

Criminal Code of the RSFSR

LAW ON RELIGIOUS ORGANIZATIONS

.April 8, 1929

The All-Russian Central Executive Committee and the Council of People's Commissars of the RSFSR decree that:

1. The decree of the Council of People's Commissars of the RSFSR of 20 January 1918 [old style] on the separation of the church from the state and of the school from the church shall apply to churches, religious groups, movements, trends and all other associations for religious worship of all denominations.
2. (1) Religious associations of believers of all rites shall be registered as religious societies or as groups of believers.
(2) No citizen shall belong to more than one religious or ritual association (society or group).
3. (1) A religious society is a local association of at least twenty believers, who have reached the age of eighteen and belong to the same denomination, rite, movement or trend, for the purpose of satisfying their religious needs together.
(2) Believers who, because of their small number, cannot form a religious society are granted the right to form a group of believers.
(3) Neither a religious society nor a group of believers shall have the rights of a person at law.
4. A religious society or group of believers may commence its activities only after the society or group has been registered in the requisite administrative department (division, section) of the

local executive committee (ispolkom), or of the town soviet, in the volost ispolkom or at a town soviet which is not the administrative center of the district (raion or uyezd).

5. In order to register as a religious society, the organizers, numbering at least twenty, shall submit to one of the above-mentioned bodies (Article 4) an application for registration in the form determined by the People's Commissariat for Internal Affairs of the RSFSR.

6. In order to register as a group of believers, the nominated representative (Article 13) shall submit to one of the above-mentioned bodies (Article 4) an application for registration in the form determined by the People's Commissariat of Internal Affairs.

7. The above-mentioned bodies (Article 4) shall, within one month of receiving the application, register the society or group, or inform the applicants that their application has been refused.

8. A list of members of the association or group, of its executive and of the administrative bodies and the clergy serving it, shall be communicated to the registering body within the period and in the form determined by the People's Commissariat of Internal Affairs.

9. No one shall be listed as a member of a religious association without his express consent.

10. (1) In order to satisfy their religious needs, believers who have formed a religious association shall have the right to enter into an agreement with the volost or raion executive committee or town soviet, granting them the free use of special religious buildings and of objects for exclusively ritual use.

(2) Furthermore, believers who make up a religious society or a group of believers may also use for their prayer meetings other premises offered by private persons or by local soviets and their executive committees on a rental basis. Regulations applying to religious buildings under the present decree shall apply in equal measure to these premises. The agreement for the use of such premises shall be made by each believer on his own responsibility. Such premises must also comply with building and sanitary regulations.

(3) No religious society or group of believers shall use more than one set of premises for its prayer meetings.

11. Arrangements connected with the administration and use of religious premises and ritual objects-such as the employment of watchmen, delivery of fuel, upkeep of religious buildings and ritual objects, acquisition of goods, or objects for use in religious rites, ceremonies, or other acts closely and directly related to the teaching and ritual order of the cult in question, the lease of premises for religious meetings – can be made individually by any member of the executive body of the religious society or group of believers who has been thus empowered by the association.

Such arrangements shall not apply to contractual relations concerned with a trade or industry, however closely related to the cult, e.g. lease of premises for a candle factory, or for a printing press producing books on religion or morals, etc.

12. General meetings of religious societies and groups of believers may be held by permission of the volost executive committee or raion administrative division in rural settlements and of the administrative departments in towns.

13. The religious association at its general meeting elects by a show of hands an executive body, consisting of three of its members for a society or of one representative for a group. These are directly entrusted with functions connected with the administration and use of religious premises and ritual objects, (Article 11) as well as with representing the association.

14. The registering body has the right to exclude certain persons from membership of the executive body of the association.

15. The religious association has the right to elect at its general meeting a control commission of not more than three of its members for verifying ritual objects and sums accruing from members' contributions or from voluntary gifts.

16. The executive body or control commission of a religious association may hold meetings (sessions) without obtaining the permission of government authorities.

17. Religious associations are prohibited from:

(a) setting up funds for mutual aid, co-operatives or associations of producers, and from using the effects at their disposal for any purpose other than the satisfaction of their religious needs,

(b) granting material aid to their members,

(c) organizing religious or other meetings specially intended for children, young people or women, biblical or literary meetings, groups, sections, circles, or handicraft meetings, religious instruction, etc., excursions, or children's play-groups, or from opening libraries, reading rooms, sanatoria, or providing medical aid.

The only books which may be kept in religious buildings or on religious premises are those indispensable for conducting a service.

18. No teaching of religious faith of any sort shall be tolerated in state or private schools or other educational establishments. Such teaching may only form part of special theological courses opened by citizens of the USSR with the special permission of the People's Commissariat of Internal Affairs of the RSFSR, or if in an autonomous republic, with the permission of the Central Executive Committee of that republic.

19. The activities of priests, preachers, instructors, etc. are restricted to the place of residence of the members of the religious associations which they serve and the place where the religious building used is situated.

The activities of priests, preachers and instructors serving two or more religious associations are restricted to the area in which the members of these associations reside.

20. Religious societies and groups may organize local all-Russian or all-union religious conferences or congresses provided special permission has been obtained in each case individually from:

(a) the People's Commissariat of Internal Affairs of the RSFSR if the congress is an all-Russian or all-union one on the territory of the RSFSR, or if the congress covers the territory of two or more krai, oblasts, or guberniias, or

(b) the corresponding krai, oblast, guberniia or okrug administrative department if the congress is local.

In the case of republican congresses and conferences in autonomous republics, permission must be granted by the People's Commissariat of Internal Affairs or the corresponding organ of the relevant autonomous republic.

21. Local all-Russian or all-union religious congresses or conferences may elect from among their members an executive

body responsible for the execution of the decrees adopted by the congress. A list of the members of the executive body elected at the congress, as well as the proceedings of the congress, shall be communicated in duplicate, in the form determined by the People's Commissariat of Internal Affairs of the RSFSR, to the body which has granted permission for the congress to be held.

22. Neither the congress nor its elected executive body have the rights of a person at law, neither have they the right to:

(a) organize any central funds whatever to collect free donations from believers;

(b) levy forced contributions of any sort;

(c) own, lease or purchase ritual objects or rent premises for religious meetings;

(d) make contracts or agreements of any sort.

23. In dealing exclusively with matters of a purely religious character, the executive bodies of religious societies, groups and religious congresses have the right to use stamps, seals and forms stating their denomination. Such stamps, seals or letter headings shall not include any emblem or slogan established for organs or institutions of Soviet power ...

25. Ritual objects used by believers who have formed a religious association -whether granted by contract or subsequently acquired by or received by them as gifts-are nationalized property and listed by the corresponding town soviet, the raion or volost executive committee, while remaining at the disposal of the believers ...

27. The contract granting the use of religious buildings and ritual objects to believers who have formed a religious association shall be concluded in the name of the corresponding raion executive committee or town soviet by the relevant administrative department (section) or division, or directly by the volost executive committee.

28. In accordance with the contract, the religious building and the objects which it contains are handed over by a representative of the volost or raion executive committee or town soviet to at least twenty members of the religious society, who place them at the disposal of all the believers ...

36. The transfer for other purposes of a religious building used by believers (that is, its liquidation) can be authorized only by a motivated decree of the Central Executive Committee of the autonomous republic, the krai, oblast or guberniia executive committee, if the building is indispensable for state or social needs. The decree must be communicated to the believers who make up the religious society.

37. Should the members of the religious society appeal to the Presidium of the All-Russian CEC within two weeks of having received notice of such a decree, the case of the liquidation of the religious building shall be referred to the Presidium of the All-Russian CEC. The contract with the believers shall not cease to be valid nor shall they be deprived of its use until the decree has been confirmed by the Presidium of the All-Russian CEC.

38. The lease of nationalized, municipalized or private premises for religious meetings (Article 10, para. 2) can be dissolved by normal legal methods before the expiration of its term.

39. The liquidation of a religious building in such cases must be carried out by the administrative department or division on the request of the corresponding uyezd or raion executive committee or town soviet in the presence of representatives of the local financial department and of other offices which may be involved, as well as of a representative of the religious association.

40. When a religious building is liquidated, the ritual objects shall be apportioned as follows:

(a) objects of platinum, gold, silver or brocade, and also precious stones are subject to inclusion in state funds and are put at the disposal of the local financial authorities or of the organs of the People's Commissariat of Education, if these objects were on its list;

(b) objects of historical, artistic or collector's value are handed over to the organs of the People's Commissariat of Education;

(c) all other objects (icons, vestments, banners, robes, etc.) which are of special significance for religious services shall revert to the believers for transfer to other religious buildings of the same rite – these objects shall be included in the general list of ritual objects in the usual manner;

(d) objects of current use (bells, furniture, carpets, chandeliers,

etc.) are subject to inclusion in state funds and are put at the disposal of the local financial authorities or the organs of the People's Commissariat of Education, if they are on the list of this body;

(e) objects of transitory use, such as money, and also incense, candles, oil, wine, wax, firewood and coal, which are destined for a specific use in accordance with the terms of the contract, or for the celebration of the rites of the cult, are not subject to confiscation when the existing religious society exists after the liquidation of the religious building ...

46. Should the religious building, owing to its age, be in danger of partial or total collapse, then the local administrative organs, the raion and volost executive committee or village soviet has the right to request the executive body of the religious association or the representative of the religious group to refrain from using it for religious services or meetings pending its inspection by a special technical commission ...

49. The decisions of the technical commission, as set out in its reports, are binding and must be executed ...

54. (1) Members of groups of believers and religious societies have the right to collect dues and accept voluntary donations, both within and without the religious building, but only from the members of that religious association and only for purposes related to the upkeep of the building and the ritual objects, paying the clergy and maintaining the executive body.

(2) Any obligatory levies for the benefit of religious societies are a crime punishable under the Penal Code of the RSFSR (Article 124).

55. (1) All ritual objects, whether donated or purchased out of voluntary donations, must be included in the inventory of ritual objects.

(2) All sums donated for the purpose of embellishing the religious building or decorating ritual objects must be listed in the inventory of ritual properties which are used by the religious society without payment.

(3) Donations in kind for purposes other than those mentioned above, together with donations in money for purposes connected with the use of the religious building or premises (repairs, heating, etc.) or for the upkeep of the clergy need not be listed in

the inventory.

(4) Voluntary donations in money from believers shall be listed by the treasurer of the association in the accounts book.

56. Sums donated for purposes connected with the management of religious buildings and ritual objects may be spent by members of the executive bodies of religious societies or by representatives of groups of believers empowered to do so.

57. (1) The prayer meetings of believers who are united in a group or society may take place in religious buildings or in specially adapted premises which satisfy building and sanitary norms without the prior knowledge or permission of the authorities.

(2) Should the premises not be specially adapted for this purpose, believers wishing to hold a religious meeting there must give notice to the village soviet in rural areas, to the local militia in urban settlements, and to the administrative department where there is no office of the militia.

58. Religious rites and ceremonies may not be held, and ritual objects may not be placed, in any state, social, co-operative or private institution or enterprise.

This prohibition does not apply to religious rites performed at the request of those who are gravely ill or dying in prisons and hospitals, provided such rites are performed in specially isolated rooms, or to rites performed at cemeteries and crematoria.

59. For a religious procession, rite or ceremony to be held in the open, special authorization must be obtained in each case as follows:

in towns which are administrative centers not below raion standing-from the corresponding administrative department or division;

in towns which are not administrative centers and also in workers' and tourist settlements -from the presidium of the town or settlement soviet;

in rural districts-from the administrative division of the raion executive committee or the volost executive committee.

Application for such authorizations must be made at least two weeks before the ceremony is due to take place. No authorization

is needed for religious ceremonies connected with burials.

60. In the case of processions which form an integral part of a religious service and which proceed round the religious building, in both town and country, the authorities need not be notified, and special permission is not required, provided the procession does not impede the normal street traffic.

61. Religious processions, rites and ceremonies held outside the location of the religious society are permitted on the basis of special authorization in each case from the body which made the original contract. Such an authorization may be given with the preliminary consent of the executive committee of the district in which the procession, rite or ceremony is to be held.

62. A list of religious societies and of groups of believers in a given area must be drawn up by the registering bodies there (Article 6).

63. The bodies which register religious associations (Article 6) pass statistical information about them, in the form and periods established by the People's Commissariat of Internal Affairs of the RSFSR, to the uyezd and okrug administrative departments. The People's Commissariat of Internal Affairs of autonomous republics, and the krai, oblast, and guberniia administrative departments, summarize the information received from the subordinate administrative departments and pass it on to the People's Commissariat of Internal Affairs of the RSFSR.

64. The registering bodies shall be responsible for surveillance of the activities of the religious associations, and also for the safety of the religious buildings and ritual objects put at the disposal of the associations by contract; in rural areas responsibility for surveillance also lies with the local village soviet.

65. All religious associations actually in existence in the RSFSR at the day of promulgation of the present decree shall register within one year at their place of residence in the form and with the bodies indicated in the present decree.

66. Religious associations which fail to fulfill the requirements of this article are considered to be closed down with the consequences envisaged by the present decree ...

Signed: President of the All-Russian Central Executive Committee,
M. KALININ.

Vice-President of the Council of People's Commissars, A.
SMIRNOV.

Vice-Secretary of the All-Russian Central Executive Committee, A.
DOSOV.

Source: Sistematicheskoe sobranie zakonov RSFSR (Moscow: Iurid. izd-vo NKIU RSFSR, 1929), text 353. Sobranie uzakonenii i rasporyazhenii, 1929, No. 35, stat'ia 353, reproduced with commentary in N. Orleanski, Zakon o religioznykh ob'edineniyakh RSFSR (Moscow, 1930)