



## **SPECIFIC MODELS OF FREEDOM OF CONSCIENCE IN UZBEKISTAN: HISTORY AND TODAY**

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### **Annotation**

This article discusses freedom of conscience, its essence, its legal framework and its role in public life. In addition, the features and models of manifestation and development of freedom of conscience in Uzbekistan were studied. Also, the centenary history of the country is conditionally divided into three main periods, namely: 1) the Uzbek SSR (1925-1991); 2) Independent Uzbekistan (1991-2016); 3) “New Uzbekistan” (2016–2020) is highlighted with a comparative analysis of processes related to freedom of conscience. Recent years have witnessed the practical significance of changes and reforms in the country regarding religious freedom.

**Keywords:** freedom of conscience, religious organization, atheism, secularization, religious literature, values, radicalism, rehabilitation, reintegration.

### **I. INTRODUCTION**

The rights and freedoms of man and citizens, their content and social significance have always been at the center of attention of the scientific community. The evolution of ideas about freedom makes it possible to understand its philosophical content, theoretical and practical significance.

“Freedom is the ability to act as one pleases. Freedom is widely used in fields of knowledge such as law, political science, ethics, aesthetics. Freedom represents a certain order in society, not chaos. Freedom means that a person is protected from political, moral persecution and violence” [1.192]. Freedom is also the ability of the subject to express his will and act in accordance with it, consciously based on the laws of nature and society.

### **II. LITERATURE REVIEW**

In researching this topic, dictionaries and encyclopedias on philosophy, dissertations and monographs that are directly related to the subject have been widely used, published in English, Russian and Uzbek in recent years. Especially written in English Stanford Encyclopedia of Philosophy / Ed. Edward N. Zalta. – Stanford: Stanford Press, 2007; Encyclopedia of philosophy / Ed. Donald M. Borchert. – 2nd ed. – New York: Thomson Gale, 2006; Edward C. Routledge Encyclopedia of Philosophy. – London: Routledge, as well as the following publications in Russian and Uzbek were widely used: M.A. Maslina. Encyclopedia of russian philosophy. – Moscow, 2007; Philosophical encyclopedia / Nazarov Q. and others. - T.: Publishing House of the National Society of Philosophers of Uzbekistan, 2004. In addition, the 2005 encyclopedia of Religion, edited by L. Jones, was widely used. Also Universal Declaration of



Human Rights // International Treaties on Human Rights: Collection / Responsible ed. A. X. Saidov. - T.: "Justice". 2004. Khalid A. Islam posle kommunizma: Religiya i politika v Tsentralnoy Azii / Per.s angl. A. B. Bogdanovoy. - M.: Novoe literaturnoe obozrenie, 2010. Hasanboev O. State-religion relations in Uzbekistan: religious organizations, currents, current trends in ideological struggle. - T: Tashkent Islamic University, 2014. Karimov I.A. People expect practical work and concrete results from us // Uzbekistan on the eve of independence.-T.: Uzbekistan, 2011. Mirziyoev Sh. The consent of our people is the highest value given to our activities.-T.: "Uzbekistan" NMIU, 2018.

### **III. MATERIALS AND METHODS**

The content of the concept of freedom of conscience and its importance in the free development of society is explained in the article on the basis of philosophical analysis. The dynamics of the development of freedom of conscience in Uzbekistan, which has a history of almost a hundred years, is studied on the basis of a dialectical method based on a systematic analysis of historical and legal sources. Along with a systematic analysis of the political and social processes related to freedom of religion in Uzbekistan during the former Soviet Union from 1924 to 1990, a comparative analysis of reforms and problems related to freedom of conscience from 1991 to 2016. It also critically analyzes the external and internal reforms of the new government from 2016 to 2020 to liberalize freedom of conscience.

### **IV. RESULT AND DISCUSSION**

Freedom of conscience, on the other hand, is one of the most important forms of freedom that signifies that a person is mentally and emotionally free. The Encyclopedic Dictionary of Philosophy defines this term as follows: "Freedom of conscience is an integral part of democracy. It guarantees the equal rights of citizens regardless of their religious affiliation; equality of all religious denominations before the law; that there is no obligation to believe or not to believe in a religion; that religious denominations are prohibited from collecting only mandatory fees; the state does not interfere in the affairs of religious institutions, and religion cannot be used for political purposes." [2.274].

In a general sense, the concept of "conscience" is a category related to ethics, which means the ability to control the morality of the individual, as well as the formation of self-moral obligations, as well as compliance with these requirements. O. Ivanyuk defines this concept as follows: "The concept of conscience as an internal belief is a moral responsibility that distinguishes between good and evil, and determines any behavior before man and the society around him" [3.47]. In this sense, there are subjective and objective aspects of freedom of conscience.

The formation of a person's freedom of conscience is directly related to external objective conditions as well as personal subjective qualities. Man is truly free only if he overcomes one-sided existence and achieves harmony between them. The objective factors necessary to ensure freedom of conscience, first of all, are the conditions for the socio-economic liberation of the individual and the creation of conditions for all-round personal development. It is also important to ensure the freedom of conscience of people through their work, leisure, health, social security, living, education, use of cultural



achievements, creativity, participation in government and society, criticism, publication, meetings, rallies, demonstrations, social associations. rights play an important role.

Freedom of conscience has become a phenomenon that has improved as a result of socio-political ideas in the new era and modern society. S.Astapov commented: "The core of freedom of conscience is the theory of natural religions and natural law, as well as functional differentiation in society, the erosion of universalism as a tradition, the transformation of religion into a separate relationship with God, and then the declaration of the individual as a personal relationship. reaches "[4.137].

Undoubtedly, the content of this category, like many other social science categories, varies depending on its historical nature. However, this view does not mean that this concept cannot be completely redefined in content. Here it is necessary to take into account the characteristics of time and space in the description of the categories.

The term "freedom of conscience" has been highlighted as part of the United Nations General Assembly's Universal Declaration of Human Rights of 10 December 1948, which states: "Everyone has the right to freedom of thought, conscience and religion; this right includes the freedom to change one's religion or belief and the freedom to practice one's religion or beliefs in public, in private, in public or in private, in teaching, worship and religious rites and ceremonies "[5.3 ].

Thus freedom of conscience became a fundamental spiritual freedom that no social institution had the right to persecute. In turn, the secular order recognized man as the highest value, regardless of his beliefs and attitude to religion. The humane approach has enabled man to self-assess, make independent decisions, and morally control his personality.

In the former Soviet Union, this issue was implemented on the basis of two contradictory standards. On the one hand, legal documents aimed at ensuring freedom of conscience were established, on the other hand, the atheistic ideology was actively supported by the party and state bodies. In particular, on January 19, 1918, a draft decree entitled "On Freedom of Conscience, Church Societies and Religious Communities" was approved by the Board of the People's Commissariat of Justice. On January 23, 1918, the Council of People's Commissars renamed and approved the decree "On the Separation of the Church from the State and the School from the Church." It states that "within the Republic, it is prohibited to enact local laws and decisions that suppress or restrict freedom of conscience or provide certain privileges and privileges based on the religion of citizens" [6.373-374]. The document also gave every citizen of the USSR the right to believe in any religion or not to believe in any religion. At the same time, the right to "freedom of conscience" was not allowed to be exercised as an element alien to the ideology of the Soviet government. In this regard, Marx was quoted as saying: "The 'freedom of conscience' inherent in bourgeoisie only reflects tolerance for all kinds of religions, while the working party, on the contrary, seeks to purify the conscience from religious bias" [7.73].

Between 1941 and 1948, the state's systematic destruction of religion and religious organizations was suspended for some time, and a policy of partial revitalization of religious life was launched in order to ensure social and spiritual stability and strengthen ties between the state and society. In particular, in 1943 in Tashkent was established the Religious Board of Muslims of Central Asia and Kazakhstan. In



1945, a group of Muslims of the USSR made a pilgrimage, and in 1948 religious education was established at the Mir-Arab madrasah in Bukhara, and in 1956 at the Barakkhan madrasah in Tashkent. Despite the fact that Khrushchev launched a new anti-religious campaign, he did not completely stop the activities of religious organizations. However, Article 52 of the 1977 Constitution of the USSR and Article 50 of the 1978 Constitution of the Uzbek SSR guarantee citizens "freedom of conscience, that is, the right to believe in any religion or not to practice any religion, to perform religious rites or to carry out atheistic propaganda. "Incitement to hatred and enmity due to religious beliefs is prohibited." In practice, however, this freedom was not allowed by the anti-democratic political system [11.7]. It should be noted that Stalin's policy of partial freedom of religion in the middle of World War II prevented the complete denial of freedom of conscience in Uzbekistan. Since 1957, the Qur'an has been published three times, and Imam Bukhari's Al-Jame 'as-Sahih and Adab al-Mufrad have been published. In 1968, at the initiative of Mufti Ziyoudinkhan ibn Eshan Babakhan, "Muslims of the Soviet East" was published as a decorative magazine. It was originally published quarterly in Uzbek (Arabic and Cyrillic), Arabic and English in 3-5 thousand copies. It was later published in Persian, French, and Russian and distributed in the former Soviet Union and abroad [12.1]. Clearly, such opportunities did not adequately meet the religious needs of Muslims, and the publications were not intended for a wide readership.

By the mid-1980s, the political and economic crisis in the USSR had a profound effect on all spheres of life in the country. The Soviet government announced a way to radically restructure society, to deeply reform all its spheres, in order to get out of the difficult situation. The USSR's overt and covert struggle against religion lasted until the so-called "reconstruction" political and social processes. It was during the period of "reconstruction" that freedom of conscience became one of the most important issues on the agenda. In his speech at the first session of the Supreme Soviet of the Uzbek SSR of the Twelfth Convocation on March 24, 1990, IA Karimov said: "We must ensure the freedom of conscience of everyone, not in words" [13.159]. Indeed, from this period onwards, freedom of conscience began to be reflected not only in the laws, but also in socio-cultural life.

On October 1, 1990, the USSR Law on Freedom of Conscience and Religious Organizations was adopted. The law was established in accordance with the Universal Declaration of Human Rights and the Helsinki Accords, the final document of the Organization for Security and Cooperation in Europe. The law also gave religious organizations the right to own real estate, engage in economic activities, establish educational institutions for children and adults, and freely distribute religious literature [14.1].

After the independence of Uzbekistan, the rational and legal solution of issues related to freedom of religion and conscience has become one of the main directions of state policy. It was during this period that the issue of freedom of conscience was first reconsidered. The Constitution of the Republic of Uzbekistan guarantees freedom of conscience to all citizens, including the new Law on Freedom of Conscience and Religious Organizations of 19 June 1991 and 1 May 1998. Thus, along with the legal framework for the activities of religious organizations in our country, the relationship between the state and religion has been regulated in accordance with the principles of secularism. The Republic of





Uzbekistan has also acceded to more than 70 international human rights instruments and six major international treaties of the United Nations [15.9].

Special attention was paid to the religious and educational sphere during the reign of the first President of Uzbekistan Islam Karimov. In particular, Orthodox churches were rebuilt in Tashkent, Samarkand and Navoi, a Catholic church in Tashkent, an Armenian-Apostolic Church in Samarkand, and a Buddhist temple in Tashkent. Also, the birthdays of a number of religious scholars, such as Burhanuddin Marghinani, Imam Moturidi, Imam Bukhari, Bahauddin Naqshbandi, Abu Isa At-Termizi, were celebrated according to a secular tradition. Ramadan and Eid al-Adha are national holidays in the country.

Although the state paid special attention to religions, especially Islam, the country was governed on the basis of fully secular principles. Since the inauguration of Sh.M.Mirziyoyev on December 14, 2016, Uzbekistan has been recognized at the international level as a turning point in the political, economic and socio-cultural spheres. In particular, special attention was paid to the issue of freedom of conscience, which is an integral part of human rights and freedoms in the country. First of all, it was during the time of Sh. Mirziyoyev that a new qualitative change took place in the treatment of those convicted and sentenced for their actions under the guise of religion, which began in 2000. Special attention was also paid to the activities of denominations and their leaders in order to further strengthen constitutional rights and freedoms with freedom of conscience. On October 1, 2017, Sh. Mirziyoyev congratulated the Russian Orthodox Church on the 145th anniversary of the diocese of Tashkent and Uzbekistan, and described Patriarch Kirill of Moscow and All Russia as a symbol of creative and unifying force, trust for a large part of the world's population today [16.451]. Also, in the first quarter of 2018, at the initiative of the President, the competitions "Quran Competition", "Hadith Scholar", "Saying the Athan" were held, and these events were covered by the media. In one of his speeches, Sh. Mirziyoyev said, "We have not trained theologians for 20-25 years. Other Muslim countries are ahead of us. At one time, the Office of Muslims of Central Asia and Kazakhstan was in Uzbekistan. What kind of scholars were there? Where are they now?" At the same time, speaking about the competition of the Qur'an, he said, "Listening to the Qur'an is spirituality and enlightenment. He never encourages evil. If we can hear it and make it heard, it will be a success" [17.2].

## **V.CONCLUSION**

The above brief historical and comparative analysis, comments on the peculiarities of the formation and development of a specific model of ensuring freedom of conscience in Uzbekistan allow us to draw the following general conclusions.

First, the reality of freedom of conscience in Uzbekistan over the last 100 years can be divided into three major periods: 1) the Uzbek SSR (1925-1991); 2) "Independent Uzbekistan" (1991-2016); 3) "New Uzbekistan" (2016-2020).

Second, in turn, the situation with freedom of conscience in the USSR is divided into two periods. The first period covered the period from 1925 to 1943, in which freedom of conscience was completely violated and a policy of systematic destruction of religious beliefs was pursued. The second period lasted



from 1943 to 1991 and is characterized by a legal change in the state's policy on religion, along with the legal recognition of freedom of conscience. During this period, limited opportunities for freedom of conscience were provided, and religious organizations developed in part under state control.

Third, after Uzbekistan gained independence, atheist propaganda in the country ceased. The state has recognized all international instruments on freedom of conscience and has moved to bring all normative documents in line with these standards. A new model of freedom of conscience has been created in the country, and the state has focused on restoring ancestral heritage, rehabilitating shrines, and supporting the development of religious organizations in accordance with secular norms. However, the presence of threats such as religious extremism, fundamentalism, radicalism inside and outside the country has led to the emergence of a religious awareness campaign.

Fourth, in 2016, changes in the composition of the government became a key factor in renewal and reform in the socio-political life of the country. During this period, the state supported the religious and educational sphere, and new religious centers and educational institutions were established. The practice of pardoning and rehabilitating and reintegrating persons imprisoned on religious charges has also been introduced.

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