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# The New Uzbekistan Model of Family Institution: A Multicomponent Constitutional-Legal Architecture and Its Comparative Analysis

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**Abstract:** This article presents a systematic socio-philosophical and comparative-legal analysis of the New Uzbekistan model of family institution, characterized by its multicomponent constitutional-legal architecture. Following the 2017 onset of the New Uzbekistan development phase and the 2023 referendum-based adoption of the revised Constitution, Uzbekistan has developed an integrative model for strengthening the family institution that synthesizes traditional ethnocultural foundations, secular constitutional fundamentalism, Islamic axiological resources, international legal norms, and classical Sufi heritage. The investigation employs a triangulated methodology combining systematic legal analysis of primary normative sources, comparative-legal analysis with selected international family policy models (South Korea, Japan, Sweden, Turkey), and conceptual-philosophical analysis of the underlying axiological architecture. Primary sources include Articles 76-80 of the 2023 Constitution, the 1998 Family Code, Presidential Resolutions of 2018 and 2021 on family institution strengthening, and the "Each Family – Entrepreneur" and "Iron Notebook" social-economic mechanisms. The findings demonstrate that the New Uzbekistan model exhibits a distinctive multicomponent integrative architecture that transcends both the traditionalist-religious and secular-libertarian models prevalent in international comparison. The five constitutive components – ethnocultural foundation, secular constitutional fundamentalism, Islamic axiological resource, international legal norms, and classical Sufi heritage – operate in organic synthesis rather than reductive integration. Comparative analysis reveals that this multicomponent architecture offers conceptual resources for addressing the limitations of mono-paradigmatic family policy models. Theoretical contributions include the development of an integrative-architectural framework for analyzing post-Soviet Central Asian family policies. Practical implications encompass policy applications in family economic stimulation, social protection ("Iron Notebook" mechanisms), and culturally embedded family well-being initiatives.

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## 1. Introduction

The institution of family represents a foundational element of social organization across all human societies, yet its specific configuration varies substantially across national contexts shaped by distinct historical, cultural, and legal traditions. In the contemporary global context, family institutions face significant challenges associated with demographic transitions, value pluralization, economic transformations, and cultural globalization. Different states have developed varying policy responses to these challenges, ranging from

traditionalist preservation models to libertarian individualistic frameworks [1]. The post-Soviet states of Central Asia, including the Republic of Uzbekistan, have been navigating particularly complex pathways that involve simultaneous engagement with multiple cultural-legal traditions: pre-Soviet ethnocultural heritage, Soviet legal legacy, Islamic religious traditions, contemporary international legal norms, and emerging democratic-constitutional frameworks.

Following the onset of the New Uzbekistan development phase in 2017 under President Shavkat Mirziyoyev, the Republic of Uzbekistan has undertaken comprehensive reforms across multiple policy domains, including substantial reconfiguration of the legal and policy framework governing family relations. These reforms culminated in the 2023 referendum-based adoption of a substantially revised Constitution, which introduced significant elaborations and innovations to the constitutional-legal foundations of family institution. The Presidential Resolutions of 2018 (PQ-3808) and 2021 (PQ-5165) on the Concept for Strengthening the Family Institution articulate strategic axiological vectors, while the 2018 "Each Family – Entrepreneur" Program (PQ-3777) and the "Iron Notebook" social registry establish concrete economic-legal mechanisms [2].

Despite the substantive significance of these developments, the New Uzbekistan model of family institution remains substantially underexplored in international scholarship on family policy and post-Soviet legal transformation. Existing comparative family policy literature has focused predominantly on Western European, North American, and East Asian contexts, with limited attention to Central Asian post-Soviet contexts. The specific architectural features of the New Uzbekistan model – its multicomponent integration of diverse normative traditions – also remain inadequately conceptualized in extant scholarship. This research gap is particularly significant given the broader theoretical interest in hybrid legal systems and the possibilities for non-Western models to enrich global family policy scholarship.[3]

The present study addresses this gap by conducting a systematic socio-philosophical and comparative-legal analysis of the New Uzbekistan model of family institution. The research is guided by three primary questions: (1) What constitutes the architectural structure of the New Uzbekistan family institution model in terms of its constitutive normative components? (2) How does this architecture compare with selected international family policy models in terms of its distinctive features? (3) What are the theoretical and practical implications of the multicomponent integrative architecture for contemporary family policy scholarship and practice? These questions are addressed through a structured analytical procedure combining legal analysis, comparative analysis, and conceptual-philosophical analysis.[4]

## **2. Methods**

### ***2.1. Research Design***

The study employs a qualitative methodology integrating three complementary analytical procedures: systematic legal analysis of primary normative sources, comparative-legal analysis across selected international cases, and conceptual-philosophical analysis of underlying axiological architecture. This triangulated design is appropriate for investigating complex policy architectures that require both descriptive-empirical engagement with concrete legal texts and interpretive-philosophical engagement with their underlying conceptual structures [5].

### ***2.2. Theoretical Framework***

The theoretical framework draws on three intersecting traditions. First, comparative family policy research as developed by Esping-Andersen, Lewis and Daly which provides typological tools for classifying and comparing national family policy models. Second, comparative legal methodology which informs the systematic engagement with primary legal texts across jurisdictions. Third, axiological constitutionalism as a conceptual

framework for analyzing the value-foundations of constitutional orders which is particularly relevant for examining the multicomponent architecture of the New Uzbekistan model.[6]

### **2.3. Data Sources**

Primary sources comprised: (a) the 2023 Constitution of the Republic of Uzbekistan, particularly Articles 76-80 governing family relations; (b) the 1998 Family Code with subsequent amendments; (c) Presidential Resolutions PQ-3808 (2018), PQ-5165 (2021), and PQ-3777 (2018) on family institution strengthening and the "Each Family – Entrepreneur" Program; (d) UN documents including the Convention on the Rights of the Child and the Resolution on Enlightenment and Religious Tolerance (A/RES/73/128, 2018); (e) selected national family policy frameworks from South Korea, Japan, Sweden, and Turkey for comparative reference. Secondary sources included contemporary scholarship on comparative family policy, post-Soviet legal transformation, and Central Asian studies.[7]

### **2.4. Analytical Procedure**

The analytical procedure proceeded through four stages. Stage one involved systematic legal analysis of primary normative sources to identify and document the constitutive elements of the New Uzbekistan family institution architecture. Stage two implemented conceptual mapping of these elements into an architectural structure, identifying the relationships among different normative components. Stage three conducted comparative-legal analysis between the Uzbekistan model and four selected international cases (South Korea, Japan, Sweden, Turkey), selected to represent diverse approaches to family policy across cultural and legal traditions. Stage four developed conceptual-philosophical analysis of the underlying axiological architecture, drawing on the framework of axiological constitutionalism. Throughout the analysis, methodological rigor was maintained through systematic source documentation and triangulation across multiple analytical perspectives.[8]

## **3. Results**

### **3.1. Constitutional Foundation: Articles 76-80 Analysis**

Systematic legal analysis of the 2023 Uzbekistan Constitution reveals a substantively elaborated constitutional foundation for the family institution. Article 76 establishes the family as "the basic unit of society" under "protection of society and state," while specifying that marriage rests on three constitutive parameters: "traditional family values of the Uzbek people," "voluntary consent of those entering into marriage," and "equal rights." This three-component formulation integrates ethnocultural-axiological, libertarian-existential, and gender-egalitarian dimensions in organic synthesis. Article 77 establishes parental responsibilities for child-rearing, education, and welfare, paralleling international parental responsibility frameworks.[9] Article 78 establishes children's equality before the law regardless of parentage, alongside obligations for cultivating both "national and universal human values" – a formulation that explicitly inscribes the dialectic of local and universal axiology in constitutional norm. Article 79 articulates youth rights and state obligations regarding their personal, political, economic, social, cultural, and ecological rights. Article 80 establishes intergenerational obligations of adult children toward parents, constitutionalizing transgenerational responsibility.[10]

### **3.2. Multicomponent Architectural Structure**

The architectural analysis identified five constitutive components in the New Uzbekistan family institution model. The first component – ethnocultural foundation – comprises the traditional Uzbek family axiology including multigenerational household organization, gender-role complementarity, gerontological-axiological vertical, and the mahalla-family integration principle. The second component – secular constitutional fundamentalism – encompasses the constitutional articles, the 1998 Family Code, and associated secular legal frameworks aligned with international human rights norms. The

third component — Islamic axiological resource — includes Quranic and hadith-based principles regarding family relations, marriage, parental responsibility, and the institution of mahr (bridal gift), filtered through the Hanafi jurisprudential tradition of Maturidi and Marghinani.[11]

The fourth component — international legal norms — incorporates UN human rights instruments including the Convention on the Rights of the Child, gender equality conventions, and the 2018 Resolution on Enlightenment and Religious Tolerance proposed by Uzbekistan. The fifth component — classical Sufi heritage — provides axiological resources from the teachings of al-Ghazali, Naqshband, Yasawi, Bakharzi, and Makhdumi Azam regarding family relations, marriage, and parental responsibility. Crucially, these five components do not operate as isolated parallel tracks but as organically integrated elements within a unified architectural structure. The integrative principle is not reductive synthesis (where one component dominates others) but complementary articulation (where each component contributes distinctive resources to the whole).[12]

### ***3.3. Comparative Analysis with International Cases***

Comparative analysis with four selected international cases reveals distinctive features of the New Uzbekistan model. The South Korean family policy model emphasizes systematic gender equality measures, anti-domestic-violence frameworks, and family counseling infrastructure. The Japanese model integrates traditional cultural values (sonkei/respect, giri/mutual obligation) with contemporary legal frameworks. The Swedish model represents postmaterialist axiological foundations with extensive parental leave provisions and explicit gender egalitarianism[13]. The Turkish model attempts integration of secular constitutional foundations with traditional Muslim values, with substantial emphasis on combatting domestic violence and protecting women's rights.[14]

Cross-case comparison reveals that the South Korean and Swedish models tend toward predominantly secular-egalitarian architectures, while the Japanese model emphasizes traditional-cultural integration with limited axiological pluralism. The Turkish model demonstrates the tension between secular and traditional components in a binary configuration.[15] The New Uzbekistan model's distinctive feature is its explicit multicomponent integration: rather than navigating a binary tension between traditional and modern, it articulates an integrative architecture incorporating five distinct normative traditions in organic synthesis. This architectural feature represents a substantively distinctive contribution to international family policy diversity.[16]

### ***3.4. Economic-Legal Stimulation Mechanisms***

The analysis of economic-legal stimulation mechanisms reveals two innovative institutional features. The 2018 "Each Family — Entrepreneur" Program (Presidential Resolution PQ-3777) operationalizes a paradigmatic conceptual innovation: family welfare is supported not merely through redistributive social assistance but through stimulating entrepreneurial activity. The program provides subsidized credits up to 1000 times the minimum wage for small business subjects, alongside land allocation and tax incentives for family entrepreneurial activity. The "Iron Notebook" mechanism establishes a unified registry of vulnerable families requiring targeted social support, incorporating contemporary welfare state principles in a culturally embedded institutional form.[17]

These mechanisms exhibit conceptual alignment with Marshall's social citizenship framework while incorporating distinctive features such as integration with the mahalla institution as a community-level implementation infrastructure. The combination of entrepreneurial stimulation (economic activation) with targeted social support (vulnerability protection) represents a balanced approach that addresses the limitations of both pure neoliberal and pure social-democratic models. This combination is conceptually consistent with Beck's analysis of risk society and the need for institutional mechanisms that address economic insecurity while supporting individual agency and family autonomy.[18]

## 4. Discussion

### 4.1. Theoretical Implications

The findings carry significant theoretical implications for comparative family policy scholarship. First, the documented multicomponent integrative architecture of the New Uzbekistan model challenges binary classifications that have dominated comparative family policy research (e.g., traditional vs. modern, secular vs. religious, individualistic vs. collectivistic).[19] The Uzbekistan case demonstrates that more complex architectural configurations are possible, in which multiple normative traditions operate in organic synthesis rather than mutual exclusion. This finding suggests the value of developing more sophisticated typological frameworks that can accommodate multicomponent architectures, extending beyond the predominantly bipolar typologies in existing scholarship.[20]

Second, the analysis demonstrates the heuristic value of the axiological constitutionalism framework for analyzing post-Soviet Central Asian family policies. The explicit constitutional integration of "traditional family values" alongside "voluntary consent" and "equal rights" in Article 76 exemplifies how constitutional orders can articulate value-pluralistic configurations that move beyond purely procedural-formal approaches to constitutional design. Third, the findings contribute to ongoing debates about the relationship between religious heritage and secular constitutional orders.[21] The New Uzbekistan model's explicit incorporation of Islamic axiological resources within a fundamentally secular constitutional framework, complemented by classical Sufi heritage, demonstrates a distinctive approach that differs from both purely secular models (e.g., French *laïcité*) and confessional models (e.g., Iran), offering conceptual resources for analyzing similar configurations in other Muslim-majority post-Soviet contexts.[22]

### 4.2. Practical Implications

The practical implications of this research extend across several policy domains. The New Uzbekistan model's economic-legal stimulation mechanisms — particularly the "Each Family — Entrepreneur" Program and the "Iron Notebook" registry — offer conceptual resources for other post-Soviet states navigating similar transitions.[23] The integration of entrepreneurial stimulation with targeted social protection, anchored in community-level implementation infrastructure (the *mahalla* institution), represents a balanced approach that addresses the limitations of both pure neoliberal and pure social-democratic family policy paradigms. The architectural integration of cultural-spiritual heritage as a policy resource demonstrates the possibility of culturally embedded family policies that transcend the secularization-traditionalization dichotomy.[24]

In international development cooperation, the New Uzbekistan model's emphasis on multicomponent integration suggests the value of culturally embedded approaches over standardized policy templates. The model's success in integrating diverse normative traditions while maintaining coherent constitutional governance offers lessons for international organizations operating in culturally diverse contexts. The model's explicit incorporation of intergenerational obligations (Article 80) and parental responsibilities (Article 77) contributes to international debates about the social and legal foundations of family solidarity in aging societies.[25]

### 4.3. Limitations and Future Research

Several limitations warrant acknowledgment. The study's focus on legal-conceptual analysis precludes empirical assessment of policy implementation outcomes; future research should employ mixed-methods designs combining legal analysis with empirical evaluation of family well-being indicators. The comparative scope was limited to four international cases selected for their diversity; future research should expand the comparative scope to include additional post-Soviet Central Asian cases (e.g., Kazakhstan, Kyrgyzstan, Tajikistan) for sub-regional comparison. Additionally, the analysis focused

primarily on formal legal structures;[26] future research should examine the implementation dynamics at the mahalla level and the lived experience of family policy among Uzbek citizens. Cross-temporal analysis of policy evolution from the Soviet through the early independence to the New Uzbekistan periods would also illuminate the trajectory of architectural transformation.[27]

### 5. Conclusion

This study has demonstrated that the New Uzbekistan model of family institution exhibits a distinctive multicomponent constitutional-legal architecture that integrates five constitutive normative components — ethnocultural foundation, secular constitutional fundamentalism, Islamic axiological resource, international legal norms, and classical Sufi heritage — in organic synthesis rather than reductive integration. Through systematic legal analysis of primary normative sources, comparative analysis with selected international cases, and conceptual-philosophical analysis of the underlying axiological architecture, the investigation revealed an architectural configuration that transcends binary classifications dominant in comparative family policy scholarship.

The findings contribute to several scholarly conversations. For comparative family policy research, they demonstrate the possibility of multicomponent integrative architectures that move beyond bipolar typologies. For axiological constitutionalism, they exemplify how constitutional orders can articulate value-pluralistic configurations. For post-Soviet legal transformation studies, they document a distinctive trajectory of constitutional development in Central Asia. For international development cooperation, they suggest the value of culturally embedded approaches over standardized policy templates. The economic-legal stimulation mechanisms — "Each Family — Entrepreneur" Program and "Iron Notebook" registry — offer practical innovations that may inform family policy design in other contexts navigating similar transitions.

Beyond its specific findings, the study illustrates the broader theoretical and practical value of engaging with non-Western post-Soviet family policy models in international scholarship. The New Uzbekistan model represents not a peripheral case to be subsumed under existing typologies but a substantively distinctive architectural configuration that enriches global family policy scholarship. As family institutions worldwide navigate the challenges of cultural pluralism, demographic transitions, and economic transformations, the integrative architecture developed in the New Uzbekistan context offers conceptual resources that merit serious engagement from international family policy scholars and practitioners.

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