and environmental problems of religious deviation: from critical methodology to practice, *E3S Web of Conferences*, 284, 11021.

Sandberg, S. & Andersen, J.C. (2019). Opposing violent extremism through counter-narratives. Four forms of narrative resistance, *The Emerald Handbook of Narrative Criminology*, Bingley: Emerald Publishing Limited, 445-466.

Shamshudinova, G., Altybassarova, M., Seifullina, G., Turlybekova, A. & Dyussebekova, G. (2019). State model of interconfessional tolerance in modern multiethnic societies, *Space and Culture, India*, 7(1), 117-127.

Shapoval, R., Bytiak, I., Khrystynchenko, N., & Solntseva, K. (2018). Problematic issues of the administrative and legal status of the police in the baltic states (Lithuania, Latvia, Estonia), *Journal of Advanced Research in Law and Economics*, 9(1), 295-306.

Shopina, I.N., Muliavka, D.G., Hrechaniuk, S.K., & Fedchyshyna, V.V. (2019). Improvement of social control as a direction of crime prevention, *Russian Journal of Criminology*, 13(3), 447-454.

Shyngysbayev, L.S. (2020). On the issue of the development of state-confessional relations in the Republic of Kazakhstan, *Bulletin "Sociological and Political Sciences"*, 71(3), 181-188.

Spytska, L. (2023). Principles of delinquent behavior correction program creation for youth detention centers, *Human Research in Rehabilitation*, 13(2), 188-199.

Stephens, W., Sieckelinck, S. & Boutellier, H. (2021). Preventing violent extremism: A review of the literature, *Studies in Conflict & Terrorism*, 44(4), 346-361.

Svante E.C. (2021). *Human rights reforms in Kazakhstan*. Washington: Central Asia-Caucasus Institute & Silk Road Studies Program.

Svante, E., Cornell, S., Starr, F. & Tucker, J. (2018). Religion and the secular state in Kazakhstan, accessed September 30 2023, <https://www.isdp.eu/publication/religion-secular-state-kazakhstan/>

Tymoshenko, V., & Makarenko, L. (2022). Political and legal guarantees of human and civil security. *Law Journal of the National Academy of Internal Affairs*, 12(4), 9-16.

Wibisono, S., Louis, W.R. & Jetten, J. (2019). A multidimensional analysis of religious extremism, *Frontiers in Psychology*, 10, 2560.

Yang, L. & Kozhirova, S. (2021). The state policy of the Republic of Kazakhstan in the field of combating religious extremism, *Proceedings of Topical Issues in International Political Geography*, Berlin: Springer, 161-170.

Conflict of Interest Statement: The authors declare that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.



This article is open-access and distributed under the terms of the Creative Commons Attribution Licence

The use, distribution or reproduction in other forums is permitted, provided the original author(s) and the copyright owner(s) are credited and that the original publication in this journal is cited, in accordance with accepted academic practice. No use, distribution or reproduction is permitted which does not comply with these terms.