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THE ESSENCE OF LEGAL ISSUES RELATED TO RELIGIOUS EDUCATION

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ABSTRACT

The historical experience of the world shows that no nation has been able to develop without paying attention to education. Today, science is also admitted as the first factor in the development of developed countries. During years of independence, the issue of education has become one of the most important tasks in our country.

KEYWORDS

Freedom of conscience, religious education, enlightenment against ignorance, religious denomination, religious organization, the church.

INTRODUCTION

Less than a year after gaining independence, the Law of the Republic “About Education” was adopted. By 1997, a new law and national training program had been developed in this area. Furthermore, new academic lyceums and colleges were established

based on these documents. In the higher education system, bachelors and master’s degrees were formed. The ongoing consistent reforms in the field of education have led, first, to positive changes in the

minds and horizon of citizens. This, in turn, serves to raise the morale of the younger generation.

The legislation on education adopted in our country is because the republic is a secular democratic state. In general, if we look at the relationship between the countries of the world and religion and religious education, we can see that a unique picture has emerged. Depending on the factor of religion and state relations in politics, states can be divided into the following groups:

- Countries where religion is given the status of a state religion (Qatar, Pakistan, Costa Rica);
- Countries within the framework of church influence (Denmark, Great Britain, Northern Ireland);
- Secular states or states that pursue the path of neutrality in religious relations (Burundi, Madagascar, Niger, Turkey, Chad);
- Countries that do not have official religion (Argentina, Belarus, Bolivia, Ghana, GFR, Honduras, Spain, Italy, Cape Verde, Mauritius, Slovakia, Sudan, Thailand);
- Religion is separated from the state by states (USA, Holland, Peru, Portugal, Russia, France, Ukraine and Uzbekistan);
- Countries that have an agreement with the Catholic Church (Austria, Hungary, Venezuela, Haiti, Dominican Republic, Spain, Libya, Malta, Monaco, Morocco, Poland, San Marino);

- Countries that protect legally recognized religious groups (Spain, Italy, Cape Verde and Czech Republic);

Religious-collective-structural state (Israel).

The religion of Evangelical Lutheran is the official religion of the state. Citizens, those who follow this religion should educate their children in this religion. Constitution of Norway, Article 2.

Such grouping of states is relative, and in turn, this determines the approach of that country to religious education. In particular, religious education in the German Federation is included in the general education system, and in all public schools, such education is compulsory. This rule is enshrined in Article 7 of the German Constitution. According to it, parents choose the subject of religious education, depending on their children's belief. The state takes control of religious education, which is taught in the education system.

- a) School work is under state control.
- b) Persons with competence in the upbringing of children also have the right to decide their religious education.
- c) Religious education is compulsory in all other schools except for non-financial schools. It is impossible to force any teacher to give religious education against his will. German Constitution, Article 7.



In England as well, the Queen of the country is officially considered the head of the church, the educational process is carried out in appreciation of the values of the Christian religion. The government finances religious schools.

Another country in Europe Belgium, in which religious education is mandatory. In public schools, children are taught according to the choice of their parents based on the Catholic and Protestant directions of Christianity, as well as Islam, one of the religions of Judaism, or atheist worldview.

When it comes to the CIS countries, although education is separated from religion, now religious subjects are introduced in schools as a test in some states. In particular, since 2009 in Russia, training in religious subjects has been established in this way.

Over the past years, our republic has carried out a number of reforms aimed at improving the quality of religious education, as in other countries of the world. Within the framework of measures aimed at the organization and development of the religious education system in accordance with the world standards, principally, normative legal acts related to religious education were developed.

The laws "about education", "about the freedom of conscience and religious organizations", the decision of the Cabinet of Ministers "on the licensing of

activities of religious educational institutions" can be an example for these documents.

The law "About education" defined the main printouts of the state policy in the field of education carried out in our republic. According to it, the education system in Uzbekistan should have a secular nature. The essence of this principle is that in the Education system of Uzbekistan, subjects aimed at promoting religious views and ideas are not taught. In addition, the introduction of religious sciences into the curricula of the state educational system is unacceptable, and secular education is guaranteed at all stages of Education. The main thing here is that this rule ensures the right of citizens to receive secular education regardless of their attitude to religion.

It is necessary to admit that in secondary schools, high schools and colleges in Uzbekistan, detailed information on many religions and their prayers are given in such subjects as "Religious Studies", "History of world religions", as well as "Odobnoma"(Courtesy), "fundamentals of spirituality", "Uzbek literature", which include examples from the Ayats of Qur'an, hadiths and religious narrations that help to develop good qualities such as humanity, patriotism, respect for parents etc. This therefore, can naturally cause such questions as why Islamic Religious Knowledge is included in school program. To answer this question, we have to remember great hadith collectors imam Bukhari and Imam Tirmizi, who were main reasons for

arrival of those hadiths in the Muslim world. They are considered as the ancestors of the local population and studying their scientific heritage is a duty of everyone who live in this land. So their scientific work is taught at school programs.

As mentioned before, teaching religious subjects at schools is not allowed in the legislation of the Republic, but subjects, which provide information about religion, are exceptions.

In subjects that provide information about religions was not given preference to any religion. There were given information about national religions and the religions with the most followers worldwide. Their worships and painting is often described in an encyclopedic way. Also in such sciences, there will be no spirit of religiosity.

Religious subjects, at the same time are written by representatives of the same religion in most cases. In turn, it is studied without leaving any doubt, even if it is a particle of the fact that the information being illuminated is an obvious fact. There is also a spirit of calling in the religious sciences, urging the reader to be as human as the treatise laid down in the religious guidelines. Although such subjects are not included in the education system, they are the main subjects in educational institutions specializing in special religious education.

It is known that conscience guarantees the right of every person to religious education. Still, there are certain rules and procedures for taking lessons from religious teachings.

According to Paragraph 3 of Article 3 of the law "about conscience land and religious organizations", "the involvement of underage children in religious organizations, as well as religion education in a manner contrary to their discretion, at the discretion of their parents or persons replacing them, is not allowed".

According to the Civil Code of the Republic of Uzbekistan, the age of adulthood is 18 years. In the legislation, taking into account the physiological, psychological aspects of an adult person, the implementation of some of their rights can be limited. Because in adolescents under the age of 18, there are cases of rapid excitability and various changes in psychology. Usually, some rights and legitimate interests of adolescents at this age are acted by their parents or guardians or sponsors assigned to them.

The above-mentioned norm also states that the involvement of underage children in religious organizations is prohibited and does not allow them to teach religion at their own discretion and against the will of their parents or legal guardians. However, in our national legislation it is not covered religious educational norm of undergraduate with the permission of their parents.

Therefore, there are some norms help to cover this rule. In particular, according to Paragraph 2 of Article 9 of the law "about freedom of conscience and religious organizations" citizens, in order to study at higher and secondary special religious educational institutions, they should receive general compulsory secondary education in accordance with the law of the Republic of Uzbekistan "about education". General compulsory secondary education usually lasts from 15-16 years. According to the above-mentioned rule, it follows that a child under the age of 15-16 years is required to study at the general educational stage of the state, and not in religious educational institutions.

At the same time, in some religious educational institutions, there are also established cases of the issue of the maximum age of Education recipients. That is, there might be established such that the age of Education recipients does not exceed 35 or 40. In fact, this situation is against to our current legislation. Because according to our law "about education", the higher age of an individual's education is not established. At the same time, such a restriction is also a violation of the freedom of conscience of older persons. Logically speaking, even older people have the right to receive religious education. In turn, if the restriction of the access to education in religious educational institutions to such persons can cause this need to be met in an illegal way. For example, by obtaining religious education individually.

It is known that according to Paragraph 4 of Article 9 of the law "about freedom of conscience and religious organizations" studying religious education individually is prohibited. Although the legislation prohibits individual education, there is no information in regulatory documents on what is "individual education" or what conditions are necessary for maintaining education as "individual".

Thus, citizens can receive religious education mainly in higher and secondary specialized religious educational institutions. It is carried out in accordance with the law "about freedom of conscience and religious organizations" on the basis of the activities of religious educational institutions, the procedure for their formation, the termination of their activities and the 99th resolution of the Cabinet of Ministers "on the licensing of activities of religious educational institutions" adopted on March 1, 2004. According to him, religious educational institutions that want to conduct their activities must have a license.

Commission of the Cabinet of Ministers License the religious educational institutions. This Commission performs the function of the working body of the committee on Religious Affairs.

Only legal entities can apply for the license, which gives the right to carry out activities in the field of religious education and the license is for a period of 5 years.



According to the established procedures, institutions that require a license must meet certain conditions and requirements. Including:

- Full compliance with the legislation of the Republic of Uzbekistan;
- The existence of premises belonging to property or other property rights that meet the requirements established for the implementation of its activities;
- Teaching of religious subjects in accordance with the curriculum and programs agreed with the committee on religious affairs;
- To prevent the youth from being taught against their will or at the discretion of parents or their substitute persons (guardians), to carry out illegal activities such as war, violence, proselytism and any missionary activities in the process of Education;
- Teaching of religious sciences by individuals with religious knowledge;
- The implementation of the management of organizations by persons with the appropriate central authority permission of the religious education;
- Suitability with the committee on the list of foreign religious educational institutions of interest, including religious educational institutions in which graduates can be placed to teach religious subjects;

- Transfer of religious attestation to persons teaching subjects within the period agreed with the committee;
- Teaching secular subjects in accordance with established state educational standards and requirements;
- The material funds necessary to ensure the educational process (or their specific sources) be available;
- To provide the necessary information related to the licensed activities according to its request;
- Use of religious literature published abroad in the educational process, passed in accordance with the established procedure;
- When conducting inspections in accordance with the procedure established in the documents, such as the indication to the supervisory authorities of license, it will be necessary to fulfill the requirements of the law.

As can be seen from the above rules, the normative acts aimed at regulating the religious education system, along with the proper conduct of the activities of religious educational institutions, serve to maintain the security of the state and society and the solidarity of the nation and religion.

Currently, more than a dozen institutions, which have license because of the requirements mentioned in the Republic and registered with the Ministry of Justice, which are operating in the field of religious education.



They are Tashkent Islamic Institute, Tashkent Orthodox spiritual Seminary of the Russian Orthodox Church and Tashkent Christian-protestant religious seminary, as well as madrasahs established in all regions of the Republic.

Since 2000, graduates of Tashkent Islamic Institute and secondary specialized Islamic educational institutions have been recruited to mosques operating in the Republic on a planned basis with the ticket of the Office of Muslims of Uzbekistan, and since January 2001 for the first time a scholarship has been granted to students of religious educational institutions.

The diplomas received by graduates who had previously graduated from religious educational institutions would allow them to work only in religious organizations. This would cause certain difficulties for graduates of religious educational institutions. The decision of the Cabinet of ministers "on providing social assistance and benefits in improving spiritual and educational work and activities in the field of religion" on August 22, 2003 was an important step towards eliminating the problems in this issue and ensuring the stability of the religious sphere.

According to this decision of the government, the diplomas of graduates of these educational institutions are considered as state educational documents. It also takes into account the educational standards; educational plans introduced in Tashkent Islamic

Institute and secondary specialized Islamic educational institutions, as well as the fact that students receive religious and secular knowledge in accordance with the accepted state norms. At the same time, these people have the right to continue their studies in the state higher education system.

CONCLUSION

The above information shows that a specific legal framework for the development of the religious education system in our country, ensuring the population's need for religious education, has been formed and is aimed at serving the interests of our people. This is evidenced by the formation of a specific school in the field of religious education, which is considered a component of the rights and freedoms of citizens in our republic related to the land.

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