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## ABOUT THE ORIENTATION OF THE ADMINISTRATIVE-LAW POLICY OF RESISTING RELIGIOUS EXTREMISM IN THE RUSSIAN FEDERATION

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The article identifies the major problems of legal normative ensuring countering religious extremism in Russia. The author suggests ways to improve legal regulation in this area.

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Many years practice of implementation the main provisions of the Russian legislation on freedom of conscience, freedom of religion and religious associations, based on the relevant provisions of the Constitution of the Russian Federation [1], leads to the conclusion that in general it has created the necessary foundation and conditions for the activity of religious associations, realization of the citizens' inalienable rights and freedoms in the ideological and religious spheres.

For the first time in the history of the Russian statehood freedom of conscience and freedom of religion are guaranteed by the state and implemented on the basis of universally recognized principles and provisions of international law and the domestic democratic legal norms.

Alongside this, patternless legal regulation of the religious sphere of Russian society, conducted in the early 1990s, led to a deep ideological confusion of a part of Russian population, devaluation of traditional moral values, which up to the present moment have been difficultly influenced by law. The typical result of such legal policy was the aggravation of the problems associated with manifestations of open religious hatred in society, often developing into religious extremist activity.

Despite the awareness of public authorities about the scale of the threat, we cannot talk that at the present time there is a balanced and complete system of legal regulation of combating religious extremism in the Russian Federation. So, it seems that the adoption of strict science-based legal solution is interfered by “frailty” of the issue, due, first, to the instability of forecasts of seriously developed extremist underground (most of Islamist nature) response to measures taken; and secondly due to the inability, despite all the measures taken, to come to a social partnership of the state and the largest denominations, not to mention the interdenominational partnership, in the mechanism of combating religious extremism.

Such judgments prove the fact, that any attempt to legal intervention in the religious sphere of society with positive intentions of eliminating extremist threats are speculatively described by political and ideological opponents of the government as an attack on religious freedom. That is why, in our view, the legislature should arm by political will and come to understanding of the obligation not only to protect the freedom of conscience and ideological diversity, but also to ensure social stability and security of the very foundations of statehood. In this case, authorized public bodies should take a methodologically correct and scientifically justified way in forming the legal framework of the system of religious extremism combating, going away from the explicit expression of religious preferences in the face of the Russian Orthodox Church of the Moscow Patriarchate, and exercising their powers under the Constitution of the Russian Federation and adopted in accordance with it legal laws. However, adherence to the principles of a secular state should harmonically go with the active work on the formation of church-state relations that can positively suppress the problem of religious extremism. In this connection, we should find legal means to orient denominations not to churching, or turning to religion, but to addressing intra-confessional problems (firstly of a political nature, struggle for intra-confessional leadership) and to social service for the good of society.

Acting in a federal state, the public authorities of the Russian Federation and its subjects should pay close attention to the regional legislation on countering religious extremism, which currently does not hold water. So, most of the regional laws adopted in this area do not meet the particular provisions of existing federal legislation, are of populist nature, do not reflect the actual regional trends. Many regional programs of law-enforcement orientation, including in the field of combating religious radicalism and extremism, are not methodologically thought out, financed on leftovers, and often simply «rewritten» again with no change after they expire. At the same time, regional law-enforcement potential of regional legislation

on administrative responsibility is practically not used, since relevant regional laws do not contain norms on responsibility for the initial manifestations of illegal activity that could later turn into a crime motivated by religious hatred.

The lack of an adequate mechanism for cooperation between the state and religious associations with respect to socially important issues, including on combating criminal and administrative tort, significantly worsens the situation in the field of combating religious extremism. Individually conducted joint activities are formed spontaneously, obeying more political will, rather than clear legal requirements. In particular, in regions it causes distortions associated with faith-based preferences of the current government, what contributes to forming a religious opposition, and in the traditionally Islamic regions – to an open confrontation between the various Islamic movements.

Thus, today we need a serious amendment of legal policy against religious extremism associated with the formation, on the already existing legal basis, a more delicate system of legal controllers of public relations in the field of religiosity manifestation among Russian citizens. In this case, the main vector for improving the legal environment of such relationships should be not the tightening of certain sanctions, but an active influence on confessional environment, formation of prescriptions that help a citizen to identify the limits of the permitted in religious field.

#### References:

1. Constitution of the Russian Federation (adopted on National Voting, December 12, 1993) [Konstitutsiya Rossiiskoi Federatsii (prinyata na vsenarodnom golosovanii 12 dekabrya 1993 g.)]. *System GARANT* [Electronic resource], Moscow: 2013.