EVOLUTION OF THE LEGAL STATUS OF WOMEN IN UZBEKISTAN BEFORE INDEPENDENCE

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ABSTRACT

The article examines the historical dynamics of the legal status of women in Uzbekistan before 1991. It analyzes key stages in the transformation of gender relations, from the norms of traditional law and Sharia in the pre-revolutionary period to the radical social reforms of the Soviet era. Special attention is paid to emancipation policies, including the "Hujum" campaign, changes in family legislation, and the expansion of women's access to education and labor resources. The contradictions between declared legal equality and persistent patriarchal traditions are considered. The conclusion is drawn that the Soviet period laid the foundation for women's social activity, despite the complex and ambiguous nature of this process.

Before the inclusion of Central Asian territories into the Russian Empire, the legal status of women was primarily determined by the norms of Islamic law (Sharia) and customary law (Adat), which had been shaped over many centuries under the influence of religious and cultural traditions. This society was dominated by a patriarchal system, within which a woman remained under the guardianship of men throughout her life: first her father, then her husband, and in the case of widowhood, her eldest son or other male relatives. Despite its religious foundation, Sharia granted women certain property rights, including the right to inheritance (although a woman's share was half that of a man) and the right to independently manage their dowry and personal property [2, p. 48]. However, these legal guarantees did not extend to the socio-political sphere, where the role of women was reduced to an absolute minimum.

In everyday life, strict gender segregation existed, manifesting in the separate living quarters of men and women within the home, a ban on joint participation in public events, and restrictions on women's movement outside the home. The practice of wearing the paranja and chador served not only as a religious prescription but also as a visible marker of the family's social status, as well as a means of protecting female honor and dignity as understood at the time. Polygyny, although limited by Sharia norms (permitting no more than four wives under the condition of equal treatment), was widely practiced among the wealthy strata of the population, the clergy, and the ruling elite [2, p. 82]. Marriage was primarily arranged by parents, and the opinion of the marrying couple, especially the bride, was practically

disregarded. The age of marriage for girls could be extremely low, sometimes under twelve, which negatively affected their health and life expectancy.

Education for girls was a rare exception, available only in certain families of the clergy or aristocracy, where home schooling in basic literacy and religious texts was practiced. In private maktabs (elementary schools), where girls were sometimes admitted, the focus was exclusively on religious upbringing and the study of the Quran, without any acquisition of secular knowledge. Judicial protection for women in cases of domestic violence, unjust divorce, or violation of their property rights was extremely difficult because in the courts of qazis (Islamic judges), a man's testimony was equivalent to that of two women, and in some cases, women's testimony was not considered at all [2, p. 115]. Thus, despite the existence of certain legal guarantees within Sharia, the actual position of women was characterized by a high degree of dependence on men, social isolation, and limited personal freedom.

Fundamental changes began with the establishment of Soviet power in Central Asia in the early 1920s, when the Bolsheviks launched a large-scale program of social transformation of society. The Soviet leadership viewed the liberation of the "Eastern woman" not merely as a humanitarian task but as an integral part of the overall strategy of building a socialist society and combating the vestiges of the feudal-patriarchal past. The culmination of this policy was the famous Hujum campaign (translated from Uzbek as "onslaught" or "attack"), officially launched on March 8, 1927, International Women's Day. The main goal of the Hujum was the mass and public removal of the paranja and chador, which was supposed to symbolize the emancipation of women and their readiness for an active public life [3, p. 104].

The organization of the Hujum was carried out on an unprecedented scale: mass rallies and meetings were organized where women were urged to remove the veil; special women's clubs and "red tea houses" (chaikhanas) were created where women could gather without men; and literacy centers were opened. However, this policy met with fierce resistance from conservative circles of society, the clergy, and a significant portion of the male population, who saw in it an assault on religious and national traditions. The confrontation took on tragic forms: according to archival data, in the Uzbek SSR alone between 1927 and 1929, hundreds of murders were committed of women who had removed the veil, as well as of female activists involved in their emancipation [3, p. 118]. Many women faced ostracism from their relatives, were expelled from their families, and became victims of physical and psychological violence. Despite the tragic consequences, Soviet legislation consistently pursued a line on the legal establishment of equality between women and men. The 1937 Constitution of the Uzbek SSR solemnly proclaimed the equality of women and men in all spheres of life—economic, state, cultural, and socio-political. Women received equal rights with men in the areas of labor, wages, rest, social insurance, and education [4, p. 22]. Simultaneously, special laws were adopted categorically prohibiting polygamy, bride kidnapping, forced marriages, and the payment of kalym (bride price). These legislative acts were reinforced by criminal liability for their violation, which demonstrated the determination of the Soviet authorities to eradicate traditional practices that contradicted the principles of a socialist society.

Particular attention was paid to ensuring women's access to education and professional activities. Whereas in the pre-revolutionary period, literacy among indigenous women was close to zero, by the end of the 1930s, thousands of schools, women's courses, and educational

institutions had been opened, where girls could obtain not only primary but also specialized secondary and higher education. Women were massively encouraged to study at pedagogical and medical colleges and institutes, leading to the formation of the first generation of the Uzbek female intelligentsia [5, p. 67]. By the beginning of the Great Patriotic War (World War II), women constituted a significant proportion among primary school teachers, medical workers, and cultural and scientific personnel. They were actively involved in industrial production, agriculture, and the service sector, holding positions from ordinary workers to managers of enterprises and institutions.

At the same time, the Soviet model of emancipation had its own deep contradictions and costs. Formal legal equality was not always backed by real opportunities and conditions for its implementation, especially in rural areas where patriarchal traditions retained their position in the private sphere. Women faced a double burden: on the one hand, they were expected to actively participate in social production and meet labor norms on an equal footing with men; on the other hand, they were still saddled with all household duties, child-rearing, and care for elderly relatives [5, p. 89]. Issues related to the division of domestic labor and the creation of service infrastructure (kindergartens, canteens, laundries) remained unresolved or were addressed inefficiently, leading to chronic overload for women and limiting their opportunities for professional growth and social participation. Women's political representation was also largely declarative in nature. Although women were formally elected to councils at all levels and held positions in state bodies and public organizations, the real levers of power and decision-making on strategic issues remained predominantly in the hands of men. Women were often appointed to subordinate positions or performed representative functions without having real influence on personnel policy or resource allocation. There existed an unspoken hierarchy in which men dominated the highest party and state posts, while women concentrated in the spheres of education, healthcare, culture, and social welfare [1, p. 142].

The period after the Great Patriotic War was characterized by a further expansion of women's participation in public life, accompanied by increased attention to their role as mothers and guardians of the family hearth. The state encouraged large families, established the title of "Mother Heroine," and provided benefits to large families, reflecting a demographic policy aimed at compensating for the human losses of the war. Women continued to work en masse in various economic sectors, especially in cotton growing (where their share was particularly high), the textile industry, education, and medicine [4, p. 56]. At the same time, a wage gap persisted between men and women; women less frequently held managerial positions, and their career advancement was limited by the need to combine work with family responsibilities.

By the 1980s, a paradoxical situation had developed in the Uzbek SSR: on the one hand, women had a high level of education, were widely represented in the professional sphere, and enjoyed social guarantees; on the other hand, in private life, especially in rural areas, patriarchal customs and traditions continued to persist, including early marriages, a preference for birthing sons, and restrictions on girls' freedom of movement and choice of life path [3, p. 205]. A double standard manifested itself in the fact that equality and internationalism were publicly proclaimed, while traditional norms, passed down from

generation to generation, dominated family relations. By the time of independence in 1991, the women of Uzbekistan had traversed a complex path of transformation from an oppressed position in traditional society to formally equal citizens of the Soviet state. This path was accompanied by radical social experiments, tragic conflicts between tradition and modernization, achievements in education and professional realization, as well as unresolved contradictions between the public and private spheres of life. The Soviet period laid the foundation for women's social activity, created a system of education and professional training, and ensured access to healthcare and social protection [1, p. 198]. However, genuine equality—entailing not only legal guarantees but also real opportunities for self-realization, freedom to choose one's life path, and protection from discrimination and violence—remained a task for the future, one to be addressed by an independent Uzbekistan.

From the constraints of a traditional society based on Sharia and Adat norms, through radical Soviet modernization and the Hujum campaign, to the formation of a new social role for women—this path was accompanied by both significant achievements and serious costs. Soviet power provided women with legal equality, access to education and professional activity, and social protection, but it could not completely overcome patriarchal stereotypes or ensure genuine equality of opportunity. The historical experience of this period creates an important foundation for understanding contemporary gender processes and for developing effective state policy in the field of women's rights protection [1, p. 205]..

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