

The Regulation of State and Religion Relations in Preventing Religious Fanaticism in Central Asia

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Abstract: The article discusses the social and economic challenges faced by Central Asian countries in the early years of their independence, the reforms implemented by governments to address these issues, the regulation of relations between the state and religion, and the creation of legal frameworks to ensure citizens' freedom of conscience. The significance of these laws and measures is also highlighted.

Keywords: Central Asia, revival of islam, fanaticism, relations between the state and religion, constitution, laws, freedom of conscience.

The revival of Islam in Central Asia and the early signs of extremist sentiments among politically active Muslims can be traced back to the 1980s. However, this process reached its peak after the collapse of the USSR in late 1991, against the backdrop of political, socio-economic, and religious challenges in the newly established republics of Uzbekistan, Kazakhstan, Kyrgyzstan, Tajikistan, and Turkmenistan.

The independence of the Central Asian republics meant the end of direct budgetary support from Moscow. This led to significant economic challenges in 1991, affecting many sectors of civil administration and social services. As a result, industrial production sharply declined, and there was a shortage of skilled personnel within the administrative and intellectual elite.

Among the former Soviet republics, Kyrgyzstan and Tajikistan faced the sharpest economic decline due to their limited resources and weak infrastructure. This situation was further worsened in Tajikistan by a civil war. Meanwhile, Uzbekistan, Turkmenistan, and Kazakhstan were less affected economically, thanks to their agricultural base, expertise in cotton production, and natural resource extraction[1].

Due to the above circumstances, in the 1990s, the governments of Uzbekistan, Kazakhstan, Kyrgyzstan, Tajikistan, and Turkmenistan prioritized issues such as promoting the moral development of society, regulating the relationship between the state and religion, and combating the spread of radical and extremist ideologies.

The lack of experience and skills in ensuring religious security within local law enforcement and judicial institutions, along with the absence of unity among religious scholars and their inability to respond to various foreign ideologies, led to the growth of religious and social issues in society. This, in turn, contributed to the widespread dissemination of various extremist ideas among the population[2].

Some analysts from the Soviet era predicted that the collapse of the USSR would be caused by "Islamic radicalism," suggesting that hidden religious activism had emerged as a means of opposing the communist regime[3].

The views of former Soviet specialists, shaped by their atheistic stance toward religion, their perception of religion as a threat, and the resulting fears, were ultimately unfounded. The role of radical religious individuals in the collapse of the USSR was not significant.

However, by the end of the 20th century, the radicalization of religious extremism that emerged during the Soviet era became one of the main factors destabilizing the religious, social, and political situation in Central Asia.

For the newly independent Central Asian countries, the primary task was to regulate state and religion relations, establish their own legal frameworks, and create the foundations for legally strengthening citizens' freedom of conscience.

After addressing the political and economic challenges in the early years of independence, the republics of the region implemented measures to prevent religious fanaticism in the following directions. Specifically:

1. Regulating the relations between the state and religion.

By the mid-1990s, most of the Central Asian republics had established development paths based on a market economy, secular character, and democratic principles. These paths were defined in their constitutions through referendums. For example, in Article 1 of the Constitution of the Republic of Uzbekistan, adopted on December 8, 1992, it was stated that "Uzbekistan is a sovereign democratic republic"[4]. However, on May 1, 2023, a new version of the constitution was adopted, in which this article was amended to read, "Uzbekistan is a sovereign, democratic, legal, social, and secular state with a republican form of government"[5].

Although the constitutions of the former Soviet republics de jure guaranteed citizens' freedom of conscience, in practice, these provisions were not implemented. According to the law, promoting religious beliefs in society was prohibited, and only the promotion of atheism was allowed.

In the Central Asian republics, the relationship between the state and religion was regulated in their constitutions in the following manner. Specifically:

First, it was established that the Central Asian states are sovereign, democratic, legal, and secular states.

- It was emphasized that political and ideological diversity would be ensured based on the constitution and laws of the region's countries, and that the ideology of any party, social, or religious organization would not be recognized as the state ideology.
- It was stated that citizens' freedom of conscience would be guaranteed, everyone would have the right to freely express their beliefs, and forced imposition of religious views would be prohibited.
- It was stated that religion would be separated from the state, and the state would not interfere in the internal affairs or legal activities of religious organizations.
- It was stipulated that citizens have the right to associate, and they could participate in the formation of democratic political parties. However, the establishment of religiously oriented parties and other public associations was prohibited. (This situation was an exception for Tajikistan, where initially its constitution...)

In Article 28 of the constitution, it was initially stated that the formation of religious parties, as well as joining or leaving them, was voluntary. However, following a referendum held on May 22, 2016, amendments were made to this article, and the formation of religious-based political parties was prohibited.

These reforms were peacefully implemented in Uzbekistan, Kyrgyzstan, Turkmenistan, and Kazakhstan, while in Tajikistan, they were somewhat delayed due to the civil war. However, after an agreement was reached between the government and the opposition in 1997, these measures were also finalized in Tajikistan.

Secondly, the newly independent Central Asian republics were home to representatives of various religions and nationalities. To maintain stability in society, one of the key tasks for these countries was to define the rights and responsibilities of these groups, ensure “freedom of religion and belief,” and establish a legal foundation for it.

Before gaining independence, Uzbekistan was one of the first among the regional states to address religious and social issues. On June 16, 1991, it adopted the “Law on Freedom of Conscience and Religious Organizations.” This law was amended in 1993, and further revisions were made on May 1, 1998, and July 5, 2021, when it was revised and adopted in a new edition.

In the Soviet society, where the atheistic regime prevailed, the efforts in Uzbekistan, which had not yet gained independence, to protect the rights and interests of religious individuals and establish the legal basis for citizens’ freedom of conscience should be highly appreciated. This law became one of the key factors in resolving several religious and social issues in the republic after independence and in preventing religious extremism within society.

Following Uzbekistan, similar laws were gradually adopted in the other Central Asian republics. Specifically, the “Law on Freedom of Conscience and Religious Associations” was adopted[6] on December 16, 1991, in Kyrgyzstan[7]; on January 15, 1992, in Kazakhstan[8]; on April 12, 1993, in Turkmenistan[9]; and on December 1, 1994, in Tajikistan[10].

Although the legislation on ensuring freedom of conscience and regulating the activities of religious organizations in the Central Asian republics has led to protests from various human rights organizations, as mentioned above, it can be justified based on the political and social context of the region at the time. The legislation addressed the specific demands of the political and social conditions in the region.

In conclusion, it can be said that these legal documents played a significant role in regulating the relationships between the state and religion in the Central Asian republics. They addressed issues such as freedom of conscience, missionary activities, proselytism, religious professional education, equal rights of citizens regardless of their religious beliefs, religious rituals and ceremonies, religious materials, their preparation, import, and distribution, as well as the formation of religious organizations and their rights and obligations.

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