



## LEGAL ANALYSIS OF THE CONCEPT OF EXTREMISM

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**Abstract:** This article comprehensively analyzes the scientific views of domestic and foreign scholars on the concept of extremism, and their approaches are studied based on comparative political analysis. The author, engaging in a well-founded scientific discussion with existing scientific opinions, has developed scientific proposals and recommendations aimed at further clarifying and improving the content of the concept of extremism. The article also highlights the concept of extremism through the analysis of national and international regulatory legal acts, paying special attention to the issues of improving existing approaches in legislation.

**Keywords:** extremism, religious, society, responsibility, radical, evidence.

President of the Republic of Uzbekistan Sh.Mirziyoyev noted that "Currently, new hotbeds of tension are emerging in various regions of the world, conflicts between nations and confessions are intensifying, and the threat of radicalism and extremism is growing. In such dangerous conditions, we must decisively counter any threats and dangers that harm our stability and security"[1]. Indeed, the fight against this international problem, the study of its theoretical and legal aspects, is one of the most pressing issues facing society and the state.

It is known from history that the phenomenon of extremism has been observed in different forms in different countries. This concept manifests itself in various forms in life and thus becomes one of the most dangerous and comprehensive political, social, and legal problems of modern reality.

Before considering the administrative and legal mechanisms for combating extremism, it is advisable to first analyze the word "extremism" and fully understand its meaning. In modern academic research, the theoretical analysis of the concept of "extremism" is one of the main and at the same time unclear problems not only of legal science, but also of its practical application.

For a correct and complete understanding of the meaning of the concept of extremism, it is advisable to know its lexical meaning. In the explanatory dictionary of the Uzbek language, extremism (Latin *extremus* - the last; extreme, fierce; sharp) is defined as the adherence to extreme, extraordinary methods in politics and ideology, the adoption of drastic measures[2].

In legal literature, one can see different approaches to the issue of the concept of extremism. In particular, K.A. Shermukhamedov and Zh.A. Karimov defined extremism (Latin - "unbelievable," "excessive") as "radical views and actions that contradict the laws and norms adopted in society," A.V. Korolchuk defined extremism as "a form of behavior of various subjects (groups of subjects) that threatens the national security - political, economic, social, and cultural systems not only of an individual state, but also of associations of states," Z. Islamov and Sh. Ikramov defined it as "extremism - an extreme measure and opinion that is unhealthy

for society, contrary to its development, causing instability in society, relations between citizens and nations, striving to implement it, advocating for it."

The phenomenon of extremism can be observed in many countries throughout all historical periods, regardless of the form of state structure, legal and political system.

In general, the nature (essence) of extremism is usually associated with the change or destruction of certain generally recognized ideas, principles, values, etc. This concept is being implemented in various forms and is thus one of the most dangerous and large-scale political, social, and legal problems of modern reality.

Extremism, especially its radical form, negatively affects political, economic, interethnic, and other legal relations, threatening national security, the rights and legitimate interests of public law entities, individuals, and legal entities.

In the 21st century, the term "extremism" was officially enshrined in a normative document for the first time in the "Shanghai Convention on Combating Terrorism, Separatism and Extremism" of June 15, 2001[6]. The parties that ratified it agreed to understand this phenomenon as an ideology and practice aimed at resolving political, social, racial, national, and religious conflicts through violence and other unconstitutional methods. At the same time, it should be understood that this definition is the result of a coordinated and equal interpretation of the social phenomenon under consideration by sovereign states, whose national legislation differs significantly not only in content, but also in structure. This definition can be taken as a basis for the development of law in the fight against international and national extremism, however, the possibilities of direct law application of this norm are limited. This normative legal act was ratified by our country on August 30, 2001[7].

After some time, on July 30, 2018, the Law of the Republic of Uzbekistan "On Combating Extremism"[8] was adopted. It is in this law that the main sources of extremist threats are defined.

On July 1, 2021, the Decree of the President of the Republic of Uzbekistan No. UP-6255 "On Approving the National Strategy of the Republic of Uzbekistan for Combating Extremism and Terrorism for 2021-2026"[9] was adopted. Appendix No. 1 to this Decree approved the National Strategy of the Republic of Uzbekistan for Combating Extremism and Terrorism for 2021-2026[10]. This strategy defines the priority areas of the Republic of Uzbekistan's fight against extremism.

Today, about 96 percent of offenses of this type are committed through the Internet (i.e., 53 percent using Telegram, 23 percent using Instagram, 14 percent using Odnoklassniki, 5 percent using Facebook, 3 percent using YouTube, and 2 percent using other social networks) [Appendix to the research work]

Mass media, including the World Wide Web, as well as various types of materials (books, brochures, and electronic programs) can be cited as examples of forces, methods, and tools. It should be noted that if in the 90s of the last century extremist organizations in the Central Asian region mainly used leaflets and religious literature for recruitment, now they mainly use the global information network Internet. The terrorist organization "Islamic State" alone disseminates more than 80 percent of its information through the Internet. Of those who joined the organization from Europe, 84% were recruited via the Internet, 47% viewed materials online, 41% took an online oath to the terrorist organization, and 19% received instructions for preparing terrorist acts[11].



American expert J.M.Berger studied the mechanisms of ISIS's use of the social network Twitter. According to him, ISIS has created official Twitter pages of its leaders, field commanders, through which it conducts propaganda and recruitment[12].

Based on statistical data, it can be concluded that state structures of the Republic of Uzbekistan, in connection with the increase in the number of offenses of an extremist nature, are forced to constantly improve existing methods and techniques of combating extremist activity. According to the results of the survey conducted during the study, 89% of respondents stated that they consider the problem of combating extremist activity in our country to be one of the most pressing issues today. [Appendix to the research paper]

In the Decree of the President of the Republic of Uzbekistan dated July 1, 2021 No. UP-6255 "On Approving the National Strategy of the Republic of Uzbekistan for Combating Extremism and Terrorism for 2021-2026"[13], it is noted that combating the use of the World Wide Web for extremist and terrorist purposes is one of the priority tasks, and it is emphasized that the solution of these tasks will serve to ensure state and public security.

The National Strategy of the Republic of Uzbekistan for Combating Extremism and Terrorism for 2021-2026[14] notes the need to take the following additional measures to neutralize extremist and terrorist organizations due to the observed activity in recruitment through the global information network Internet:

timely identification of those who disseminate the ideas of extremism and terrorism on the World Wide Web, as well as individuals and groups intending to destabilize the socio-political situation in the republic;

organization of propaganda and advocacy work against the ideas of extremism and terrorism on the Internet, based on a scientifically based ideology embodying the tolerance and religious traditions inherent in the population of the republic;

analysis of the World Wide Web for the purpose of identifying and destroying malicious content;

training of qualified personnel in the field of information counteraction to the ideas of extremism and terrorism on the World Wide Web;

provision of special units of law enforcement agencies with the necessary advanced software products and equipment;

Systematic improvement of regulatory legal acts regulating the issues of countering the use of the World Wide Web for extremist and terrorist purposes.

Based on the foregoing, it can be noted that the Republic of Uzbekistan, along with other leading countries of the world, not only recognizes the threat of the spread of extremism, but also identifies the fight against the development of this phenomenon in all existing spheres of public and state life as one of the priority tasks.

There are many views on defining the concept of extremism. While some researchers believe it is more accurate to define this term as an activity, others suggest understanding extremism in a broader sense and linking it to a category of phenomenon. In this case, it should be noted that there are a wide range of opinions that consider extremism as a political, social, or legal phenomenon.

Until now, a single point of view on the interpretation of this term has not been formed in legal literature. Identifying the causes of this problem, scientists emphasize that extremism is an extremely complex and multifaceted phenomenon, which requires the study and analysis of

different views. This circumstance does not allow researchers to identify the most important features of the concept of "extremism" and draw a general conclusion on the formation of a unified definition based on them.

"The results of scientific research and analysis of legislation show that extremism, as a legal category, is often associated with activities that significantly (radically) deviate from generally accepted norms. At the same time, in the legal literature and legislation of a number of foreign countries (England, the USA, France), this term is more often interpreted as a phenomenon denoting an extremely acute clash of opposing forces"[15].

It should be noted that in domestic and foreign literature on the problem under consideration, not only has not been formed a definitive view on the single internal content of the term "extremism," but also a unified understanding of the essence of the political and legal category under consideration has not been defined.

To clarify the concept of extremism more clearly, we consider it expedient to refer to the approaches formed in various disciplines, including jurisprudence, sociology, political science, and philosophy.

I.V.Vekhov evaluates extremism as "conscious and ideologically justified deviant behavior, consisting in the complete or partial denial of the social order or incitement to such actions"[16].

M.Kh. Rustambaev, in his commentary on the special part of the Criminal Code of the Republic of Uzbekistan, notes that "extremism - a feeling of certainty in reality (usually in politics), a feeling of certainty that one is absolutely right, that only one knows the truth, creates the basis for the emergence of religious extremism, characterized by a propensity for extreme measures - acts of violence. In this case, both a specific person, a social group belonging to another religion, or representatives of a sect rejected by its representatives can be selected as objects of influence"[17].

Partially agreeing with this definition, we must emphasize that extremism does not always lead to religious extremism, characterized by a tendency towards violent actions at the end of the most extreme views. There are also many forms of extremism, and violence occurs not only in religious extremism but also in other forms of extremism.

According to Kilyaskhanov Kh.Sh., based on a careful study of the works of many philosophers, "extremism is an activity of a radical nature, at the heart of which lies the absolute denial of the socio-political model of society and its legal foundations, the desire to destroy them by any means and methods, including by force"[18].

From the point of view of V. P. Galitsky, "extremism is a radical manifestation of ideology, politics, religion, and nationalism; a sharp perception of the surrounding reality; illegal behavior"[19].

R. Almeev and F. Kasimov define extremism as "extremely harsh measures, opinions, and views in resolving problems of a socio-political nature, inciting racial, national, ethnic, or religious hatred and social discord in connection with the violent change of the foundations of the constitutional order, violation of the territorial integrity and sovereignty of the state, or incitement to violence or the use of violence"[20].

In our view, among the definitions given, this definition serves to illuminate the essence of extremism, so we agree with this definition.

In the political sphere of society's life, there is always room for the struggle of "contradictory" forces, the reason for which is a certain political order accepted and supported by the majority of society. An exception is the minority of society seeking to violate this order through extremist actions. Political scientists emphasize the need to study the phenomenon of extremism, taking into account the ideas of radicalism and political trends that spread everything related to it. In their opinion, radical activity based on a sharp assessment of everything that surrounds them by individual subjects of socio-political relations can be considered extremism.

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