

# On the issue of freedom of conscience

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**Abstract.** This article examines the problem of the legal relationship of the state to religion, religious organizations and believers on the basis of the theoretical results of domestic and foreign scientific research. An analysis of the formation and development of modern materials on the problem of freedom of conscience and religious organizations in the sociolegal literature is presented. Protestantism laid the foundation for the idea of freedom of conscience, i.e., the religious freedom of the individual in the context of human rights. Avtorami suggests an interpretation of the definition of “conscience” and “freedom of conscience” through the prism of religion as the right of believers and analyses the current Law of the Republic of Uzbekistan and the CIS “On freedom of conscience and religious organizations” in the context of state-religious organization relations. Conscience as an ethical category has a purely personal character, expressing the inner spiritual and psychological “I”, a sovereign spiritual phenomenon from the political and legal spheres of civil relations. The authors identify the problematic points in the regulation of relations between the rights and freedoms of believers to religion and associations in the legal acts of the country.

## 1 Introduction

The preparation of this article is based on the extreme importance of a collective discussion by leading specialists in social sciences of the problem of regulating the interaction of the state with religious organizations. The main problem in the development of a democratic state with a market economy was the relationship between religion and the state, the complexity of which was accompanied by an Islamic renaissance and a religious boom as well as the establishment of a dialogue between religious organizations and the state. An example of this is the repeated revision of the Law “On Freedom of Conscience and Religious Organizations” as well as the problem of education against religious extremism and terrorism.

The need to analyse this problem is due to the authorities' exposure of the system of training extremists from among school-age children in hujras (underground centres of religious education) using the Hizbi ut-Tahrir al-Islami method, which is banned in CIS

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countries. Another factor in the urgency of this problem is the interest of the population in religious education, with parents hiring tutors in Arabic writing and the canons of Islam.

When analysing the rights and freedoms of religious citizens, it is necessary to take into account the ethno-confessional life of each region and people on the principles of the supremacy of the rights and freedoms of citizens. The humanization of these relations requires eliminating the remnants of an atheistic approach to the problem of freedom of conscience and religious organizations since it became necessary to adopt a new version of the law "On Religious Freedom and Confessional Associations".

The purpose of this study is to analyse the theory and practice of the provisions of the current legislation of CIS countries as well as to identify the content of human rights for freedom of conscience and mechanisms for the implementation of religious freedom as a condition of the constitutional rights of citizens.

*Methodology and methods.* The methodological basis of this work is the strategic provisions of modern pedagogy and program principles of personnel training. The research uses philosophical inductive and deductive methods, analysis and synthesis, observations and social generalizations.

*Results and scientific novelty.* In the context of the Strategy of Action of the Republic of Uzbekistan, the entire sphere of sociocultural life is being reformed. In this regard, there is an urgent need to create an effective legal framework to regulate the state and religious life of the population, the principles of religious freedom and religion. The authors concluded that the correct methodology for the development of state-religious organization relations in the sphere of the spiritual culture of society is the rule of law and the protection of the interests of citizens with respect to the freedom of conscience of young people. The religious freedom of citizens, in turn, implies a fundamental study of world religions in the context of ethical culture.

*Practical significance.* Improving the legal framework for religious freedom serves to spread a culture of tolerance, prevent religious conflicts, generate religious education in all spheres of public life, and ensure the high morals of future cadres.

## **2 The genesis of freedom of conscience**

When analysing this problem, there is a need for a methodology of historicism in which freedom of conscience is associated with its origin in the anti-Catholic movement in Europe. At the beginning of the 16th century, the Speyer Reichstag adopted a decree on the right of every German prince to choose a religion for himself and his subjects, which was the basis for the introduction of the term "Protestant". They fought against the Catholic Church to reform the needs of the new capitalist relations. It is indisputable that freedom of conscience, as evidenced by philosophical publications, belongs to the fact that Protestantism denies, which involves renouncing the centuries-old Catholic spiritual culture. Thus, Protestantism, as a new ideology, proclaims personal faith as the basis for the salvation of the soul and that religious affairs are private. The Speyer Reichstag abolished many rites and rituals and proclaimed the rights and freedoms of the individual as the only source of religion based on the supremacy of democracy in public life. The Protestant movement was largely based on the fundamentalism of early Christianity and is a reinterpretation of the ideology of Catholicism in the interests of humans.

It is also necessary to specify the reasons for the anti-Catholic movement: immorality and corruption in the church and the growth of the spiritual laxity of the clergy, which served to form the philosophy of dualism. This was a kind of protest against the dogmatism and authoritarianism of the Catholic Church, a denial of traditional Catholicism. Protestants, in essence, were the first serious ideologues of atheism, who mistakenly recognized themselves as "new Catholics" as the philosophical basis of the Renaissance. Freedom of conscience

emerged as an expression of the spiritual element in the conditions of the triumph of the scientific worldview, which recognizes the dual unity of the world: religion and atheism.

Protestants who were free thinkers were passionate romantics such as Beethoven; Haydn heard his music and called him an atheist. For Beethoven, it was inevitable that in music, "...in order to remain internally truthful, the deep contradiction between his personal will and the culture already lying behind him says the same thing. Beethoven was a romantic, and romantic religiosity, both in Alexandria and in the circles of Schlegel and Tieck, is the subtlest form of hidden atheism" [1]. The history of philosophy indicates that those who were condemned to death for their "godliness" left a deeply devout literary legacy. We can also cite vivid examples of great thinkers in the past who glorified their name forever through scientific discoveries and who were active parishioners of the church and performed fivefold prayers to Allah. Freedom of conscience as a category served as a transition from traditional culture to new paradigms of social change, which belongs to the urban civilization – the intelligentsia of the city that recognizes God. The liberal position of Protestants shows indifference to other religions along with Christianity, which is taken as religious tolerance.

The representatives of the New Age and the enlightenment saw as their task a struggle with the church for the triumph of science to meet the needs of the new industrial progress of society. The enlighteners considered religion a brake on the development of the creative thinking of the individual and the ministers the cult-fighters of darkness, deceiving the people. Thus, the term "freedom of conscience" came into use as a special quality of Protestants to denote the honesty, decency and intelligence of the individual. It seems that the determinant of the slogan of freedom of conscience was the accusation of the church and the papacy of deception and lies, in which conscience and honesty were declared new trends in social culture. However, in the subsequent stages of philosophical thought, this freedom was replaced in accordance with the needs of the spirituality of the new industrial production. It is generally recognized that many problems remain unresolved and undeveloped: "...questions of the correlation of 'freedom of conscience', with the associated concepts of 'freedom of religion', 'secularism of the state', 'religious policy of the state', 'relations of the state with religious associations', etc." [2].

Political analysis of the formation and development of state-religious relations allows us to trace the essence and content of the basic principles of freedom of conscience and religious organizations. Renaissance thinkers advanced the principles of religious tolerance and religious freedom, which is a natural human right from God. One of the fighters for religious freedom was John Locke, who proclaimed the freedom of religion and the separation of schools from the church.

In ensuring the rule of law in civil relations, the most important aspect is the existence of laws that contribute to the effective protection of human rights and freedoms. In this regard, the current law of CIS countries "On Freedom of Conscience and Religious Organizations" preserves the continuity of the New Century period, which is subject to modernization in the spirit of modern civilization.

Freedom of conscience as the freedom of religion and atheistic beliefs of citizens was introduced by representatives of Protestantism to increase the number of Protestants and abandon Catholicism. On the basis of this tradition, the concept of freedom of conscience was adjusted by the Soviet government to focus on the right to profess or not profess any religion, to practice religious cults or to conduct atheistic propaganda. Thus, in the constitutions of the Union republics of the former Soviet Union, the equality of all citizens in all spheres of public life is enshrined, religion is separated from the state, and school is separated from the church.

The study of freedom of conscience as a subject of social theory and practice is the subject of analysis by both philosophers and jurists. In the current situation, new models of interaction between the state and religion are needed. We have conducted sociological

analyses that show that this law is necessary with regard to freedom of religion, human rights in the choice of any religion, and the opportunity to enjoy all the benefits of public life. In this regard, all countries of the post-Soviet space have traditionally adopted the law "On Freedom of Conscience and Religious Organizations" as the personal rights and freedoms of citizens (Law of the Republic of Uzbekistan "On Freedom of Conscience and religious organizations of May 1, 1998 No. 618-1. p. 22)

The problem of regulating the relationship between the state and religion throughout the history of political life has been complex, as observed in the duration of changes and the wording of laws on freedom of conscience and religious associations in the countries of the post-Soviet space, including Central Asia. The current law "On Freedom of Conscience and Religious Organizations" of the Republic of Uzbekistan was adopted in a new version on May 3, 1998, and changes were made again in 2020.

It seems that the time has come to revise the foundations of state-religious relations since the very formulation requires a thorough analysis of this spiritual phenomenon. Thus, the problem is noted by leading scientists of the CIS "... that the sphere of religiosity is an internal spiritual component of a person, and it has no place in state politics and, as a result, in education. Others, however, believe that religious principles should be the foundation of a country to give the fundamental basis for state formation" [3]. Thus, this law has retained its atheistic meaning of the past, which is focused on conscience, identifying it with the quality inherent in communists. Another factor in this formulation explains that they were uncomfortable using the terms "faith" and "religion". In this regard, a detailed analysis of the category of conscience is needed to justify this assumption.

History, first of all, is the history of the search for the golden mean of interaction, which John Locke considered to be signs of a secular state, "...that secular power has the right to impose 'true faith' and 'true morality'". [4]. However, the great philosopher does not use the term conscience In his studies of the state, Hegel considers the state a true image of reality and identifies the foundations of religion and the state, noting, "religion is the knowledge of God, the knowledge of itself about God. This is divine wisdom and the absolute foundation of truth...In general, religion and the basis of the state are one and the same" [5]. Under the conditions of the Soviet regime, total atheism prevailed, referring religion to the "remnants of feudalism" and to the main opponents of the scientific worldview. In this regard, the Soviet regime waged an open ideological war against religion, especially Islam. In the context of the implementation of the Action Strategy, a gradual reform of spiritual life is being conducted, and the legal rights and freedoms of citizens are being restored. In recent years, foundations have been laid to guarantee the exercise of rights and freedom of conscience and to ensure the real legal status of religious organizations. The Republic of Uzbekistan, based on advanced ideas and principles in relation to religious organizations, creates all the necessary conditions for religion as the spiritual values of the people.

Religious organizations take an active part in spiritual and educational reforms in educating the young generation in the best traditions and values of the people. In overcoming "religious salafia", as we suggest, it is extremely important to fully understand the role of Islam in the implementation of social renewal in society. It should be noted that Islam, as a spiritual sphere of socio-political life in many countries of the region, was part of the spiritual culture of society. As rightly observed by A. According to Muminov, "... due to a number of features, the state regulates relations with religion and religious individuals, which are formed as a result of close interaction of material and ideological ties in society" [6]. Indeed, these relations, being relatively independent, are closely related to socioeconomic, political and moral relations.

### **3 Legal principles of relations to religion and religious associations and believers**

Information society is characterized by a further strengthening of the influence of religious ideology on public consciousness and an increase in the role of religion in the sociopolitical life of society. The relationship between the state and religion is dialectical: on the one hand, the state represents the real power of the people, while on the other hand, religion represents the spiritual life of the people. Thus the establishment of relations of domination and subordination, which are separate from each other (i.e., relations of dependence), and a political basis for regulation, the purpose of which "... is to ensure the rights of everyone to freedom of conscience and religion, equality of citizens regardless of their attitude to religion, as well as the regulation of relations related to the activities of religious organizations" (Law of the Republic of Uzbekistan On Amendments and Additions to the Law of the Republic of Uzbekistan "On Freedom of Conscience and Religious Organizations", <https://www.lex.uz/acts/65089> (Date of request 14.11.2020)).

The state establishes a certain order and consistency of actions of parties due to the sociocultural interest of people. In all countries of the world, stability is possible only through voluntary or forced consent and willingness to obey. Political events in CIS countries can serve as proof that the rule of law ensures the irreversibility of democratic reforms in the country. Based on these considerations, we consider it possible to distinguish the following bases of relations: a) the separation of religion from the state and the recognition of the legal status of religious organizations; b) the creation of a legal basis for actions and systems of legal values; c) the search for ways of interaction and forms of democratic coexistence in public life, the main content of which is the ethics of beliefs. In the study of this problem, it is important to consider the religious system with all its structural parts. A necessary foundation of the religious system is the mosque as an important social institution that has a powerful influence on people. Usually, the mosque stands out due to its highly professional organization of rites and rituals. Along with this, the mosque has acquired legal status with the right to own certain property and financial accounts in the banks of the state. In many cases, the mosque plays the role of the sole guardian of historical traditions, national rites, religious rituals and performances. However, practice has shown that economic life largely affects the religious situation in the republic.

When defining the concept of "mosque", the Muslim community primarily means a special place of gathering of believers, organization and the conduct of worship. Muslim religious officials claim that a person who visits a mosque is God-pleasing, morally pure, and enjoys the protection of Allah. According to the laws of the republic, a religious organization of voluntary associations of citizens of the republic, formed for the purpose of joint confession of faith, worship, rites and rituals, was recognized. Currently, the Ministry of Justice of the Republic of Uzbekistan has registered 2 centres, the International Islamic Academy, 2,224 religious organizations of which 2,039 are Islamic and more than 175 are Christian, educational institutions and seminaries [7, 8].

The mosque has integrated itself into public life, interacting with various state structures in all spheres of public life. It forms the public consciousness of the population in the spirit of ideas of national unity. However, this does not mean that the mosque is a political organization that expresses and defends the interests of Muslims. We can recognize a certain spiritual and ideological character and potential of the mosque and the fact that it is a social institution and cannot be outside of public life. A mosque is a religious organization where along with legal and sociocultural issues, problems in the daily life of citizens and ways to solve them are discussed. These may be issues related to the upbringing of harmoniously developed and healthy youth, strengthening family relations and traditions, the spiritual and moral revival of society, etc.

The spiritual and educational activities of religious organizations can both directly and indirectly affect social life. Religious organizations actively participate in the moral support of political forces and the government and in the socioeconomic development of the country and the region and influence certain political leaders and officials. The most common form of support and assistance by religious organizations to the activities of the political leadership of the country is their inclusion in the education of the people, unobtrusively informing the population about the compliance of ongoing reforms with the canons of Sharia.

We must not lose sight of the fact of the totality of Islam and the fact that religion covers all spheres of human activity, including even intimate life. Thus, religious organizations cover all layers of society, subordinate them to a common spiritual ideology, and create a common climate for people's relationships. From time immemorial, the mosque has performed a number of purely religious functions, such as illusory-compensatory, communicative, integrative and regulatory functions, as informed by fundamental special studies [9,10]. These functions include parallel registration of acts of civil status, such as the birth and death of a person, marriage and other family relations, and the establishment of commodity-money relations of citizens. Muslim ministers of worship act simultaneously as ministers of worship and leaders of rites as spiritual confirmation of the political sanctions of the state. In this regard, we share the opinion that the legal system establishes the foundations of the relationship between society and the individual and the political power of the people and promotes the formation of new civic feelings of the individual [11].

The legal regulation of relations with religious organizations determines the degree of democratization of social life since a religious organization is closely connected with the state apparatus in 43 countries of Europe and Asia. Of course, in this respect, Islam occupies first place as the state religion because in 17 Muslim countries, Islam has become the main creed of public life. However, it is generally accepted that the official recognition of one religion as the state religion is a direct denial of freedom of conscience and is incompatible with freedom of religion since it puts the followers of this religion in a privileged position in comparison not only with atheists but also with people who profess another faith and generates actual and legal inequality of different faiths [12].

The fact is that the state, in officially supporting one religion, violates the rights of another and does not allow other religions to enjoy certain benefits in public relations since the state religion receives material and moral protection from the state. Moreover, the followers of this religion occupy all the key positions in the state and economic apparatus. All this is possible with the support of the state if all members of the government are adherents of the same religion. It seems that this situation in society is discrimination against people of other faiths, violates human rights and is incompatible not only with freedom of conscience but also with freedom of religion. Among European countries, this is clearly evident in the legislation of Italy, where the Catholic Church "... is defined by Catholic education in schools and the family" [13].

In some countries, a separate chamber or commission regulates state policy in relation to religious denominations and draws up various agreements and contracts. Moreover, in some cases, it provides religious organizations with material assistance to use religion in the interests of the state. The legitimacy of the political activities of religious organizations should not be overlooked as one of the factors in state-church relations. In European countries, religious organizations freely engage in political activities, fight for political dominance in society, and actively participate in the country's election campaigns. As a rule, some theorists note that religious organizations, as legal entities, have the right to participate in the political life of the state in foreign countries of the world. For example, the CDU-CSU bloc (the Christian Democratic Union of Germany and the Christian Social Union in Bavaria) has been in power in Germany for several years. It seems that in the current conditions of sociopolitical development, the political regulation of state-religious relations has become

relevant. In this regard, Fr. Rua emphasizes that "...the law is violated at both ends: the state either openly intervenes in the affairs of religions or declares secularism as a set of values that all citizens should share in the name of creating a republican consensus" [14].

The political line of state power corrects the generally binding norms of the behaviour of believers, forming the public consciousness of the population. The Muslim Mosque, as a type of public organization, becomes one of the institutions for promoting the implementation of the political line of the government, i.e., it must obey the political regime in all countries of the world [8].

The activation of Islam in public and political life requires the state to create democratic conditions for an open dialogue to prevent negative phenomena. The fact is that for many years, many problems that have required discussion remain relevant. These include the issues of "religious exclusivity" and "the supremacy of the ideas of Islam" in the regulation of sociopolitical problems of development. For all of us, the wise saying of the great thinker Bahouddin Naqshband, "Dil ba eru, dast ba kor", remains one of the fundamental principles of life.

Indeed, Abu Nasr Farabi and other thinkers of the East treated Islam from the point of view of dualism. They sought to free people from old stereotypes and thinking and dreamed of modernizing Islam, which would become a powerful factor in collective psychology and an important means of political and religious harmony and spirituality, cementing a single idea of national statehood. In our opinion, one of the merits of Central Asian thinkers of the Middle Ages is a certain adjustment of the state-religion relationship in socio-political progress [3,9,12,14,15].

Medieval thinkers of Central Asia studied the problems of the relationship between religion and the state. However, it is necessary to note the syncretism of religious and political institutions of society since the Arab expansion, which is recognized in the literature on religious issues. We tend to think that the state policy pursued by representatives of the Muslim elite did not always fit into the policy of Central Asian religious feudal power. In this regard, the construction of mosques is considered to be one of the godly deeds in Islam. We agree with the opinion of L. S. Vasiliev that "...most often, the contact of functionaries of Islam with their wards occurs in the course of personal communication, especially when performing Friday prayer in a mosque. The main purpose of this daily guide is to ensure strict compliance with all those regulations and rituals that, according to the commandments of the Koran and Sharia norms, are mandatory for Muslims" [16].

Our observations suggest that the population of the cities of the Ferghana Valley provided free assistance in the construction of mosques and that these were a place of collective worship and education of the younger generation. Education and Muslim training have always been considered a positive feature of Islamic clergy. In addition, the mosque directed the life and affairs of the faithful and helped them to communicate with Allah and perform the acts prescribed by Islam. Due to the objective sociocultural traditions of the people, the Soviet government was not able to completely abandon the existing way of life of the population of the regions, so the Kazian courts remained until the 1930s. In addition, in everyday life, the Muslim Mosque maintained its authority so that the Soviets began to fight against Muslim theology and clergy as well as the activities of religious organizations, which were ordered to deal exclusively with the religious needs of believers. Thus, religious organizations were gradually displaced from the political relations of society. In fact, religion was banned, and a total war was declared against religious organizations and their leaders, who were considered opponents of the new social system, accused of the Basmachist ideology of counterrevolution and patronizing the class enemies of the new society.

The policy of total atheization of all spheres of public life was initiated in the country, and the practice of administrative and command methods of liquidation of religious organizations and ministers of worship was widespread. The facts show that by the end of

the 1930s, Muslim mosques were completely closed, and the buildings were transferred to the balance of other organizations. The separation of religious organizations from the state was perceived as the basis of the state's relations with them, in which the state and its bodies used methods of state-legal control or coercion. When citizens determine their attitude towards religion, state bodies do not interfere with the religious activities of organizations of believers. They do not violate the laws of the state and the established law and order in the country. In turn, the state does not provide religious organizations with material, moral or other support and does not entrust them with the performance of any state functions. At the same time, the state protects the legitimate activities of religious associations and the rights of believers to practice religious worship.

In the context of the Strategy of Action of the Republic of Uzbekistan, the path of radical renewal of state policy in relation to religion, religious organizations and believers has been adopted, as noted above. The path of democratization and renewal requires a qualitative change in the attitude towards religion since the task of building a rule-of-law state implies full protection of human rights and freedoms, increasing their social activity and promoting advanced ideas of peace [17].

In modern conditions, the task is to improve the development of a socio-political mechanism that will create reliable guarantees against possible manifestations of administrative attitudes to religion as well as the cult of personality, subjectivism, and voluntarism against the infringement of the interests of all segments of society and each individual. The experience of democratizing all spheres of public life has shown the legitimacy of a gradual renewal of state-church relations. The famous philosopher X. Pulatov writes that "the right to be oneself, without prompting from above or from outside, and even more so without any coercion of an economic or administrative tone, speaks of complete freedom. We must do everything possible today to become free not in words but in deeds. Indeed, without freedom of conscience, neither the construction of a democratic state governed by the rule of law nor a religious worldview as a historically formed, inseparable part of universal culture is unthinkable" [18].

All of this allows us to establish a legal path to change the erroneous perception among many that our state has started a struggle against religion. Such an idea is erroneous because the state primarily sets the task of protecting Islam from fundamentalists who distort religious ideas and doctrines. The main directions of the policy of our government imply the following:

- religion and the state are separate parts of a single, diverse spiritual culture of society, which is why they have common features;
- law and religion have common foundations in an independent state with a democratic system, reflecting the social culture as well as the political system. Religion does not interfere with the political life of society and does not aim to change or overthrow the constitutional order;
- the state and religious organizations of society serve all the best that civilization has achieved, the will of the people, and protect the interests of everyone;
- they represent certain norms and rules of behaviour that people are guided by in their personal and public life;
- they are embodied in the spirit of humanism and democracy in a fair combination of personal and public interests. The past period of independence has shown that the interests of society and the individual, the state and religious organizations in the period of market relations coincide and are combined with the norms of moral life.

This problem is characterized by the search for a dialogue between representatives of religious denominations and the ideological orientation of the population, especially young people. It is necessary to note the syncretism of religious organizations and political institutions of society since the Arab conquest, but the state policy pursued by representatives of the religious Muslim elite does not always clearly fit into the policy of the Central Asian

feudal power.

## **4 Development and status of the current legislation on freedom of conscience**

Uzbekistan, located on the Great Silk Road, with its ancient history, traditions and customs, is known as the birthplace of great thinkers from Abu Nasr Farabi to Alikhontura Soguni, who made enormous contributions to world civilization. Religious organizations and figures should not be limited to simply mechanically reading and repeating the verses of holy books but should conduct educational work to promote the spiritual heritage of the great ancestors. There is an apparent need to offer the leadership of the spiritual administration of Muslims to conduct a certification of religious knowledge and the moral and spiritual level of the ministers of religious organizations. We note that specific similar claims against figures of religious organizations are found on the pages of the central press.

Taking into account all of the above, we can conclude that our country is following the path of the revival of spiritual values, which is characterized as a natural process of national consciousness and a return to the spiritual origins and roots of the people. However, as practice has shown, the restoration of spiritual values takes place in difficult conditions of the formation of new social relations. The government of the Republic of Uzbekistan, in defining its relations with religious organizations, relies on "...the religious tolerance of our revival. For thousands of years, Central Asia has been the centre of meeting and coexistence of a wide variety of religions, cultures and ways of life. Ethnic tolerance and openness have become the natural norms necessary for survival and development" [19].

Political culture, we believe, is an indicator of the state of respect for the rights and freedom of conscience of citizens and religious organizations. The new version of the law "On Freedom of Conscience and Religious Organizations" defines the concept of the state's attitude towards believers, religion and religious organizations. First, article 31 of the Basic Law of the Republic of Uzbekistan grants the right to freedom of conscience: "Freedom of conscience is guaranteed for all, everyone has the right to profess any religion or not to profess any. It is unacceptable to forcibly inculcate religious views" [20].

Conscience is a special feature of a person's self-affirmation, the ability to self-evaluate behaviour, and the ability to judge oneself; that is, people cannot think of themselves without conscience, without what they experience alone with their conscience. Usually, the concept of "living according to conscience" means living according to deep moral beliefs. In our opinion, conscience is always free. Conscience is a moral category; it is not inferior to some external circumstances. People build a life according to conscience, and others give their lives because they cannot renounce conscience. Conscience, according to the law, is religious freedom from the spheres of freedom of conscience. We agree with the opinion of S. T. Jurabaev of the necessity of "...the right of everyone to freedom of conscience and religion, the equality of citizens irrespective of their religion, and the regulation of relations connected with the activities of religious organizations". However, freedom of conscience is often understood only as freedom of choice of religion. In this regard, the new version of the Law on Freedom of Conscience takes into account the inadmissibility of any coercion when determining a citizen's attitude to religion, to profess or not profess religion, to participate or not participate in religious services, religious rites and ceremonies and to receive religious education.

It is also prohibited to involve minors in religious organizations and to teach them religion against their will or the will of their parents or their surrogates. The new version of the Law of the Republic of Uzbekistan "On Freedom of Conscience and Religious Organizations" has led to changes and additions to the Criminal Code, the Code on Administrative Responsibility, since violations of the law related to freedom of conscience entail

administrative and criminal liability.

Our research has shown that the new version of the law provides clear guarantees for the protection of the socio-political system of the republic and the interests of the people from attempts to abuse these freedoms. This is fully consistent with the International Covenants and Agreements on Human Rights ratified by the Oliy Majlis. It seems to us that freedom of conscience does not mean that religious organizations are guided in their activities only by their own rules. They must not contradict the laws of the republic, and religious organizations and believers must comply with the requirements of the legal norms in force in the state.

The criminal legislation of the republic reflects changes in the articles for violation of the rights of freedom of conscience, in the field of coercion to religious education and propaganda, and for the collection of various fees and other violations of the rights of citizens of the republic. Moreover, all citizens, regardless of their attitude towards religion, are equal before the law. Religiosity is not specified in documents, and a citizen is not exempt from performing his or her civic duty. Believers do not have the right to incite hostility and hatred, insult the feelings of citizens in connection with their beliefs or perform other actions that violate the laws of the republic, and legal liability is provided.

One of the main directions in the democratic solution of this issue is the supremacy of the Constitution and the law for both sides of the legal entities, where everything is subordinate to the interests of the person. However, this does not remove the issue of constant monitoring of the rule of law or compliance with the correct application of legislation that ensures freedom of conscience. Past experience has shown the need for political and public control over the activities of religious organizations. In our opinion, such a statement of problems is caused by the following factors and circumstances of social development:

- political importance and the urgency of ideological confrontation in the modern political face of the world, the sharp activation of different political forces, the rise of the "Islamic factor" and attempts to use religion in political conflicts of the world;
- the complexity of the formation of the ideology of national independence in the transition period when an ideological vacuum was formed, which was filled with the ideology of fundamentalism;
- the lack of political and legal culture in certain circles of society, which sought to use the granted freedoms and democracy in the realization of their selfish goals and personal ambitions in society and the expansion of international relations of religious organizations, individual representatives of religious denominations and citizens;
- the urgent need to further ensure the rule of law in the public and private life of citizens, the rule of law in the country, the protection of citizens' rights and freedoms, and human interests.

The state pursues a policy of establishing mutual tolerance, respect for all parties, democratizing relations, and preventing extremism in the country. The state supports peace and harmony; everything positive is in the national interests, and actions aimed at converting believers of one denomination to another (proselytizing), as well as any other missionary activity, are prohibited. Persons guilty of violating this rule are liable under the law.

We agree with the jurist A. Yunusov that "any restriction of the rights and establishment of direct or indirect advantages of citizens depending on their attitude to religion, incitement of enmity and hatred, or insult to the feelings of citizens in connection with their religious beliefs entail responsibility established by the legislation" of the Republic of Uzbekistan [21]. In view of this, article 156 of the Criminal Code of the Republic of Uzbekistan provides criminal liability for inciting religious enmity that offends a person's feelings in connection with a religious or other belief. The case is complicated and falls under aggravating circumstances if a socially dangerous act is committed by a responsible employee of the state authority.

A new political solution was responsible for genocide, hiring for terrorism and recruiting

people for terrorist organizations. Actions aimed at forcing a state, an international organization, an individual or a legal entity to commit or refrain from any action related to the threat of murder or physical violence, taking hostages or holding property, attacks with the aim of complicating international relations, provoking war or destabilizing the situation in the Republic of Uzbekistan are punishable as particularly dangerous crimes by imprisonment for up to twenty years (Criminal Code of the Republic of Uzbekistan, T: Adolat, (1998). p. 237).

The Committee on Religious Affairs under the Cabinet of Ministers of the Republic of Uzbekistan, as the main body, is meant to carry out state control over the observance of legality and the performance of legal norms in the field, providing the rights and freedoms of conscience in performing other legislative acts of the country. This creates conditions for government agencies to control rituals and rituals, the right to profess any religion or to profess no religion and to lead a nonreligious lifestyle. This is why it is absolutely correct in the new version of the law that the Committee systematically legitimizes the activities of the system of religious organizations in the country as well as individuals associated with religious organizations [4].

Carrying out the political line of the republic, the Committee for Religious Affairs establishes relations between various state bodies and religious organizations to influence the course of these relations in a timely manner, if necessary, and to direct them in accordance with the law. However, it should be noted that religious organizations on the ground face opposition in their activities from law enforcement agencies and bodies of the political structure. There is a lack of legal literacy, both of individuals in local authorities and of ministers of worship, in relation to existing normative acts of international and national significance. Hence, there are no complaints in the courts about the illegal actions of officials who violate the rights and freedoms of citizens.

The Committee, within the framework of the law, considers issues related to the activities of religious organizations, keeps accurate records of them, and connects the state with religious organizations. The Committee has the right to check the activities of religious organizations in the context of their compliance with the legislation on freedom of conscience. However, it should be noted that any verification excludes interference in matters within the Muslim or church life in those aspects of their activities that are not related to the legislation of the republic. If the contrary is found, the Committee prescribes the mandatory elimination of these violations.

Therefore, the administrative and criminal legislation of the Republic provides for the rights of the Committee on Religious Affairs to raise the issue of bringing religious organizations or figures to administrative or criminal responsibility. The fact is that extremism is the disagreement of a group of people with what the agreement of the majority. Based on this, as it is quite rightly noted by experts, the "...subject of discontent can be associated with the foreign and domestic policy of the state, the chosen course, the ongoing reforms, religious dogmas, the ritual side of the rites performed, etc." [22]. This is why the relevant councils in the local authorities exercise control over the observance and correct application of the legislation by religious organizations and the order of worship by individuals and consider the applications and complaints of citizens. They have the right to demand from local self-government bodies the necessary information, materials and reports on issues of their competence and to provide explanations regarding the application of new approaches and updating of the laws of the republic on this issue.

State control is also carried out by the bodies of the prosecutor's office of the republic in accordance with the legislation on the prosecutor's supervision, suppressing any offenses of citizens and religious organizations. According to the Basic Law of the Republic, local government bodies ensure the law, order and security of the country, which implies the direct performance of functions related to monitoring compliance with the legislation on religious

organizations:

- checking and evaluating incoming materials on problems of the registration and de-registration of religious bodies, opening or closing prayer houses, and cooperation in spiritual and educational work among the population;
- control over the implementation of rules for the use of state property, industrial and economic activities, international, charitable and labour relations of religious organizations and ministers of worship, as well as other parties provided for by the legislation of the Republic of Uzbekistan;
- bringing to administrative and criminal responsibility officials under their control who are guilty of violating the law on freedom of conscience as well as initiating the issue of removing a religious association from registration, cancelling all contracts, and closing religious houses and prayer buildings;
- making decisions on the release of individuals from participation in the management of religious organizations, eliminating violations of the law on freedom of conscience, and warning about the inadmissibility of violations of human rights and freedoms.

It should be noted that the control is carried out not only by the government and non-governmental bodies of the republic but also by the public of the country, who are interested in the democratization of society. The form and content of the control may vary. It should be remembered that interference in the internal affairs of religious organizations is possible only in the case of their official appeal to state bodies. Therefore, there is an urgent need to improve the legal culture of young people [23].

Currently, there is an urgent need for highly qualified personnel specializing in the problems of state-religious relations, the protection of freedom of conscience and religion, and religious studies. This raises the issue of training and retraining specialists, officials, and state structures in the field of spiritual education, the wide promotion of religious teachings, and the liberalization of political and confessional relations. The illiteracy of officials leads to the undermining of faith in the state's policy towards religion. It creates a barrier between citizens and the state. For example, facts obtained through sociological research show that in recent years, it has been forbidden to hold festive prayers in cemeteries and individual places of joint residence (i.e., mahallas), which even the Soviet regime could not stop.

To decide questions of the political and legal improvement of church-state relations in light of the liberalization of political and spiritual life, it is necessary to strengthen the legal framework and improve the legal literacy of the population. It seems that in many respects, this sphere lags behind in the implementation of tolerant principles of dialogue on the basis of equality of the parties, interaction in many spheres of public life, support for religious organizations in solving their problems and activation in the formation of the moral foundations of tolerance. Religious tolerance is the most important condition for solving many state-confessional relations. We realize that in this article, it is impossible to fully cover the issues of the institution of freedom of conscience and religious organizations; moreover, we do not set such a task since this work analyses issues of freedom of conscience related to the problems of interaction between the state and religion in public life.

## **5 The results of the study: The development of freedom of conscience and its constitutional consolidation**

Uzbekistan, as a full-fledged subject of international law, forms its relations with religious organizations and believers on the basis of generally recognized international norms of human rights and freedoms as well as the Basic Law of the Republic of Uzbekistan. The adoption of a new version of the Law of the Republic of Uzbekistan "On Freedom of Conscience and Religious Organizations" will be the most important legislative act of our state in the context of the development of a legal democratic society.

Freedom of conscience, like any other freedom as well as a constitutional right, establishes the equality of citizens regardless of their attitude to religion, the indissoluble connection of civil rights and duties, the rule of law over any other norms, and the obligation of all citizens to consistently comply with the legal requirements of the legislation of our republic. In full compliance with international rights, the law does not allow a religious organization to go beyond public order in its activities to harm the interests of society and citizens.

The generally recognized conditions for the exercise of freedom of conscience are provided for in the new version of the legislation of our government. In this regard, the legal protection of freedom of conscience is one of the guarantees of the rights and freedoms of citizens of the Republic of Uzbekistan. Freedom of conscience in the Republic is protected by both the administrative-legal and criminal-legal legislation of the state. The adoption of the new version of the law will be a source of amendments to the current legislation of the country. It will establish responsibility for acts incompatible with freedom of conscience, such as preventing or forcing participation in religious worship as well as restricting citizens' rights in relation to religion, genocide on religious grounds, inciting hostility and hatred using religion for anti-state purposes, and insulting religious feelings and the state symbols of the country.

Religion is separated from the state, and schools are separated from religious organizations. However, this does not mean that the state supports confrontation with religious organizations. Religion is not separate from society. The state promotes in its policy everything that helps to strengthen the relations of all believers to consolidate all the forces of society for the development of a democratic state. Democratization in a state governed by the rule of law presupposes the sovereignty of the individual, and humanism in politics guarantees a decent life for every citizen in society. In this regard, Islam can play a constructive role in the formation of civil society.

This problem is of a dialectical nature and is a political process that requires constant improvement, taking into account the democratization of public life and the renewal and improvement of spiritual life to ensure the rights and freedom of conscience of citizens. A religious organization, as a legal entity, has the right to conduct independent activities within the framework of the law, which does not allow authorities to interfere in the organization and conduct of religious ceremonies.

When analysing the term conscience, attention should be paid to the adequacy of the subject of the individual's attitude to religion or atheistic worldview. In this regard, the use of the word conscience does not seem to us to be legitimate in the law under discussion. The law characterizes the action or inaction of a citizen in relation to religion, which raises a fair question: what does conscience have to do with it, and what is its attitude towards religiosity or non-religiosity? Moreover, in translation from other languages (for example, Vijdon), the problem clearly demonstrates the honesty, nobility, dignity, and decency of a person living in accordance with the ethical rules of social life. Apparently, the law under discussion presupposes faith, religion, and freedom of religion.

The first argument may be that conscience is a kind of personal power over the behaviour of the individual, controlling all human activities. In its essence and purpose, it is the constitution of the mentality of the individual, which determines the strategy of morality based on universal and national and religious and secular norms and values. Thus, this phenomenon is an anthropological phenomenon formed in the collective and individual life of society. In turn, we admit the idea that the elements of conscience are also found in the actions of some animals. An example of this is horses, for which sexual intimacy with relatives is excluded; if this happens under the influence of narcotic herbs, then the horse may commit suicide. Scientists say that wolves also control their behaviour. We do not agree with those authors who claim that conscience is a basic value of a religious or secular nature. In

contrast, such statements can be ignored because conscience is the result of the spiritual and psychological influence of the hierarchy of values and principles of personal life. Based on this consideration, conscience is a person's way out of a state of imperfection. It is a moral maturity that has a low, medium and high level, which allows us to measure the authority and conscientiousness of the individual in the community. In this regard, we fully agree with S. A. Buryanov, who argues that "...the mechanical addition of the concepts of 'conscience' and 'freedom' does not give an adequate understanding of the term 'freedom of conscience' as a whole. If the concept of 'freedom' is fixed in legal science, then the term 'conscience' does not have an unambiguous legal interpretation and is not an element of the system of legal regulation" [10].

Another argument can be that conscience is an abstract phenomenon, the result of the action of the brain, which is in absolute freedom and not subject to legal condemnation, which does not fit this formulation of a legal act. Thus, the object of this law is the religion and religiosity of citizens, and conscience covers all spheres of human action, self-control and lynching, correcting positive and negative actions. Thus, conscience is essentially a "thing in a person", which establishes the norms of behaviour of a person based on the spiritual and moral level of enlightenment and intellectuality.

In the most general sense, conscience is considered a mental process that evokes emotions and rational associations based on the moral philosophy or value system of the individual. It often happens that conscience is the cause of feelings of guilt or remorse when a person commits an act that contradicts his or her moral values. The moral values of the individual and their inconsistency with family, social, cultural and historical ideas about morality are the subject of study in psychology [24]. From this, it can be seen that conscience determines the judgement of the moral side of an action before it is committed, the conformity of actions to the generally accepted rules of justice. The moral judgements of an individual is usually considered in connection with the morality inherent in all people, emanating from a beneficent universe or a divine entity that is not related to the faith or religiosity of the individual. The various characteristics of a particular religion are related to rituals, mythology, doctrines, politics, and law, but they do not directly reflect the empirical, emotional, or spiritual considerations of conscience.

Conscience is a more secular than religious concept and is scientifically associated with a method of personal control over behaviour. Faith is a confessional perception of the surrounding spiritual culture. For religion, it is necessary to recognize a number of confessional requirements, while for conscience, only an "inner voice" is needed that regulates human behaviour and protects against negative actions. In reality, conscience expresses the responsibility of the individual to others, like faith to the confessional community; in contrast to the latter, however, the former contains an internal expression of freedom of action [25]. Religion is the closest practical expression of morality, and conscience is the norm of behaviour according to the principles of justice, a sense of shame when deviating from the correct principles of socialization. According to I. Kant, "when a decision is made to commit an act, then the prosecutor first acts in the conscience, and at the same time the lawyer, while the dispute is resolved not amicably, but to the full extent of the law, followed by" acquittal or conviction [19].

Science has proven that in the nature of all people, there is a belief that determines their behaviour based on the existence of the phenomenon of the supernatural creator of the universe. Believers are convinced that the material world was intelligently created by someone according to the laws of logic and develops according to the rules of the creator. In this regard, religious faith is established in the consciousness of a person and forms worldviews as the basis of conscience. Features of faith can be found in the works of religious authorities: "Iyman is a belief in Allah, in his angels, in his books, in his prophets, in the Day of Judgement, as well as a belief in that. What is good and evil, pleasure and bitterness-is

pre-established from Allah" [26]. This definition of faith allows us to assert that faith is primary to conscience, which is general and particular. They both interact in the formation and development of a person's personality. Faith is an absolute belief, and conscience is belief based on norms and values. They interact and have distinctions in human morality. However, faith, unlike conscience, is the recognition of something regardless of the actual or logical justification, mainly due to the very nature of the subject's relationship to the object of faith: conviction and deep confidence in someone or something.

In the current legislation, this phenomenon is characterized as follows: "In the Russian Federation, freedom of conscience and freedom of religion are guaranteed, including the right to profess individually or jointly with others any religion or not to profess any, to perform divine services, other religious rites and ceremonies, to carry out religious education and religious education, to freely choose and change, to have and disseminate religious and other beliefs and to act in accordance with them, including creating religious associations" (Federal Law of the Russian Federation "On Freedom of Conscience and on Religious Associations" of 26.09.1997 N 125-FZ (latest version), [http://www.consultant.ru/document/cons\\_doc\\_LAW\\_16218](http://www.consultant.ru/document/cons_doc_LAW_16218)).

In the late 1980s, a major upgrade in the system of state-religious relations embarked on the democratization of the religious sphere and resulted in a revived religious organization in CIS countries, especially in Central Asia [24]. Thus, there was an Islamic boom, a renaissance of Islam, and serious problems that threatened security and social stability in many regions of the world, which required a fundamental study of the contours of religiosity and secularism in the spiritual culture of society. We completely agree with scientists who assert the arch complexity of determining the religiosity of the population, which requires a collective search for principles and methods, means of optimal solutions of state-church relations, and interaction for the benefit of sociocultural progress.

It should be noted that the current basic and other laws of the CIS countries establish a secular state that does not allow public status of one religion, coercion in the determination of religion, or participation or refusal to worship and perform the rites and ceremonies of religious organizations. Similar constitutional norms contribute to the effectiveness of educational and methodological work among students receiving professional education.

The pedagogical literature provides that the state, as a secular form of government, conducts an educational policy aimed at the formation of scientific thinking, the priority of the "secular" worldview. This, in turn, implies non-interference of representatives of religion in public life, including civil relations and the education system. It should be noted that the new version now allows for the teaching of religion in private with parental consent. We suggest that this again leads to negative consequences, and any religious education should be only in line with the government's educational policy, which is the right of young people to learn Islam to form their self-identification. We believe that the education system in the future should include religious education in the entire education system, and the religiosity of young people in the context of moral education is useful in the implementation of the state youth policy of the country.

An additional argument is the controversial nature of the wording of the law "On Freedom of Conscience and Religious Organizations". It can be argued that it contains a number of additional elements of freedoms that do not meet the ethical standards of conscience, such as the right to atheistic beliefs, charity or cultural and educational activities, religious education, alternative military service, the secret of confession, and single citizenship. It is difficult to find normative elements for self-control in them, such as lynching or condemnation, that can be attributed to the sphere of faith and not conscience. The arguments are found in the studies of T. P. Minchenko, which affirm the content of the individual and collective right of religious freedom on the basis of the European concept of religious freedom and freedom of conscience, in which the problem of conscience passes into the background [22].

In terms of democratization and the inertia of atheism, problems include the interaction of religion and state in the formation of a high spiritual culture of youth, the prevention of extremism and terrorism, the negative effects of informal youth movements, and social deviance. In the context of the above, religious instruction has become a necessity in all educational systems, preventing suspicious private instruction even with parental consent. In this regard, the initiative of the government of Uzbekistan, proposed at the 75th session of the UN General Assembly to ensure the rights to education, both secular and religious, is quite appropriate.

The right to religious education of young people of school age may be limited to home (parents) or professional school education and invited professional clergy. Currently, the republics of the former Soviet Union have established training of highly professional specialists in confessional education, such as the International Islamic Academy of the Republic of Uzbekistan, who have fundamental knowledge of religion and pedagogical skills in working with young people.

In the modern scientific and technological era, young people are acutely hungry for high morals, the search for the meaning of life and other foundations of the culture of theological spirituality. In this regard, we completely agree with those authors who propose the religious education of children from school age, with the continuation of the transfer of in-depth knowledge in professional education. The course in the school curriculum "Fundamentals of Religious Moral Culture" aims to form a healthy religious faith and ideas about values and norms of morality for the education of the younger generation in the spirit of high moral principles of the individual for the family and society, including the formation of a culture of ethno-confessional tolerance, stable morality for self-development, resistance to life's adversities and patience for the problems of the socialization of a person. In secular modern states, there are no significant differences between the state education and the church; the position of the church in the state is stabilized and is not subject to any drastic changes.

The construction of the educational system is also predetermined by state normative legal acts, so religiosity, in influencing the legal aspects of the formation of secularism, does so only to the extent and in such a way that is predetermined by the joint work of the state and the church so that the result satisfies both sides. However, it seems that the state has the primary potential to influence the situation of the church by passing laws that are binding. At this stage, there is a great debate in society about whether Russia is a secular state. From a legal perspective, this is an indisputable fact since it is enshrined in Article 14 of the Constitution of the Russian Federation and the Federal Law "On Freedom of Conscience and on Religious Associations".

The secular nature of the state does not prevent, in the interests of ensuring the rights of religious minorities, the provision of material assistance to religious communities from the state budget. The Constitution of Uzbekistan prohibits religion as a state or compulsory religion. Thus, in a secular state, there is no specific and obligatory religion, but at the same time, people of various nationalities live in the territory of the Russian Federation who profess certain creeds and live in accordance with them. In the CIS, the main confessions are Orthodox Christianity and Islam, but there are also other faiths (Catholicism, Buddhism, Judaism, etc.). They have only recently acquired the necessary rights for their activities since the totalitarian state (which also considered itself secular but in fact was grossly atheistic) conducted persecution of the faith and persecuted religious ministers.

It is worth noting the strengthening of the position of the church in the CIS, including the revival of the church in Russia, as evidenced by the reconstruction of old temples and the construction of new ones, published media religious content ("Blagovest", "Orthodox News", etc.), published articles and TV broadcasts connected with the themes of the church, church representatives taking an active part in the public life of the country, increasing numbers of

people attending church, and open religious educational institutions. Although modern CIS countries are secular states, authorities seek to interact with religious associations.

## 6 Conclusion

The Central Asian countries of Uzbekistan, Kyrgyzstan, Kazakhstan and Russia, as civilized countries, maintain interrelationships with religions in the cultural education of the younger generation. This is evidenced by the introduction of the basics of religious culture into the school curriculum. Religious norms, despite the dynamic development of society, retain their values in all areas of existence. Therefore, regardless of social status or position in society, in the family, most people of our time turn to religion. The constancy, uniqueness and meekness of social norms of behaviour and, most importantly, their irrefutability provide people with answers to many questions of existence. The problems of providing the necessary training materials and accessories cannot spoil the overall positive impression of the work done by the state. However, the most important thing that can be achieved in education when teaching a child a religious culture is to block the path to the education of extremism and to encourage feelings of tolerance towards other religions.

Freedom of conscience does not imply the division of primary school children by faith depending on the desire of parents that the education of tolerant youth would be more correct when schoolchildren are taught without dividing them into groups of secular or religious culture. Professional education should instil responsibility for activities in the world around us, and curricula should form a correct perception of reality based on the principles of a culture of tolerance. Today, state-confessional cooperation has a multifaceted spiritual and moral orientation, and the pace of ideological and educational partnership in the education of educating young people in the spirit of a high ethical culture is increasing.

Public education is guided by the interests of the people, the younger generation, which forms a civic position and a willingness to fulfil complex economic tasks of social progress. This allows us to say that in the education system, there is a need for a new academic subject of religious studies that allows students to learn the basics of religion and religious morality. Religion, both world and national, has been strongly influenced by science and technology, and spiritual culture has been secularized [27-31].

We stand in solidarity with those authors who assert the possibility of religious education in the context of the secularism of the state and the transfer of fundamental systemic knowledge about the religions of the world. In the Muslim world, children receive religious education in the family, which is not sufficient for the formation of a healthy worldview in the younger generation. Thus, the idea of introducing educational disciplines for the study of religious culture in the spiritual and moral culture of young people sounds very convincing. The dialogue between religion and society should be updated as the interaction of two independent spheres for the common good of public life, which is facilitated by education for the socialization and professionalization of children in the process of social relations. Religiosity in the spiritual and moral image of young people has a positive impact on the formation of a culture of tolerance of the population, preventing any types of extremism and violence. Thus, in the scientific literature, the concepts of freedom of conscience and freedom of religion are often considered close but not identical. Scientists emphasize the multidimensional nature of these concepts, which can lead to a number of scientific arguments [2]. In many cases, there is a formal separation of ethics, law and religion, while in other cases there is a complementarity and merging of the past with the present, the inertia of which is observed in the development of modern democratic reforms in the CIS countries.

Protestantism laid the foundation for the idea of freedom of conscience, i.e., the religious freedom of the individual in the context of human rights. However, the relationship between a person's conscience and religiosity has not yet been precisely defined. Conscience as an

ethical category has a purely personal character, expressing the inner spiritual and psychological "I", a sovereign spiritual phenomenon from the political and legal sphere of civil relations.

The history of the interaction of religion and the state has been the subject of discussion and debate by great thinkers: John Locke discussed a secular state bound by "true faith", and Hegel regarded the state as an image of reality, combining the fundamentals of religion and the state.

The current legislative acts do not provide an adequate definition of "religious freedom". "Freedom of conscience" is not sufficiently rational since conscience is an internal, purely free phenomenon that is not subject to legal discourse. Conscience is an anthropological phenomenon that dominates a person with regard to the direction of righteous, material and spiritual self-perfection, and psychological control of actions and actions, encouraging positive actions and subjecting them to spiritual suffering for negative actions. Conscience is the inner motive of action towards the world around us, of interaction for the common good. Conscience is an abstract mental state of a person regardless of religion or atheism, partisanship or non-partisanship, nationality or non-nationality, social status, skin colour or language. Conscience as a personal internal law forms the worldview throughout the life of the individual.

Conscience is the secular quality of the individual, and faith is the analogous attitude of the believer, i.e., they are identical. They are formed throughout a person's life as a way of life and thoughts in two opposite forms of worldviews, according to which they describe the picture of the world and form the way of personal life. In the existing laws "On Freedom of Conscience and Religious Organizations", there is an inertia of the communist approach, since conscience is inherent only in communists and Komsomol members, that "the party is the honour and conscience" of society and that conscience is not provided for by believers. Thus, conscience and faith are very similar concepts, generating secular and religious theory and practice in everyday life.

Faith and religion are individual and collective phenomena, while conscience is a purely intimate personal, internal phenomenon. Religion represents a number of rituals and values and political and legal norms, the implementation of which motivates religious conscience. In this regard, it seems that it would be useful to change the existing laws of the CIS countries to "religious freedom of citizens", which adequately reflects this problem. The law proposed by us in the wording "the right of religiosity of citizens and religious associations" optimizes many aspects of state-religious relations and adequately reflects the religious freedom of citizens.

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