



## WORKS RESEARCHING CRIMES RELATED TO THE ILLEGAL PREPARATION, STORAGE, DISTRIBUTION OR ACCESS TO RELIGIOUS MATERIALS

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### ABSTRACT

*This research article discusses crimes related to the illegal preparation, storage, importation, and distribution of religious materials, some forms of extremism and terrorism, scholars who have studied crimes related to religion, and their scientific works and ideas in this area.*

The legal and theoretical definitions of crimes related to the illegal production, distribution, or storage of materials of religious content have been widely covered by the works of the following scholars and lawyers:

1. Religious Extremism and Legal Control. **Shahriddin Nuraliev**: His work analyzing legal mechanisms for combating extremism and the illegal distribution of religious materials is noteworthy. He analyzed the risk of radicalization through religious literature.

2. Criminal Law and Extremism **TA Borovsky (Russia)**: His works extensively cover the Russian experience in religious crimes. In particular, theoretical approaches to Article 282 (propaganda of extremism) are considered.

**AA Bashkatov**: He highlighted the social danger of extremism and gave a detailed discussion of the mechanisms of punishment for the crime of distributing illegal religious materials.

**EV Tyurikov**: Developed legal theories on extremism and religious crimes. His work is devoted to the study of the circulation of illegal materials within the framework of Russian legislation.

3. Research on Uzbek legislation. **SR Umarov**: Conducted a detailed analysis of the existing norms of Uzbek legislation on crimes related to the distribution of religious materials. His work is aimed at improving legal prevention and accountability.

**Sherzodkhon Kudratkhodjayev**: He has written about Uzbekistan's strategy for combating religious extremism and legal norms in legislation. His research reveals the social dangers associated with the illegal circulation of religious materials.

**Shukurillo Ergashev**: Analyzed judicial practice on the distribution of illegal religious materials and issues of extremism.



**Zufar Rashidov:** Author of scientific articles on the composition of the crime and liability for crimes related to materials of religious content.

4. International Legal Approaches. **John Esposito (USA):** Wrote about religious extremism and its social and political consequences. Expressed views on the dangers of spreading radical movements through illegal religious materials.

**Olivier Roy (France):** Analyzed the transnational aspects of religious extremism and its spread through illegal materials.

5. Social risk and responsibility. **Emomali Rahmonov:** He discussed the negative impact of extremist religious materials on society in Central Asia and the prevention of related crimes.

**Dosym Satpayev (Kazakhstan):** Studied religious extremism and radicalism as a threat to societal security.

6. Legal theory and the structure of crime. **RG Aliyev:** He presented theoretical approaches to the structure of crime and the legal definition of situations related to materials of religious content.

### ***Studies on religious extremism and legal control:***

1. Mark Juergensmeyer, "Global Rebellion: Religious Challenges to the Secular State." This book examines the issues of religious extremism and state security.

2. Tore Bjørgo, "Preventing Extremism: A Handbook for Practitioners." Strategies for Preventing Religious Extremism.

3. David K. Clark, "Religious Liberty and the Law." On the balance between religious liberty and the law.

### ***Sources on the experience of foreign countries:***

1. "Religion, Law, and Security in the 21st Century" (Experience of the USA and European countries).

2. "Countering Violent Extremism Through Law Enforcement" (Research on UN and European Experience).

3. "Ensuring Religious Freedom and Security Policy in the Republic of Uzbekistan." Scientific treatises published by the Center for Islamic Civilization of Uzbekistan.

4. "Fighting Extremism and Terrorism: Legal Aspects". Collection of scientific articles published by the National University of Uzbekistan.

Foreign scholars have conducted a number of studies on religious content materials. Below are some important scholars and examples of their work:

1. Mark Juergensmeyer - An expert on religious extremism and terrorism, he studies religious radicalism in his book "Terror in the Mind of God."

2. Bruce Lawrence - Conducts research on religious materials and their social impact, best known for his work "Shattering the Myth: Islam Beyond Violence."

3. Eileen Barker - A specialist in the study of religious groups and their social context, she analyzes the processes of religious radicalization in her work "The Making of a Moonie: Choice or Brainwashing?"

4. Jürgen Habermas - Wrote works on religious and social theories, his work "Between Naturalism and Religion" discusses religious materials and their place in modern society.

The works of these scholars offer in-depth analyses and theories about religious materials and their impact.



1. Jamal al-Din al-Afghani - He has written many works on Islamic thought and religious material. He focuses on the study of issues of religious extremism and radicalization.

2. Sayyid Qutb is an Egyptian religious thinker whose works provide in-depth analysis of Islamic politics and the social impact of religious materials.

3. Edward Said - In his work "Orientalism", he analyzes Western perceptions of the East, examining religious materials and how they are perceived in cultural contexts.

4. Karen Armstrong - Has written numerous works on the study of religious materials and their historical context, including on religious extremism and its causes.

These scholars played a significant role in the study of religious materials and their social, political, and cultural implications.

Chomsky's works on religious issues include:

1. "Religion and Politics" - In this work, Chomsky analyzes the role and influence of religion in political processes.

2. "The New Military Humanism: Lessons from Kosovo" - In this work, he reflects on military operations and human rights, including issues of religion and morality.

3. "Hegemony or Survival: America's Quest for Global Dominance" - In this book, Chomsky also examines the connections between religion and ideology.

Chomsky has also written numerous articles and interviews analyzing religious issues and how they are used in socio-political contexts.

In his works, religious themes are often examined in contexts related to social justice, human rights, and political power.

International experts:

1. Thomas Hegghammer - Author of theoretical works on religious extremism and terrorism.

2. Peter Neumann - Conducted research on the spread of radical religious ideas and methods of combating it.

3. Marc Sageman - Author of research on the psychology of religious extremism and radical terrorist networks.

Let's briefly get acquainted with the lives of some of the scientists mentioned above.

**Mark Sageman** is a senior fellow at the Center for Terrorism Studies at the Foreign Policy Research Institute and founder of Sageman Consulting, LLC. After a year with the U.S. Secret Service, he was the New York Police Department's first "scientist-in-residence" for more than a year. For three and a half years, he was the special advisor to the U.S. Army Deputy Chief of Staff (Intelligence) on "domestic threats," including terrorists and spies.<sup>2</sup>



<sup>1</sup> [https://en.wikipedia.org/wiki/Noam\\_Chomsky](https://en.wikipedia.org/wiki/Noam_Chomsky), [https://en.wikipedia.org/wiki/Hegemony\\_or\\_Survival](https://en.wikipedia.org/wiki/Hegemony_or_Survival), <https://chomsky.info/humanism01/>.

<sup>2</sup> [https://en.wikipedia.org/wiki/Marc\\_Sageman](https://en.wikipedia.org/wiki/Marc_Sageman)



**Dr. Peter Neumann** is Professor of Security Studies in the Department of War Studies and founded the International Centre for the Study of Radicalization (ICSR), which he directed between 2008 and 2018. In 2017, he also served as the Organization for Security and Cooperation in Europe (OSCE) Special Representative for Countering Violent Extremism.<sup>3</sup>

**Thomas Heggammer** is a Senior Fellow in Politics at All Souls College, Oxford University. He is a political scientist and historian who works on political violence in the Muslim world, particularly transnational jihadist groups. His books include *Caravan: Abdallah Azzam and the Rise of Global Jihad* (Cambridge, 2020), *Jihad Culture: The Art and Social Practice of Militant Islamists* (Cambridge, 2017), and *Jihad in Saudi Arabia: Violence and Pan-Islamism since 1979* (Cambridge, 2010). Dr. Heggammer previously worked at the Norwegian Institute for Defence Studies (FFI) in Oslo and has held fellowships at Stanford, Princeton, Harvard, and the Institute for Advanced Study at Princeton.<sup>4</sup>



**Mirzayusuf Hakimovich Rustamboyev** (Russian: Мирзаяусуф Хакимович Рустамбаев) (born October 15, 1953, Zhambyl, Kazakh SSR) is an Uzbek jurist, Doctor of Law, Professor. Since 2021, Head of the University of Public Safety of the National Guard of the Republic of Uzbekistan. From 2001 to 2012, Rector of the Tashkent Law Institute.<sup>5</sup>



**Karen Armstrong** (born 14 November 1944) is a British author and commentator, best known for her books on comparative religion. A former Roman Catholic nun, she converted from a conservative to a more liberal and mystical

Christian faith. While in the convent, she studied at St Anne's College, Oxford, graduating in English. She left the convent in 1969. Her work focuses on the importance of compassion and the commonalities of major religions, such as the Golden Rule.<sup>6</sup>



<sup>3</sup> <https://www.kcl.ac.uk/people/professor-peter-neumann>

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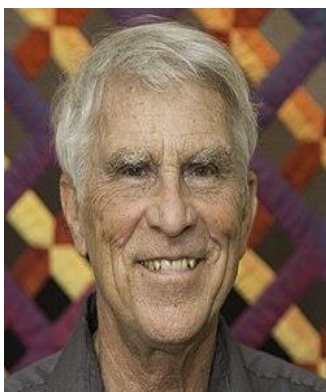
<sup>5</sup> [https://uz.wikipedia.org/wiki/Mirzayusuf\\_Rustamboyev](https://uz.wikipedia.org/wiki/Mirzayusuf_Rustamboyev)

<sup>6</sup> [https://en.wikipedia.org/wiki/Karen\\_Armstrong](https://en.wikipedia.org/wiki/Karen_Armstrong)



**Eileen Vartan Barker** (born 21 April 1938, Edinburgh, United Kingdom) is a professor of sociology, a retired fellow of the London School of Economics (LSE), and a consultant to the Institutional Centre for the Study of Human Rights. She is the founder and chairman of the Information Network for Focus on Religious Movements (INFORM), and has written extensively on cults and new religious movements.<sup>7</sup>

**Tore Bjørn Rørgo** (born 1958) is a Norwegian professor at the Norwegian Police University College. He is an expert in areas such as terrorism, prevention strategies, racist violence, as well as gangs and youth crime. Since 2016 he has been the Center Manager at the Center for Research on Extremism (C-REX) at the University of Oslo. He has been the Chair of the Center for Research on Extremism at the University of Oslo since 2016, and joins the Department of Political Science as a professor.<sup>8</sup>



**Mark Juergensmeyer** (born 1940 in Carlinville, Illinois) is an American sociologist and scholar specializing in global studies and religious studies, and a writer known for his research on comparative religion, religious violence, and global religion. He is the William F. Podlich Distinguished Professor of Sociology and Global Studies at the University of California, Santa Barbara, and the William F. Podlich Distinguished Fellow and Professor of Religious Studies at Claremont McKenna College. Juergensmeyer is considered an expert on religious violence, conflict resolution, and South Asian religion and politics, and has published thirty books and over 300 articles. He is a frequent commentator on news programs.<sup>9</sup>

**John Louis Esposito** (born May 19, 1940) is an American academic, professor of Near Eastern and Religious Studies, and scholar of Islamic Studies,<sup>[1]</sup> who serves as Professor of Religion, International Affairs, and Islamic Studies at Georgetown University in Washington, D.C. He is also the founding director of the Prince Alwaleed Center for Muslim-Christian Understanding at Georgetown. For nearly two decades after completing his Ph.D., Esposito taught religious studies.<sup>10</sup>



this topic is important to study is that religions often make strong claims on people's allegiance, and universal religions make these claims not just on a particular group but on all people. For example, Islam traditionally believes that all people are obligated to submit to the will of God. Thus, it is inevitable that

<sup>7</sup> [https://en.wikipedia.org/wiki/Eileen\\_Barker](https://en.wikipedia.org/wiki/Eileen_Barker)

<sup>8</sup> [https://no.wikipedia.org/wiki/Tore\\_Bj%C3%B8rgo](https://no.wikipedia.org/wiki/Tore_Bj%C3%B8rgo)

<sup>9</sup> [https://en.wikipedia.org/wiki/Mark\\_Juergensmeyer](https://en.wikipedia.org/wiki/Mark_Juergensmeyer)

<sup>10</sup> [https://en.wikipedia.org/wiki/John\\_Esposito](https://en.wikipedia.org/wiki/John_Esposito)



religious obligations will sometimes conflict with political demands. But religious beliefs and practices also support politics in many ways. For political philosophers, the extent and form of this support are as important as the likelihood of conflict. In addition, there is a growing interest in minority groups and the political rights and entitlements that they enjoy. One result of this interest is a growing attention to the particular concerns and needs of minority groups that are distinguished by their religion, as opposed to their ethnicity, gender, or wealth.

As European and American societies in the early modern period faced a growing diversity of religious beliefs, communities, and institutions, one of the most important social problems was whether to tolerate them. One of the seminal treatises on this subject <sup>11</sup>remains John Locke's *Epistle Concerning Toleration*. A political exile, Locke argues that attempts to force belief are futile because it is not up to the will to accept or reject propositions, that it is wrong to restrict religious practice unless it infringes on the rights of others, and that allowing a wide range of religious groups can prevent any one of them from becoming so powerful as to threaten peace. Nevertheless, Locke's *Epistle* represents an important step toward a more tolerant and pluralistic world.

Unlike Locke, Thomas Hobbes <sup>12</sup>sees religion and its divisions as a source of political instability, and therefore he argues that the sovereign has the right to determine which ideas can be publicly supported and disseminated, a power necessary to maintain the peace of citizens.

Like the question of establishment, the general question of whether people should be allowed to decide for themselves which religion to follow has received little attention in recent times, given the broad consensus that all people have a right to freedom of conscience. For example, violent fundamentalists feel justified in killing and persecuting infidels—how should society treat them? While no one seriously defends the right to repress other people, it is not clear how much tolerance should be given to, say, religious speech that calls for such actions for the right to freedom of speech. A similar problem applies to religious objections to certain medical procedures that are necessary to save life. For example, Jehovah's Witnesses believe that their religion prohibits blood transfusions, even to save their own lives. Although he objects, it seems wrong to force someone to undergo life-saving treatment (at least with sufficient logic, which is a difficult topic in itself), and it seems equally wrong to deny life-saving treatment to someone who needs it.

On November 28, the Secretary of State placed Uzbekistan on the “Special Watch” list under the International Religious Freedom Act of 1998, as amended. A list of countries that have grossly violated or permitted violations of religious freedom. Uzbekistan was designated as a country of particular concern from 2006 to 2017, and the Secretary placed it on the Special Watch List after finding that the government had made significant progress in respecting religious freedom <sup>13</sup>. The law, adopted in 1998 and updated in recent years, officials say does not deprive any member of a faith of freedom, but rather guarantees it and is a guarantee of harmony and solidarity. The government points to the number of mosques and places of worship, religious diversity, and a tradition of tolerance.

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<sup>11</sup> <https://iep.utm.edu/locke-po>

<sup>12</sup> <https://iep.utm.edu/hobmoral>

<sup>13</sup> <https://uz.usembassy.gov/uz/2018-report-on-international-religious-freedom-uzbekistan-uz/>



Human rights organizations such as Human Rights Watch (HRW), experts, and the US Commission on International Religious Freedom have said the law is flawed. Ahmed Shahid, a former UN special rapporteur on religious freedom, recently visited Uzbekistan to learn about the situation. "The root problem, in my opinion, is fear of religion, a perception of it as a threat. There is a strong concern that if people are given more freedom of religion, they will rise up against the system and try to reform it," Shahid said. A review of the implementation of recommendations made to Uzbekistan in 2017-2018 under his leadership found that reforms have slowed down five years later. Shahid said the Mirziyoyev administration has expanded religious freedom and gained a certain prestige, and if progress is not sustained, it will be lost. Mira Rittman, a regional expert at HRW, said that the situation with fundamental rights in the country is generally difficult. "The most violated freedoms are around faith. There are people who are accused of distributing illegal religious materials and propaganda, for example, spreading Islamic nasheed. Young people are afraid to talk to each other about faith on social media and on their phones," Rittman observes <sup>14</sup>.

The social danger of the crime of illegal preparation, storage, import or distribution of materials of religious content is that the illegal or uncontrolled circulation of materials of religious content causes a violation of the social security of the state, in particular, the state control over the production and distribution of religious literature and other information materials of religious content published abroad, as well as the activities of the central management departments of official religious organizations in the exercise of their powers. In addition, the illegal preparation, storage and import of materials of religious content into the territory of the Republic of Uzbekistan for the purpose of their distribution poses a threat to the emergence and development of religious extremism, fundamentalism and separatism, as well as their new forms of illegal religious activity (proselytism, i.e. activities aimed at converting believers of one confession to another, other missionary activities). In recent years, such incidents have been registered more and more often in our country, and their social danger is increasing.

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