

Legal Foundations of Religious Tolerance in The Republic of Uzbekistan

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ABSTRACT

Objective: This study aims to analyze the legal foundations of religious tolerance in Uzbekistan by examining the constitutional provisions, legislative frameworks, and policy measures that regulate religious freedom while maintaining national security and social stability. **Method:** A qualitative research approach is employed, utilizing legal analysis, historical records, and policy documentation to evaluate the effectiveness of Uzbekistan's legal mechanisms in fostering religious tolerance. Comparative analysis with international agreements and best practices further contextualizes the findings. **Results:** The findings reveal that Uzbekistan has institutionalized religious freedom through constitutional protections, legal regulations, and state oversight. The government has implemented policies that balance religious tolerance with measures to prevent extremism and maintain social order. Interfaith dialogue programs and educational initiatives have also played a crucial role in sustaining religious harmony. **Novelty:** This study contributes to the discourse on religion and law by demonstrating how Uzbekistan's legal framework integrates religious freedom with state supervision to ensure national unity. Unlike previous studies that focus solely on religious freedom or security concerns, this research highlights a structured approach that other multicultural societies can adopt to promote religious tolerance while safeguarding social stability.

INTRODUCTION

During the years of independence, one of the important tasks facing the state and society of multinational Uzbekistan was to ensure a peaceful and prosperous life for the people. From this point of view, the peoples of the world are increasingly recognizing that such noble virtues as mutual respect, kindness and tolerance, as well as the principle of living in harmony with national and universal values, are increasingly being strengthened in our society [1].

Religious tolerance means the primacy of the spirit of mutual understanding, respect, harmony and cooperation between believers of different religions. It becomes a reality as a result of the systematic and gradual activities of religious organizations, state institutions and public organizations, as well as the unwavering adherence of individual people to these requirements, rules and values [2].

The creation of the necessary conditions for the formation and development of knowledge related to freedom of conscience in people is a necessary condition for the state to ensure the primacy of an atmosphere of religious tolerance in society. At the same time, the creation of real mechanisms aimed at preventing acts and events that incite

hostility and hatred based on belief, insulting feelings, also serves to ensure the stability of religious tolerance [3].

In achieving the primacy of religious tolerance, the activities of religious organizations within the framework of the requirements of existing legal acts also play a special role. In particular, the prohibition of clandestine religious activities serves to prevent various forms of fanaticism and extremism, to ensure mutual understanding and respect, peace and harmony between confessions. It is also extremely important not to allow the use of religion in propaganda against the state and the Constitution, in actions aimed at undermining the spiritual and moral foundations of society, degrading the honor and dignity of the individual, and other similar actions [4].

In fostering a culture of religious tolerance in individuals, it is important to achieve the formation of a systematic understanding that religion is one of the factors that serve to socialize people, organize and regulate their lifestyle. Understanding that believing in any religion is a constitutional right of a person, as well as not believing in any religion, and having in-depth knowledge about the real causes, sources and roots of religious intolerance, hatred and violence, also play a special role in the formation of a culture of religious tolerance in an individual [5].

Considering that prejudice, contempt for other forms of belief, and negative attitude towards their adherents have caused many tragedies throughout history, one can understand the vital and practical importance of such knowledge.

If a superficial approach to religious worship, rituals, and ceremonies has had a negative impact on the development of universal human culture and spirituality, then religious hostility and hostility, dogmatism, and extremism threaten the integrity, peace, and development of humanity. The fact that attempts to forcibly instill religious views, taking on various forms and expanding, endanger the freedom of conscience and human rights. All of this indicates the need for an individual person to form an active social position along with appropriate knowledge and values [6].

At the same time, the formation of the appropriate knowledge, skills and system of values that people have historically not had religious enmity and disagreements in our country, that high respect and honor for representatives of different confessions and religions, and the desire to live in harmony with each other are among the virtues of our people that have been perfected over the centuries, is also a necessary condition for cultivating a culture of tolerance [7].

After our republic gained independence, planned reforms were carried out in all spheres, including the activities of religion and religious organizations. These reforms were aimed at strengthening unity between representatives of different nationalities and religions living in our country, and preventing the emergence of conflicts between citizens and believers.

From the first days of our independence, practical work was initiated towards this goal, and freedom of conscience and interfaith cooperation were further strengthened in our country.

Today, reforms based on the principles of interfaith tolerance are being consistently continued in our country. The ultimate goal of these reforms is to strengthen peace and stability in our country, and for this purpose, the role of strengthening interethnic harmony, religious tolerance and religious confessions is invaluable [8].

The guarantee of people's rights and freedoms related to freedom of conscience, and their unwavering implementation are important factors indicating the primacy of the values of tolerance in society.

Our Constitution enshrines a number of rules related to ensuring freedom of conscience. The rule that all citizens have the same rights and freedoms, including the right to freedom of belief, and are equal before the law, regardless of religion and belief, forms their basis.

As a logical continuation of the above principles, it is also worth noting that Article 35 of our Constitution enshrines the rule that "Freedom of conscience is guaranteed for everyone. Everyone has the right to profess the religion of their choice or not to profess any religion. Forced indoctrination of religious views is not allowed."

This rule, on the one hand, guarantees the rights and freedoms of a person related to his beliefs, and on the other hand, recognizes the protection of his choice by the state. In other words, in any case related to freedom of conscience, it is not allowed to coerce a citizen in one way or another.

Freedom to profess a religion or other beliefs may be limited only to the extent necessary to ensure security and public order, the life, health, morals, rights and freedoms of other citizens. This is a clear sign of democracy. Because democracy also means the rule of law, taking all measures within the framework of current regulatory documents to prevent actions that threaten social stability [9].

Such restrictions are also reflected in international documents. In particular, Article 29, paragraph 2 of the Universal Declaration of Human Rights states that human rights and freedoms may be subject to limitations in accordance with the law, taking into account the recognition and respect for the rights and freedoms of others and the requirements of morality.

RESEARCH METHOD

The study makes use of qualitative research methods to examine the legal bases and real-world application of religious tolerance practices in Uzbekistan. A complete review of religious laws from constitutional provisions and legislation and policy-based regulations guided this research. Official government documents in addition to international human rights agreements together with reports from religious organizations confirmed Uzbekistan's legal framework success in promoting religious harmony. Research relied on examining both historical records along with academic publications for studying the progression of religious tolerance practices in Uzbekistan.

The research performs content analysis of both the Constitution of Uzbekistan and the Law on Freedom of Conscience and Religious Organizations which provides essential information about state-religion organizational frameworks. The study performed a

comparison between Uzbekistan's legal framework and Universal Declaration of Human Rights and International Covenant on Civil and Political Rights to establish global standards adherence. The analysis reviewed state-initiated programs linked to religious tolerance and extremism prevention through examinations of policy documents and governmental resolutions along with national leader speeches. Religious organizations together with interfaith dialogue reports delivered practical information about how these policies affect different religious groups in practice. This research examines religious tolerance institutionalization in Uzbekistan by analyzing laws as well as historical and policy-related perspectives to understand all aspects of Uzbekistan's approach to maintaining interfaith harmony alongside national safety and social balance.

RESULTS AND DISCUSSION

It is important to note that Article 18, paragraph 3 of the International Covenant on Civil and Political Rights also enshrines the rule that "Freedom to manifest one's religion or belief shall be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals and, at the same time, to protect the fundamental rights and freedoms of others."

Article 61 of our Constitution enshrines another rule related to ensuring freedom of conscience: "Religious organizations and associations are separated from the State and are equal before the law. The State shall not interfere in the activities of religious associations."

This rule establishes the equality of legal status of religious organizations, regardless of their denomination, and the inadmissibility of any privileges or restrictions in relation to any of them. This, in turn, allows the state to establish mutual understanding and respect, harmony and harmony between citizens of different religions and organizations belonging to different religious denominations. The significance of this rule is also that it establishes that the state does not support activities related to the propaganda of religion or atheism [10].

At the same time, according to the mentioned rule, the state does not interfere in purely religious matters, worship and rituals, and other activities of religious organizations that do not contradict the legislation, which are their internal affairs and are free from state control.

At the same time, it is important to remember that the separation of religion from the state is the most striking example of democracy. Such an approach has a deep meaning. Because only then will the interference of state bodies with great power in the activities of religious organizations and associations be limited. However, the separation of religious organizations from the state does not mean the separation of religion from society. Because religion is an integral part of the spirituality of the people and society. This principle is vividly expressed in the following words of I. Karimov: "While modernizing our country on the basis of democratic principles, scientific achievements, and high technologies, we have set ourselves the goal of preserving our sacred religion and national identity." This approach has a vital basis, and it has created an opportunity

for an objective and scientific study of the changes taking place in the field of religion and, based on this, for the further development of positive processes and the prevention of negative situations.

The state creates the necessary legal foundations to ensure its security, stability, equality and cooperation in society and monitors their strict observance. Such legal foundations are reflected in Article 57 of the Constitution of our country. This article, which has a broad and profound content, prohibits the formation and activity of religiously motivated political parties and public associations, secret societies and associations that aim to forcibly change the constitutional system, oppose the sovereignty, integrity and security of the republic, the constitutional rights and freedoms of citizens, promote war, social, national, racial and religious hatred, and encroach on the health and spirituality of the people [11].

Systematic efforts are being made in Uzbekistan to implement freedom of conscience and regulate the religious situation. As a first step in creating a legal basis for ensuring freedom of conscience of citizens, on June 14, 1991, the Supreme Council of the Republic adopted the Law "On Freedom of Conscience and Religious Organizations" for the first time in the history of Uzbekistan. This Law was in force until 1998, with some additions and amendments introduced in 1993 [12].

As a practical mechanism for ensuring the implementation of the Law and conducting appropriate control, the Committee on Religious Affairs was established under the Cabinet of Ministers on March 7, 1992.

As a result of the implementation of the Law, a wide path was opened for satisfying religious needs, free worship, celebration of religious ceremonies, visiting holy places, and the activities of religious educational institutions. Various abuses committed by religious organizations were limited to a certain extent.

However, there have been attempts to mislead our people, who have been following the Hanafi school of thought for centuries, and to spread views based on dogmatism and fanaticism among the population. As a result, disagreements have begun to arise among believers. A number of serious crimes have been committed by some citizens who have fallen under the influence of religious extremists. Attempts to conduct missionary activities by some non-Islamic religious organizations, which have abused the created opportunities, have increased. The above and a number of other factors have necessitated the revision of the Law "On Freedom of Conscience and Religious Organizations" from the point of view of solving urgent tasks that have arisen in the religious sphere, ensuring peace and security in the country, and more clearly defining the scope of rights related to freedom of conscience. For this purpose, on May 1, 1998, the Law of the Republic of Uzbekistan "On Freedom of Conscience and Religious Organizations" was adopted in a new edition.

The new edition of the Law is an important document that serves to legally guarantee freedom of conscience of people, coordinate the activities of religious organizations, and regulate state and religious relations.

The Law further specifies the rules and principles related to freedom of conscience established in our Constitution. In particular, at that time, the leadership of religious organizations by foreign citizens was becoming widespread. In order to prevent such situations, the Law established a rule that citizens of Uzbekistan with appropriate religious education should lead them, and the candidacy of persons who are not citizens of the Republic of Uzbekistan for the leadership of religious organizations should be agreed with the Committee on Religious Affairs [13].

Also, during this period, many foreign citizens engaged in religious activities in our country began to openly use the opportunities created for missionary purposes. In order to prevent such situations, the new edition of the Law stipulates that foreign citizens and stateless persons, along with citizens of the Republic of Uzbekistan, enjoy the right to freedom of conscience on an equal basis with citizens of the Republic of Uzbekistan, and are held liable in the established manner for violations of current legislation [14].

In addition, the new version of the Law, unlike the previous text, establishes the rule that religious education can be provided only in institutions established by the central management bodies of religious organizations, and that literature, audio and video products of religious content must be prepared and distributed based on the expertise of the Committee on Religious Affairs under the Cabinet of Ministers.

In order to ensure that the constitutional rights of the population are observed in the event of certain circumstances not specified in the Law, a special commission was established in August 1998 by the Decree of the President of the Republic of Uzbekistan under the leadership of the Minister of Justice to monitor the implementation of the Law “On Freedom of Conscience and Religious Organizations”.

Thus, some issues that arose during the implementation of the requirements of the Law were resolved fairly. For example, when it became clear that some religious communities could not form a group of one hundred initiators, as stipulated by the law, these problems were resolved by the decision of the special commission [15].

Speaking about the legal framework that has been created and is being created to ensure full freedom of conscience in our country, it should be noted that over the past years, a number of decrees of the President of the Republic of Uzbekistan and resolutions of the Cabinet of Ministers have been adopted in our country to improve activities in the field of religion. Among them, Resolution No. 364 of the Cabinet of Ministers of the Republic of Uzbekistan “On providing social support and benefits for further improving spiritual and educational work and activities in the field of religion” adopted on August 22, 2003 holds a special place. According to it, taking into account the educational standards, curricula introduced at the Tashkent Islamic Institute and secondary specialized Islamic educational institutions, and the fact that students receive religious and secular knowledge in accordance with adopted state standards, diplomas issued to graduates of these educational institutions were recognized as state educational documents. Persons holding such documents (diplomas) were given the right to continue their studies in the state higher education system.

These facts also indicate that work is being consistently carried out to fully guarantee the freedom of conscience of citizens on the basis of democratic principles, and as a result, sufficient conditions have been created for representatives of all religious confessions to freely practice their faith.

In recent years, in addition to all sectors and areas, special attention has been paid to further strengthening friendly relations between representatives of different nationalities, ethnic groups, and religious confessions living in our country, and to establishing the principles of religious tolerance [1].

In particular, the fifth area of the "Strategy of Actions on Five Priority Areas of Development of the Republic of Uzbekistan in 2017-2021" is dedicated to the issue of ensuring religious tolerance and interethnic harmony, and large-scale reforms have been implemented in this regard over the past time, which is a clear proof that Uzbekistan operates in accordance with the universal norms established in international documents of the UN and other international organizations [2].

In addition, the special resolution entitled "Enlightenment and Religious Tolerance", adopted at the 72nd session of the United Nations General Assembly on the initiative of the President of the Republic of Uzbekistan, is also noteworthy in that it is aimed at ensuring the right to education, helping to eradicate illiteracy and ignorance, and most importantly, establishing tolerance and mutual respect, and ensuring religious freedom [3].

In today's age of information technologies, various influences on people's minds and information attacks pose a threat to ideology and spirituality. The most effective means of combating these threats are the principles of religion such as creativity, honesty, and conscientiousness. From this point of view, the participation of 16 religious denominations operating in our country today in the fundamental reforms being implemented ensures the unity and consensus of citizens.

Today, representatives of about 130 different nationalities and ethnic groups live in our country. They have their own national customs, traditions, and language. Their national cultural centers operate in the country. In Uzbekistan, equal treatment of representatives of all nationalities is enshrined in law. In particular, our Basic Law stipulates: "The Republic of Uzbekistan ensures respect for the languages, customs, and traditions of all nationalities and ethnic groups residing on its territory, and creates conditions for their development" [4].

According to information provided by the Committee for Religious Affairs of the Republic of Uzbekistan, as of December 1, 2022, a total of 2,340 religious organizations were registered in our country. Including 2144 Islamic religious institutions, 39 Russian Orthodox Churches, 5 Roman Catholic Churches, 64 Full Evangelical Christian Churches, 24 Evangelical Christian Baptist Churches, 10 Seventh Day Christian Adventist Churches, 4 Novoapostolic Churches, 2 Evangelical Lutheran Churches, 1 "Golos" There are "Bojii" Christian Church, Buddha and "Jehovah's Witnesses" Church, 26 Korean Protestant churches, 2 Armenian Apostolic Churches, 8 Jewish religious communities, 7 Baha'i

religious communities, 1 Krishna Consciousness Society, 1 Buddhist Temple, 1 Uzbekistan Bible Society [5].

Based on this information, it should be noted that in the Republic of Uzbekistan, convenience and freedom for worship and religious education have been created for representatives of all religions. Taking into account the current dangerous situation, it is worth noting that if each religious denomination plans and implements its activities based on the principles of interethnic harmony and religious tolerance, it will make a significant contribution to further strengthening the foundations of peace in our country, the well-being of our people and the stability of our independence. It is not surprising that the presence of representatives of Judaism, Christianity, Buddhism in our country is another high example of the Uzbek tolerance, ethnic, cultural and religious tolerance inherent in our people. In particular, one of the representatives of the Jewish community, R. Bernsman, while talking about this, noted that the first synagogue in Bukhara was built in the 8th century, and that conditions were created for the free practice of this religion, along with representatives of other religions, at that time, and wrote that "Judaism, persecuted in medieval Europe and the Byzantine Empire, had the same rights as other religions in Central Asia"[6]. Historical sources state that until the 10th century, there were even Christian churches and settlements in the regions of Samarkand, Khorezm, and Tashkent. Even during the time of the great thinker Abu Rayhan Beruni, he noted that there were Christian clergymen with the title of Orthodox metropolitan in Merv. In the 11th-12th centuries, a Nestorian metropolitan openly operated in Samarkand. Because at that time, Nestorianism was widespread among the Turkic peoples to a certain extent. Also, by the middle of the 10th century, the Christian church in Urgut had developed to such an extent that even the Arab geographer Ibn Havkal described it as a large monastery (church) with land and various forms of private ownership [7].

The noble work being done to further develop the national traditions and values of representatives of nations and religions, the great attention and care being shown, and all the opportunities and conditions being created are reflected in our lives today. Undoubtedly, the highly humane policy of Uzbekistan to maintain religious and interethnic harmony, the atmosphere of stability in society, mutual respect, harmony, tolerance, kindness, compassion, and generosity are worthy of admiration and an example for many countries of the world.

CONCLUSION

Fundamental Finding : This study confirms that Uzbekistan has established a structured legal framework for religious tolerance, integrating constitutional guarantees, governmental supervision, and interfaith dialogue to promote religious harmony while maintaining national security. The balance between safeguarding religious freedom and preventing extremism remains a central aspect of state policy. **Implication :** The findings underscore the necessity of continuous legal reforms, policy enhancements, and educational initiatives to strengthen interfaith cooperation and prevent religious conflicts. Additionally, Uzbekistan's approach offers valuable insights for other

multicultural societies seeking to balance religious freedom with social stability. **Limitation :** However, this study primarily focuses on legal and policy analysis without incorporating empirical assessments of public perceptions and the lived experiences of religious communities. **Future Research :** Further studies should investigate the long-term societal impacts of Uzbekistan's religious policies, assess their effectiveness in comparison to global models, and explore adaptive legal strategies to address emerging challenges in religious governance and interfaith relations.

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