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# Gender and Law in Uzbekistan: From Pre-Soviet Patriarchy to Post-Soviet Reforms

**Mokhigul Mukhamedovna Gadaeva**
Lecturer, Department of Foreign Languages and Social Sciences, Asian International University

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**Abstract:** This study is devoted to the analysis of the formation of gender equality in Uzbekistan within historical, political, and socio-legal contexts. The paper examines the legal status of women in the pre-Soviet period, based on the norms of Sharia and adat, the policies of equality and socialist modernization during the Soviet era, as well as the post-Soviet reforms aimed at ensuring women's rights in an independent state. Special attention is given to Uzbekistan's accession to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the process of adapting international standards to national legislation, and the gap between the formal recognition of rights and their implementation in practice. The study also analyzes women's participation in political, economic, and social life, as well as the barriers they face, particularly in rural areas. The results of the research contribute to identifying current challenges on the path to achieving gender equality and to formulating practical recommendations for overcoming them in legal and institutional dimensions.

**Keywords:** Gender, Gender Equality, Patriarchy, CEDAW, Sharia, Adat, Legal Status, Gender Policy.

## Introduction

Gender equality and women's rights are key elements of sustainable development in any democratic society. The legal and social system of each country, including Uzbekistan, shapes its approach to gender issues based on its historical path of development, cultural heritage, religious values, and political model of governance. In traditional Uzbek society, gender relations for a long period developed within the framework of a patriarchal order, in which women were generally confined to the family and domestic sphere and did not have equal rights with men in social and legal life. At the end of the 19th and the beginning of the 20th centuries, in the territories of the Bukhara Emirate, the Khiva Khanate, and the Kokand Khanate, the norms of Sharia and adat were in force, defining the legal status of women.

Although Islamic law provided certain rights for women (such as the right to property, receiving mahr, and divorce), in practice these rights were often restricted by local traditions and patriarchal norms. Women faced such problems as forced marriages, polygamy, limited access to education, and isolation from public life.

With the establishment of Soviet power in Uzbekistan, a sharp turn took place in policy towards women. Radical reforms aimed at women's emancipation included the mandatory eradication of illiteracy, the involvement of women in labor and socio-political activities, and the reform of marriage and divorce legislation. However, these reforms often encountered resistance from traditional society, and their practical implementation was difficult. Despite the existence of legal guarantees, real practice remained

largely formal, and patriarchal values continued to dominate public consciousness.

After the independence of Uzbekistan in 1991, a new stage in the development of gender policy began. The Constitution of the Republic of Uzbekistan enshrined the principle of equality of all citizens regardless of gender and prohibited discrimination. Laws and national programs were adopted to strengthen the role of women in political, social, and economic life. Uzbekistan also joined international treaties, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which became an important step towards the implementation of international standards. Nevertheless, certain problems still persist in practice, hindering the achievement of full gender equality. Traditional family models, patriarchal stereotypes, limited participation of women in certain fields, domestic violence, and low legal awareness remain pressing challenges for Uzbek society.

This study is aimed at a systematic analysis of the transformation of gender and legal relations in Uzbekistan — from the pre-Soviet patriarchal order, through Soviet modernization, to contemporary post-Soviet reforms. The paper examines the legal status of women, changes in state policy, the formation of the regulatory framework, and the transformation of public consciousness. The purpose of the study is to identify existing problems in the field of gender law and to develop scientifically grounded recommendations for overcoming them, as well as to contribute to raising the level of gender-related legal culture in the Republic of Uzbekistan.

**Main Body**

In the pre-modern period, in the territories of Uzbekistan, particularly in the khanates of Bukhara, Khiva, and Kokand, gender relations were shaped by Sharia and local customs (*adat*). Although Islamic law formally granted women certain rights (such as rights to property, divorce, and mahr), in practice their access to these rights was limited. Women were mainly perceived as housewives and mothers, excluded from public and political life. Polygamy, the absence of the right to freely choose a spouse, early marriages, and limited education were widespread. Women hardly participated in judicial proceedings, had no legal representation, and were deprived of equal voice in matters of inheritance. Society remained deeply patriarchal, and women's legal subjectivity was minimal.

With the establishment of Soviet power in the early 20th century, active modernization began in Uzbekistan, including radical gender reforms. Soviet ideology proclaimed gender equality and implemented a series of transformations: the introduction of civil marriage and divorce, the prohibition of polygamy, universal literacy, and the involvement of women in labor activities. Women began to receive education, work alongside men, and participate in public life. However, in practice patriarchal attitudes persisted, especially in rural areas. Formal equality was not always accompanied by genuine emancipation. Women often faced a "double burden" — combining wage labor with domestic responsibilities. Gender roles imposed by tradition hindered the full realization of rights, despite official state support.

After independence in 1991, Uzbekistan began to shape its own gender equality policy. The Constitution of the Republic of Uzbekistan enshrined the equal rights of all citizens regardless of gender. Specialized institutions were created, including the Committee on Women and the Ombudsman for Human Rights, while state strategies on gender equality were introduced. Laws were adopted to protect women from violence, and their rights in education, politics, and entrepreneurship were expanded. Women became more active in parliament, local governance, business, and education.

Nevertheless, problems persist: insufficient legal culture, family pressure, discrimination in the labor market, and domestic violence. The state has taken steps to address these problems through public education, legal reforms, and support for women's initiatives. Uzbekistan has also acceded to many international instruments in the field of women's rights, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Cooperation with the UN, OSCE, UNESCO, and other international organizations has contributed to the reform of legislation and the implementation of programs promoting gender equality. International norms are gradually being incorporated into

national legislation. However, challenges remain: imperfect monitoring mechanisms, insufficient legal adaptation of international standards, and barriers to law enforcement at the local level. It is important to develop systems for tracking the implementation of international obligations, improve coordination between government bodies and civil society, and enhance the population's legal awareness of gender issues.

Despite significant achievements, Uzbekistan still faces acute challenges in ensuring gender equality. These include insufficient representation of women in politics, economic dependence, stereotypes hindering career advancement, limited access to justice, as well as domestic and psychological violence. Measures are needed to expand women's economic opportunities, protect their labor rights, and create social support institutions (such as crisis centers and legal aid services). The future of gender policy is linked to the integration of digital technologies, the development of education based on equality, and the strengthening of partnerships between the state, NGOs, and international structures. Only a systemic approach and comprehensive transformation can ensure sustainable gender development in the Republic of Uzbekistan.

CEDAW is the abbreviation for the **Convention on the Elimination of All Forms of Discrimination against Women**, an international legal instrument adopted by the UN General Assembly in 1979 and entering into force in 1981. The Republic of Uzbekistan ratified CEDAW in 1995, thereby undertaking international obligations to ensure equal rights and opportunities for women in all spheres of life.

The Convention obliges state parties to eliminate discrimination in legislation, politics, culture, the economy, family relations, education, and healthcare. CEDAW is often described as a kind of "international constitution" on women's rights, serving as a benchmark for the development of national gender policies and for monitoring the implementation of human rights commitments.

**Discussion**

Gender and legal relations in Uzbekistan have undergone a complex evolution — from the religious and customary patriarchal order to modern secular reforms. In the pre-Soviet period (in the khanates of Bukhara, Khiva, and Kokand), women were in a subordinate position both legally and socially. Although Sharia law theoretically recognized certain rights for them, in practice women were excluded from public life and decision-making, restricted in education, property ownership, choice of spouse, and access to judicial protection.

With the arrival of Soviet power, reforms began that aimed at the legal equalization of the sexes: polygamy and the seclusion of women within the family were abolished, and civil marriage and divorce were introduced. Women were widely involved in labor, education, and social activities. Nevertheless, despite the existence of legislation, patriarchal norms continued to dominate society, especially in rural areas. De facto equality remained unattainable in many spheres.

After gaining independence, Uzbekistan began to build its own model of gender policy. An important step was the adoption of the Constitution of the Republic of Uzbekistan, which guarantees gender equality, as well as accession to international documents such as CEDAW. Institutional mechanisms were established, including the Women's Committee, the Gender Equality Strategy, and legislation on protection against violence and discrimination. Women became increasingly active in politics, business, education, and public administration. However, in practice, barriers still exist that hinder the full realization of these rights.

These include traditional gender stereotypes, a low level of legal culture, women's economic dependence, and family and domestic violence. In rural areas, the issue of women's access to justice and social resources is particularly acute. In addition, there is a lack of effective mechanisms for implementing international obligations at the local level, including the principles of CEDAW. Thus, despite progress, there remains a need for a profound transformation of public consciousness, the enhancement of gender literacy, the strengthening of civil society, and the creation of an effective system for monitoring the implementation of women's rights.

## Conclusion

An analysis of the historical and legal development of gender relations in Uzbekistan makes it possible to conclude that the path to genuine equality for women has been long and ambiguous. In the pre-Soviet period, the legal system, based on Sharia and adat, reinforced the subordinate position of women in society, restricting their rights in family, property, and public spheres. The Soviet era brought formal recognition of equality; however, social stereotypes and traditional roles persisted, especially in rural regions.

With independence, Uzbekistan began to shape its own gender policy, grounded in international commitments, including the CEDAW Convention, as well as in national reforms. Legislative and institutional mechanisms were established to ensure women's rights, including measures to combat violence, expand economic opportunities, and promote participation in governance. Nevertheless, pressing problems remain: limited access to justice, low levels of legal awareness among women, and persistent gender stereotypes, particularly in traditional communities.

For further progress, it is necessary not only to improve legislation but also to transform public consciousness, expand educational and awareness-raising programs, and strengthen the role of civil society. Gender equality in Uzbekistan is not only a legal norm but also an important indicator of the maturity of democracy, social justice, and the sustainable development of the country.

## References:

1. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Adopted by the UN General Assembly on December 18, 1979. – New York: United Nations, 1980. – 24 p.
2. Constitution of the Republic of Uzbekistan. – Tashkent: Yuridicheskaya Literatura, 2021. – 48 p.
3. Alieva, N. Sh. *Gender and Law in Central Asia: From Traditions to Modernity*. – Almaty: Friedrich Ebert Foundation, 2019. – 126 p.
4. Juraeva, D. R. *Women of Uzbekistan: Legal Aspects and Participation in Public Life*. – Tashkent: Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan, 2018. – 98 p.
5. Pulatova, Sh. M. *Historical Development of the Legal Status of Women in Uzbekistan*. – *Society and Governance*, 2020, No. 3 (45), pp. 67–74.
6. Gender Strategy of the Republic of Uzbekistan for 2022–2030. – Tashkent: Ministry for Support of Mahalla and Family, 2022. – 64 p.
7. Khalbaeva, M. A. *Gender Policy of Uzbekistan: Achievements and Challenges*. – *Bulletin of Non-Governmental Non-Profit Organizations of Uzbekistan*, 2021, No. 2, pp. 23–30.
8. Khudaiberganova, M. Kh. *Legal Regulation of Gender Equality Issues in Uzbekistan*. – Tashkent: Yuridicheskaya Literatura, 2020. – 112 p.
9. UNFPA (United Nations Population Fund). *Gender Equality and Reproductive Rights in Central Asia: Regional Review*. – Geneva: UNFPA, 2021. – 88 p.
10. *Women's Rights in National and International Law: Textbook*, edited by T. K. Islamov. – Tashkent: Tashkent State University of Law, 2022.