



# THE FATWA INSTITUTION IN UZBEKISTAN: EVOLUTION AND CONTEMPORARY CHALLENGES

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Received:	30 <sup>th</sup> September 2025	This article examines the evolution of the institution of fatwa in Uzbekistan and identifies the contemporary challenges facing this religious and legal system. The study explores the main stages of its development from the early twentieth century, with particular attention to the Soviet period, when fatwas were issued through a centralized authority—the Spiritual Administration of Muslims of Central Asia and Kazakhstan. Special emphasis is placed on the period of transformation following Uzbekistan’s independence and the establishment of a national muftiate. The article also analyzes current trends, including the growing role of collective fatwa and the need to harmonize religious rulings with data from secular sciences in the context of globalization and digital transformation.
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**INTRODUCTION.** Central Asia, historically known as *Māwarā’ al-Nahr* (Transoxiana), is one of the key centers of Islamic civilization, where such disciplines as *fiqh* (Islamic jurisprudence) and *kalām* originated and developed. The institution of fatwa in this region has a millennia-old tradition, predominantly based on the Hanafi school of law. Classical works, such as *Al-Hidāyah* by al-Marghinānī (d. 1197), formed the core of the madrasa curriculum from the sixteenth to the nineteenth centuries, while the legal views of the scholars of *Māwarā’ al-Nahr*—such as Ṣāḥib al-Dīn Abū Bakr Muḥammad ibn Aḥmad ibn ‘Umar al-Bukhārī (d. 1222) and his *Fatāwā al-Ṣāḥiriyyah*—possess enduring civilizational significance.

The relevance of Islam for Central Asia is beyond doubt: it constitutes an essential component of the region’s history, culture, and social life. Muslim theologians and representatives of the faithful have made a significant contribution to the development of Islamic scholarship, theology, and legal practice, thereby shaping the distinctive traditions of the legal and spiritual culture of *Māwarā’ al-Nahr*.

The twentieth century was marked by a profound transformation of the institution of fatwa. Beginning in the 1920s, Soviet authorities deliberately dismantled

traditional religious and legal structures, such as *qāḍī* courts (*qāḍiyāts*) and *waqf* endowments.<sup>1</sup> Mosques and madrasas were closed, many historical monuments fell into decline, and religious institutions lost their property and social influence. Official decisions were adopted to confiscate *waqf* assets from spiritual administrations and transfer them to the control of the Soviet government. It was further stipulated that all necessary measures would be taken to prevent the resumption of the activities of religious institutions, mosques, and madrasas and to ensure their continued closure.

However, in the mid-twentieth century an institutional centralization took place: in 1943, the Spiritual Administration of the Muslims of Central Asia and Kazakhstan (SADUM) was established, becoming the key body regulating religious life and the issuance of fatwas in Central Asia and Kazakhstan. The primary activities of SADUM included the issuance of fatwas in Uzbek and Tajik, accompanied by Russian translations, while taking into account the legislative requirements of the Soviet state.

Following the collapse of the USSR in the early 1990s, the countries of the region, including Uzbekistan, gained independence, which led to the formation of national muftiates and the decentralization of the process of

<sup>1</sup> Nazarov A. История религиозной жизни и мусульман Таджикистана в 1941-1991 гг. // Автореферат

диссертации на соискание учёной степени кандидата исторических наук. – Dushanbe. 2004. P – 32. 12-peg.



issuing fatwas. In contemporary conditions, the institution of fatwa in Uzbekistan faces new challenges, including the need to harmonize religious norms with findings from the secular sciences, the development of collective fatwa, the digitalization of religious information, and the dissemination of the humanistic content of Islamic teachings to a broad audience.

The purpose of this article is to provide a comprehensive analysis of the evolution of the institution of fatwa in Uzbekistan, to identify contemporary trends and challenges, and to examine possible ways of addressing them, taking into account historical experience, legal traditions, and modern scholarly approaches.

**MATERIALS AND METHODS.** The primary function of the institution of fatwa is to address significant scholarly-theological and practical issues that have been in demand by society from ancient times to the present day. Fatwas reflect not only religious prescriptions but also social, economic, and legal realities, thereby demonstrating the close interconnection between state and public activity and the religious and spiritual sphere. This study employs historical, comparative legal, and systemic methods of scholarly inquiry. The historical method made it possible to trace institutional dynamics—from the classical legal school of Māwarāʾ al-Nahr, represented by works of *fiqh* (such as *Fatāwā-yi Qāḍikhān* and *Khulāṣat al-Fatāwā*)<sup>2</sup> and the practice of *qāḍīs* prior to 1924, to the establishment of the centralized administration of SADUM and the subsequent post-Soviet reorganization.<sup>3</sup>

Comparative legal and systemic analyses were employed to examine contemporary methodological trends, such as the modernization of fatwa issuance, the transition toward collective fatwa-making, and the integration of data from the secular sciences into religious rulings, including in the fields of the halal industry, Islamic economics, and medical ethics.

**Analysis.** Institutionalization of Fatwa during the Soviet Period (1943–1991). Soviet policy towards religion, characterized by the mass closure of mosques and repressions in the 1920s and 1930s, underwent significant changes during the Second World War.<sup>4</sup> In 1943, the Spiritual Administration of the Muslims of Central Asia and Kazakhstan (SADUM) was established,

becoming the legitimate center for issuing fatwas for Muslims in Central Asia and Kazakhstan.<sup>5</sup> Mosques such as “Tilla Shaykh” in Tashkent were reopened, and fatwas were issued in Uzbek, Tajik, and Russian.<sup>6</sup>

SADUM’s fatwas encompassed a wide range of issues, from the legal aspects of zakat and the observance of rituals to the alignment of Islamic norms with the requirements of Soviet legislation. For example, in 1945, SADUM issued a decree concerning an annual income tax on wealthy Muslims as a form of zakat, demonstrating the institution of fatwa’s ability to adapt to socio-political conditions.

Transformation of the Institution of Fatwa after the Achievement of Independence (1990s–2000s). The late 1980s and early 1990s were marked by a weakening of central authority and a religious revival. Following the collapse of the USSR, the centralized structure of SADUM ceased to exist, and each of the newly established states—Uzbekistan, Kazakhstan, Kyrgyzstan, Tajikistan, and Turkmenistan—formed national muftiates.

In Uzbekistan, the national muftiate faced the challenge of restoring Islamic scholarship, which had been interrupted during the Soviet period, and providing timely legal rulings for the faithful. This process was accompanied by institutional autonomy and the necessity of establishing a structured system for issuing fatwas within national boundaries, integrating contemporary knowledge, and ensuring the religious education of society.

The President of Uzbekistan seeks to maintain a balance between tradition and modernization, facilitating a harmonious transition from the totalitarian past toward the future.

The President of the Republic of Uzbekistan, Shavkat Mirziyoyev, stated in his speech at the Sixth Consultative Meeting of the Heads of Central Asian States: “Considering the shared cultural and historical heritage, greater attention should be given to fostering among the population a sense of belonging, cohesion, and awareness of collective responsibility for the future of the region. I believe that the prompt launch of the International Media Platform ‘History and Culture of

<sup>2</sup> Yusupova N. Ислам ҳуқукида никоҳ ва оилавий муносабатларнинг тарихий назарий асослари. // Монография –Т.: Complex Print, 2020. P–164 б. 10-peg.

<sup>3</sup> Ishanova Sh. Нормы шариата и их применение казийскими судами в Средней Азии до 1924 года // Автореф. дис... канд. юрид. наук / Ин-т философии и права АН Респ. Узбекистан. — Ташкент, 1992. P – 26. 8-peg.

<sup>4</sup> Absalyamov Y., Baimov A. Атлас «Исламское сообщество Российской Федерации». // М.: ИНКОТЭК, 2018. P – 350. 216-peg.

<sup>5</sup> Yuldoshkhojaev X., Qayumova I. Ўзбекистон уламолари. // Т.: Мовароуннахр, 2015. P – 496. 30-peg.

<sup>6</sup> Bobokhonov Sh. Шайх Зиёвуддинхон ибн Эшон Бобохон. // Т.: Ўзбекистон миллий энциклопедияси, 2001. P – 265.



Central Asia: One Past and a Shared Future' will constitute an important practical step in this direction".<sup>7</sup> Contemporary Trends in the Development of the Institution of Fatwa in the 21st Century. In the context of globalization, technological progress, and the drive to modernize religious discourse, the institution of fatwa in Uzbekistan faces new challenges. The main directions include:

1. Harmonization and Integration of Religious and Secular Knowledge. Fatwas are developed taking into account contemporary scientific data, particularly in the fields of economics, biotechnology, and medical practice. For instance, in matters related to the halal industry, the principle of *istiḥālah* is applied to assess the permissibility of substances previously considered prohibited. An example is gelatin: if it is derived from forbidden animals (e.g., pigs) but undergoes a complete chemical transformation (*istiḥālah*) that results in the loss of its original properties, its consumption may be deemed permissible (halal). This approach requires expert evaluation, highlighting the importance of incorporating secular scientific knowledge.

2. Collective Ijtihad and Specialization. The methodology of *ijtihād* is transforming from an individual practice to a collective approach aimed at achieving the strategic objectives of Sharia (*maqāṣid al-sharī'ah*). Narrowly specialized expert groups are being formed to address complex contemporary issues (*fiqh al-nawāzil*), such as Islamic economics, finance, and modern medical matters.

3. Methodological Discussions. Among scholars, there are differences in approaches to interpreting Sharia norms: conservative '*ulamā'*' adhere to literal prescriptions, while modernist scholars employ analogy (*qiyās*) to expand the applicability of the norms in contemporary contexts.

4. Regional and International Cooperation. The Fatwa Center under the Muslim Board of Uzbekistan actively collaborates with colleagues from Kazakhstan, Kyrgyzstan, Turkey, Egypt, Jordan, and the UAE. Examples include joint fatwas, international roundtables, exchange of experience, and scholarly dialogue on current Sharia issues, including family relations, medical ethics, and Hajj and Umrah.

5. Digitalization and Educational Activities. Since 2025, the online program "*The Fatwa Center Responds*" has been implemented, allowing a wide audience to receive guidance on religious matters in real-time, thereby

promoting religious literacy and strengthening the unity of the *ummah*.

It is worth noting that in recent years, the collaboration of the Fatwa Center under the Muslim Board of Uzbekistan with scholars from Kazakhstan and Kyrgyzstan—particularly regarding the determination of Ramadan dates, the first days of Eid al-Fitr and Eid al-Adha, as well as the development of fatwas on contemporary Sharia issues—has yielded positive and significant outcomes.<sup>8</sup>

On September 11, 2025, in Bishkek, the VI session of the Council of Muftis of Turkic States was attended by the Chairman of the Muslim Board of Uzbekistan, Mufti Sheikh Nuriddin Khaliknazar; the Chairman of the Directorate of Religious Affairs of Turkey (Diyanet), Dr. Ali Erbaş; the Chairman of the Muslim Board of the Caucasus, Sheikh-ul-Islam Allahshukur Pashazade; the Chairman of the Spiritual Administration of Muslims of Kazakhstan, Chief Mufti Nauryzbay Haji Taganuly; and the Chairman of the Spiritual Administration of Muslims of Kyrgyzstan, Mufti Abdulaziz Kari Zakirov. At the II session of the Fatwa Council within this structure, contemporary issues were comprehensively discussed, resulting in the signing of five significant fatwas, which were submitted for consideration and approval by the Council. These fatwas addressed matters related to family and marriage, human organ transplantation, Hajj and Umrah, as well as the consumption of specific types of food products.

The adoption of collective fatwas within the framework of the Council was regarded as an important historical step, expressing hope for ensuring unity and cooperation in addressing religious-educational and *fiqh* issues across the Turkic states.

Furthermore, the muftis of the Turkic states adopted the statement "Unity of the Ummah in Islam," which remains highly relevant today, as well as an appeal dedicated to combating climate change, protecting the environment, and addressing ecological challenges.

From November 24 to 28, 2025, a delegation led by the Chairman of the Muslim Board of Uzbekistan, Mufti Sheikh Nuriddin Khaliknazar, conducted bilateral negotiations in the Hashemite Kingdom of Jordan aimed at developing cooperation in the religious-educational sphere. The delegation met with the Grand Mufti of Jordan and Head of the Fatwa Center, Ahmad Ibrahim Hasanat; the Minister of Awqaf, Islamic Affairs, and Holy Places, Muhammad Ahmad Muslim al-Khalayla; the

<sup>7</sup> Speeches of the President of the Republic of Uzbekistan, Shavkat Mirziyoyev, at the Sixth Consultative Meeting of the Heads of Central Asian States, Astana – August 9, 2024.

<sup>8</sup> Khaydarov M. "Значение сотрудничества духовных управлений мусульман Центральной Азии в вопросах вынесения фетв" // Ислам тафаккури, 2024. 4-сон. 42-45 peg.



Director of the King Abdullah II Institute for the Training and Professional Development of Imams, Dr. Abdussattor Muhammad al-Qudo; the administration of the International University of Islamic Sciences of Jordan; as well as a number of other responsible representatives of relevant sectors.

During the negotiations held in Amman, comprehensive discussions were conducted on advancing cooperation between the fatwa centers of the two institutions to a new level. In particular, agreements were reached on mutual exchange of expertise among fatwa specialists, the development of joint fatwas on contemporary Sharia issues, the improvement of fatwa issuance methodologies, and the establishment of a permanent scholarly dialogue and information exchange.<sup>9</sup>

These trends demonstrate the contemporary role of the institution of fatwa as a tool for integrating traditional religious norms with modern realities, ensuring social cohesion, and shaping a harmonious religious-legal framework in Uzbekistan and Central Asia.

**CONCLUSION.** The institution of fatwa in Uzbekistan has undergone a long historical trajectory, beginning with the classical legal schools of Māwarā' al-Nahr and reaching its contemporary level of institutional organization. Over the centuries, fatwas have served not only a theological function but also as a tool for regulating the social, economic, and legal life of Muslim society. The Soviet period was characterized by restrictions on religious activity and the closure of most traditional institutions; however, the establishment of the Spiritual Administration of the Muslims of Central Asia (SADUM) marked an important step in the institutionalization of fatwa under state control.

Following the collapse of the USSR, the formation of national muftiates allowed for the restoration of the fatwa issuance structure, the introduction of collective *ijtihad*, and the integration of contemporary secular knowledge into religious rulings. In the 21st century, the institution of fatwa actively adapts to global challenges, including the digitalization of religious information, harmonization with scientific data, narrow specialization, and regional cooperation among Central Asian countries.

These processes contribute to the enhancement of religious literacy, the strengthening of interfaith harmony, and the maintenance of *ummah* unity in the region. The modern institution of fatwa in Uzbekistan demonstrates the capacity to combine the traditions of Islamic law with innovative approaches, providing effective solutions to contemporary societal issues and

supporting the spiritual development of the Muslim community.

#### **RECOMMENDATIONS**

1. Support for Collective Ijtihad. Strengthening the collective work of scholars allows for the consideration of diverse opinions, enhances the legitimacy of fatwas, and adapts them to contemporary conditions.
2. Integration of Secular Knowledge. Continuing the harmonization of religious rulings with scientific data in the fields of medicine, economics, and biotechnology ensures the practical relevance of fatwas.
3. Regional Cooperation. Expanding interaction between fatwa centers in Central Asian countries and the broader Turkic world contributes to the development of unified approaches to contemporary Sharia issues.
4. Digitalization and Educational Activities. The use of online platforms and live broadcasts increases the accessibility of fatwas, promotes religious literacy among youth, and strengthens public trust in religious institutions.
5. Preservation of Cultural Traditions. In the process of modernization, it is important to consider the region's historical and cultural heritage, which supports sustainable development in both the religious and social spheres.

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