
CONTEMPORARY ISLAMIC LEGAL THOUGHT IN CENTRAL ASIA: ANALYSING ITS EVOLUTION AND APPLICATION THROUGH THE LENS OF ISLAMIC JURISPRUDENCE

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ABSTRACT

This paper analyses the resurgence of Islamic legal thought in Central Asia, a region whose rich Islamic heritage had long been suppressed by the Soviet government. Thus, the post-Soviet era has been characterised as a renaissance because religious institutions have been restored and a renewed commitment to the Islamic way has been made, hence calling for a rethinking of how Islamic law can coexist with the secular legal framework inherited from Soviet governance. Islamic law, or Shari'a, is being applied in and adapted to the special socio-political contexts of the Central Asian nations- Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, and Turkmenistan- for purposes of a new legal pluralism, which, in limited instances, has drawn Shari'a into the fold, particularly in family law and ethical conduct.

The study sheds light on the role played by the Hanafi school, which is flexible and emphasizes public welfare so that Islamic law can guide personal and social matters without threatening the state structures. It also develops the institution of state-controlled religious institutions, which can calibrate Islamic jurisprudence following national interests, thereby advancing social cohesion and, simultaneously, resolving public skepticism spawned by Soviet-era secularism.

Much has been accomplished, however. Many challenges remain concerning perception differences between the public at large, urban versus rural, and the impact of transnational Islamic movements on Central Asian society. Therefore, it is essential to develop a subtler understanding and discussion regarding Islamic law in contemporary society. The research concludes with an extraordinary model for introducing Islamic jurisprudence in a secular

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context and sheds some light on legal pluralism's future in post-colonial settings.

Keywords: Islamic Jurisprudence, Legal Pluralism, Shari'a and Secular Law, Hanafi School, Post-Soviet Islamic Renaissance.

Introduction

A more than often recurring legacy in the region of Central Asia was eclipsed by Soviet-era policies enforcing atheism and secularism that dominated most of the 20th century in the region.³ Throughout this time, the central contributions of Islamic law, philosophy, and religious practice, produced by Central Asia, were suppressed. The degradation occurred in institutions already set as well as in intellectual traditions, and a rich religious life that defined the region for such a long time. Instead, the breakdown of the Soviet Union and the birth of Central Asian states as independent states provided a good basis for an intense Islamic renaissance in identity.⁴ It was the re-establishment of religious institutions, a new-found commitment to Islamic practice, and a renewed recognition of the region's jurisprudential heritage that characterized this resurgence.

This revival demands an overall reconsideration of the potential Islamic law has to inform and coexist with the legal and social frameworks of the former Soviet republics. For all other regions in which Islamic jurisprudence provides a continuous and evolving governance factor, Central Asia differs dramatically as a challenge involving Shari'a-based ideas implanted into mostly secular law constructs inherited from the period under the Soviet regime.⁵ Thus, the revival of Islamic jurisprudence involves not only rediscovering traditional legal thought but also adapting it to modern secular institutions and societal expectations.

This study attempts to analyze contemporary Islamic legal thought in Central Asia by focusing on the influence and interaction of this jurisprudence with secular governance. It explores this revival, reinterpretation, and practical application of Islamic legal principles within each nation's distinctive socio-political landscape while focusing on the broader implications it has

³ Song Yuxuan, *Religion and Society in Soviet-Era Central Asia in Western Vision* (2021) 3 *Journal of Sociology and Ethnology* 23

https://www.clausiuspress.com/assets/default/article/2021/06/24/article_1624537248.pdf accessed 31 October 2024, DOI: 10.23977/jsoce.2021.030105.

⁴ Prof. Muzaffar Alimov, *Central Asia After Collapse of the USSR and Islamic Radicalism* (2004) *Dialogue* 6(2) http://www.asthabharati.org/Dia_Oct04/Prof.%20Muzza.htm accessed 31 October 2024.

⁵ Kali Robinson, *Understanding Sharia: The Intersection of Islam and the Law* (Council on Foreign Relations) <https://www.cfr.org/backgrounder/understanding-sharia-intersection-islam-and-law> accessed 31 October 2024.

for legal pluralism, social cohesion, and cultural identity in the region.

Historical Context and Soviet Legacies

The Soviet Impact on Islamic Law and Institutions

Under Soviet rule, the sophisticated Islamic traditions of Central Asia fell under systematic repression through the aggressive atheism and secularisation policies of the state. The regime dismantled Islamic institutions, forcibly shut down madrasas and mosques, and enforced restraints on religious gatherings as well as the persecution of Islamic scholars and clergy. Many prominent religious figures were either exiled, imprisoned, or executed, thus breaking an intergenerational transmission of religious knowledge that had played a fundamental role in Central Asian communities for centuries.⁶ This undermined the public practice but also cut across the scholarly bases of Islamic jurisprudence. The result was an area of significant gaps in the institutional infrastructure and religious authority.

This repression was part of the broader Soviet agenda to impose secular, materialist values across the Union. The ultimate goal was to eradicate religious identity and replace it with a homogenized Soviet identity. These policies have left a lingering impact on Central Asia's legal and social frameworks. This had the result of imposing upon the Muslim world a division between state and religion so rigid that it has to this day shaped the style of governance in the post-Soviet period.⁷ This was an artificial replacement of earlier frameworks, under which the principles of Islam had determined legal and moral standards for social and personal life.

Consequently, the legal systems of Central Asia have faced the dilemma of reconciling this secular foundation with a deep-seated religious and cultural heritage that has returned to the surface since gaining independence. The Soviet period not only interrupted the operation of Islamic law but also reshaped society in a manner that continues to plague those who would attempt to reintegrate Islamic jurisprudence into the modern cloth of Central Asian states.⁸

⁶ Christian C. Sahner, *How did the Christian Middle East become predominantly Muslim?* (Oxford News Blog, 17 September 2018) <https://www.ox.ac.uk/news/arts-blog/how-did-christian-middle-east-become-predominantly-muslim> accessed 31 October 2024.

⁷ Ibid.

⁸ Fredj Maatoug, 'The Collapse of the Soviet Union' in *The Different Aspects of Islamic Culture*, vol 6, pt I: *Islam in the World Today, Retrospective of the Evolution of Islam and the Muslim World* (2016) 403-417.

The Revival of Islamic Scholarship and Institutions Post-Independence

With the disintegration of the Soviet Union in 1991, Islamic identity and practice erupted with all their vigor. Newly independent states began a process of discovery and redefinition of the cultural and religious roots of their people. Governments responded to public interest and demands for religious expression by tentatively allowing religious institutions to be rebuilt in Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, and Turkmenistan. This entailed renewed mosques, new places of worship, and centers for Islamic education.⁹

The revival of Islamic infrastructure has been accompanied by a surge in religious education, which has led to the resurgence of Islamic scholarship across the region. Many Central Asian states began permitting religious education and the study of Islamic law, albeit under close state supervision. This oversight was intended to prevent the emergence of extremist ideologies and ensure alignment with state-sanctioned interpretations of Islam.

However, such development has encountered significant difficulties in the revival of Islamic jurisprudence in Central Asia. Integration into modern socio-legal environments is highly challenging. Decades of secular governance have also brought about a complicated legal environment that requires Islamic laws to be applied with precision in order not to infringe on secular state structures.¹⁰ This forced Islamic law scholars and establishments to re-interpret jurisprudential concepts inherited from classical jurisprudential texts by respecting Islamic heritage while meeting the various contemporary realities of Central Asian societies.

The challenge is, that while normative Islam traditionally encapsulated broad guidelines for governance social welfare, and ethics of life, the continuity under communist repression can only be maintained through calibrated steps to support secular governance and maintain and respect foundational values.

In a nutshell, the Soviet legacy of secularism has deeply etched itself into the minds of Central Asia, thus influencing contemporary Islamic legal thought and practice. The resurgence of Islamic jurisprudence in the post-Soviet era is not merely the revival of religious practices but also a deep reconnection to a legal tradition central to Central Asian identity. Yet this

⁹ Unacademy, 'Disintegration of Soviet Union' <https://unacademy.com/content/cbse-class-12/study-material/world-history/disintegration-of-soviet-union/> accessed 10 December 2024.

¹⁰ Sherman A Jackson, 'The Islamic Secular and the Secular State' in *Oxford Scholarship Online* (March 2024) 250-303 <https://doi.org/10.1093/oso/9780197661789.003.0006> accessed 10 December 2024.

relationship is hard to reconcile with the secular traditions created over nearly a century of Soviet rule. Finding a balance between these factors is the hallmark of Central Asia's 21st-century approach to Islamic law: each state balances its location between its Islamic legacy and its post-Soviet secular institutions.¹¹

Contemporary Islamic Legal Thought in Central Asia

Defining Contemporary Islamic Jurisprudence in Central Asia

In the post-Soviet region, Islamic jurisprudence in Central Asia has shaped into a unique synthesis of traditional Hanafi fiqh and locally adapted legal interpretation.¹² This development is directed toward modern challenges and resonates with the cultural plurality of the region. Deeply rooted in the history of Islamic identity in Central Asia, the Hanafi school of thought is a sound yet flexible foundation. That such a system was also best suited to the region, because of its intrinsic adaptability and emphasis on *maslahah*, or public welfare.

Today, the Islamic approach of Central Asia attempts at trying to unite the members of society while considering religious practice levels that have for so long been impacted on by decades of Soviet secularism. Unlike the way things are in most countries which are strictly governed using the Shari'a system of laws, this Hanafi tradition accepts and accommodates local customs and values.¹³ This presents a balanced and applicable approach to Islamic law with the context that can contain ideas of Islamic legal thinking without violating the secular states of Central Asian countries as presented in their sociolegal settings.

Rather than presenting the principles of Shari'a as binding statutory law, this approach presents them rather as guiding ethical frameworks on personal and family matters. This compromise reflects the independent course Central Asia has embarked on in modernizing its Islamic jurisprudence against the secular milieu.

¹¹ Timur Kuran, 'Islam and Economic Performance' (2018) 56 *Journal of Economic Literature* 1292-1359.

¹² Baktybay Beisenbayev, Aliy Almukhametov and Rafik Mukhametshin, 'The Dynamics of Islam in Kazakhstan from an Educational Perspective' (2024) 15(10) *Religions* 1243 <https://doi.org/10.3390/re115101243> accessed 10 December 2024.

¹³ Sebastien Peyrouse and Emil Nasritdinov, 'Engaging with Muslim Civil Society in Central Asia: Opponents, Approaches, and Opportunities' (United States Institute of Peace, December 2021) https://www.usip.org/sites/default/files/2021-12/pw-181-engaging-muslim-civil-society-central_asia.pdf accessed 10 December 2024.

Sources of Islamic Legal Thought and Authority

The current Central Asian Islamic legal thought continues relying on the basic sources of Shari'a, primarily the Qur'an and Sunnah, and also on the classical Hanafi texts, but the sources are sometimes applied through a pragmatic prism that respects the two poles of Islamic values and the sovereignty of the state.¹⁴ In this way, national interests can be espoused by Central Asian governments when interpreting Islam, yet with control over religious expression.

For this purpose, the states have established religious organizations that represent an Islamic interpretation which is relatively moderate and local, taking into account the multi-ethnic nature of society in which a post-Soviet state finds itself. This is very aptly described in the case of Kazakhstan by the Spiritual Administration of Muslims (SAMK), in charge of religion matters, guiding the whole discourse around Islam according to principles stipulated by the state.¹⁵ SAMK is also a kind of bridge between religious communities and the government, to which religious education is subordinated, mosque activities are controlled, and religious literature issuance is supervised.

Such institutions are intended to strengthen the state-aligned interpretation of Islam, which enables them to be seen as the proper sources of knowledge and jurisprudence within the religion. This framework will allow governments to prevent the spread of religious extremism while ensuring that the application of Islamic law, where relevant, does not conflict with secular systems of law ruling the area.

Of crucial importance in a context in which alternative explanations, of course, ranging from Islamic movements to more global Islam, could compromise state sovereignty, these institutions serve an important role by channelling religious discourse through officially sanctioned bodies as a way of maintaining social stability. This strategy articulates one form of Islamic legal thinking that would enhance national coherence while allowing for some form of controlled integration of Shari'a principles in the public sphere.

¹⁴ Kali Robinson, 'Understanding Sharia: The Intersection of Islam and the Law' (Council on Foreign Relations, 17 December 2021) <https://www.cfr.org/backgrounder/understanding-sharia-intersection-islam-and-law> accessed 10 December 2024.

¹⁵ Silvia Boltuc, 'Islam in Kazakhstan: An Interview with the Supreme Mufti Nauryzbai Kazhy Taganuly' (2023) *Geopolitical Report* vol 29, issue 9 <https://www.specialeurasia.com/2023/03/23/islam-in-kazakhstan-mufti/> accessed 10 December 2024.

Navigating Shari'a and Secularism: The Central Asian Model

An approach is devised based on the unique socio-political environment of central Asia, where Shari'a is an influence only in the realms of ethical and cultural norms instead of a full legal codification.¹⁶ This model presents space within society for both Islamism and secularism to converge effectively, creating a level of legal pluralism in effect. Here, one observes selective application of Shari'a in matters including family law, moral activities, and ethical norms of society, while the dominant structure of the law has its roots in secular culture.

The Hanafi-based principles in countries like Kyrgyzstan and Tajikistan apply to personal matters such as marriage and inheritance. In this way, Islamic jurisprudence touches on some specific aspects of social life without undermining the authority of the secular state.¹⁷

The Central Asian model is a fine balancing act. It helps Muslims re-engage in their Islamic traditions while retaining the secular legal framework and pluralistic social values now entrenched in these societies. It also recognizes the continuing residuum of Soviet secularism, shaping public perceptions about religion, especially in cities where the ideals of that socialism remain culturally entrenched.

Central Asian states thus help to overcome the tension between religious observance and state governance by promoting a norm of an Islamic legal system compatible with secular standards. This pragmatic model assimilates Islamic thought into a largely secular public sphere.

The Revival of Islamic Institutions and Practices in Central Asia

Re-establishing Islamic Educational Systems

This socio-political uniqueness in Central Asia has culminated in a model, where Islamic jurisprudence stands as an ethical and cultural influence rather than being an all-inclusive legal system. The model thereby accommodates the co-existence of Islamic and secular principles within society, bringing forth a form of legal pluralism.¹⁸ In such a scenario, Shari'a is

¹⁶ Rustamjon Urinboyev, 'Islamic Legal Culture in Uzbekistan' (2023) 55 *Legal Pluralism and Critical Social Analysis* 402-429 <https://doi.org/10.1080/27706869.2023.2269511> accessed 12 December 2024.

¹⁷ Tad Stahnke and Robert C. Blitt, *The Religion-State Relationship and the Right to Freedom of Religion or Belief: A Comparative Textual Analysis of the Constitutions of Predominantly Muslim Countries* (United States Commission on International Religious Freedom, March 2005).

¹⁸ Rustamjon Urinboyev, 'The Political Economy of Central Asian Law: A Law and Society Analysis' (2024) https://doi.org/10.1007/978-3-031-18562-7_1 accessed 12 December 2024.

selectively applied within spheres such as family law, moral conduct, and ethical guidelines, while the more comprehensive legal system is secular.

In Kyrgyzstan and Tajikistan, for instance, marriage and inheritance are under the Hanafi principles of personal matters. This permits Islamic jurisprudence to address specific aspects of social life without undermining the authority of the secular state.

The Central Asian model has embodied a kind of precarious balancing act to allow for the reconnections of Muslims with their heritage in Islamic ways compatible with secular legal frameworks and pluralistic values characterizing such societies. It also addresses the remaining impact of Soviet secularism on public conceptions of religion, especially at the level of urban environments where those ideals continue.

Promoting an Islamic legal system congruent with secular standards by the Central Asian states minimizes possible conflicts between religious devotion and state administration. Therefore, this pragmatic approach leads to a feasible structure within which Islamic thought may integrate in a predominantly secular public sphere.

Reintegrating Shari'a in Civil and Family Law

Perhaps one of the most practical and most obvious manifestations of the Islamic revival in Central Asia has been the input of Islam into civil and family law, especially in Kyrgyzstan and Tajikistan. Advocates of the Islamic legal reform called for recognition of the Shari'a-based provisions on marriage, divorce, and inheritance.¹⁹ This integration allows for the formal acceptance of Shari'a in secular legal systems and stresses the role of religion in the day-to-day lives of many Central Asians.

In incorporating Islamic principles into family law, Central Asian Muslims can continue to observe religiously sanctioned practices within a legal framework that respects individual rights. This integration, however remains contentious, especially concerning gender equality and individual rights as defined under secular law.

For instance, although Islamic doctrine is the basis upon which marriage contracts can be

¹⁹ Bayram Balci, 'Reviving Central Asia's Religious Ties With the Indian Subcontinent? The Jamaat al Tabligh' (2015) *Religion, State, and Society* <https://carnegieendowment.org/posts/2015/03/reviving-central-asias-religious-ties-with-the-indian-subcontinent-the-jamaat-al-tabligh?lang=en> accessed 12 December 2024.

entered into, secular law demands that marriage contracts should also conform to the national legal requirements so as not to infringe on gender equality or the international human rights criteria. Therefore, the revival of Islamic principles in civil law calls for sensitive adaptation with regard to the balance of old religious traditions and current legal and ethical standards.

Challenges in Implementing Islamic Jurisprudence in Secular Systems

The State-Islam Paradox in Post-Soviet Central Asia

There are, thus, specific concerns for post-Soviet Central Asian states on Islamic jurisprudence and secular governance. In Kazakhstan, Uzbekistan, and Turkmenistan, there is great resistance to the codification of Shari'a as a valid legal code. They consider such an act will only further diminish state sovereignty and provide a channel for religious opposition movements.²⁰ Consequently, the governments have embraced nearly pure symbolic articulations of the Islamic values through selective assimilation of these values in partially applicable areas of the personal law without offering totally Shari 'a-based governance.

It can be observed that, after all, this partial accommodation of Islamic precepts, in response to requirements from social cohesion and religious affiliation within a secular arrangement. While certain provisions within family law may recognize selected manifestations of Shari'a law, the more holistic impact of Islamic law cannot become too widespread as there must not be a direct impression of challenge to authority or secular power.

This tension in the symbolic and substantive role of Islamic law makes it clear how Central Asia is balancing the revival of religion with control by the state—a duality that simultaneously enables and constrains the expression of Islamic legal thought in those societies.²¹

Public Perception and Social Acceptance

Reintroduction of Islamic law into society reflects sharp lines within the population, primarily between the urban, secular-leaning citizens and the more observant religious rural communities. The majority of the urban residents, influenced by Soviet-style secularism, have

²⁰ Nasir Raza Khan, 'Post-Soviet Religio-Cultural Scenario in Central Asia' (2005) 61 *India Quarterly* 202-227

²¹ Galym Zhussipbek, Dilshod Achilov and Zhanar Nagayeva, 'Some Common Patterns of Islamic Revival in Post-Soviet Central Asia and Challenges to Develop Human Rights and Inclusive Society' (2020) 11(11) *Religions* 548 <https://doi.org/10.3390/rel11110548> accessed 13 December 2024.

distrusted Islamic law, which they often associate with extremism and believe to be in conflict with modern life.²² This perception makes the future for Islamic jurisprudence challenging in terms of obtaining public support.

This makes religious scholars and institutions more responsible for producing a subtler understanding of Shari'a in keeping with modernity, as well as emphasizing moral imperatives rather than juridical directives.

Proactive public discourse would go a long way to dispel public skepticism. Public education about the ethical principles on which Islamic law stands and its historical importance to Central Asia might help clear away much of the mystery shrouding Shari'a and garner social acceptance for it.²³ Such discourse would then help bridge the divide between the secular and religious components of society, with an appropriately balanced view regarding how Islamic law might play out in the specific socio-political context of Central Asia.

Comparative Analysis of Islamic Legal Thought Across Central Asian States

Kazakhstan's Approach: Controlled Religious Freedom and Moderate Islam

In Kazakhstan, the model of religious freedom is regulated and underlines a version of "moderate Islam" which should fit with the vision of national unity and identity held by the state.²⁴ This strategy heavily depends on the Spiritual Administration of Muslims of Kazakhstan responsible for controlling religious structures, orienting public religious discourse, and promoting Islamic thought in accordance with the values defined by the state for society.

This model allows the Kazakh government to contain the influence of foreign ideas and dissuade political forms of Islamic belief. Shari'a can be situated in a way that creates a cultural instead of legal power, hence the state could develop an Islamic identity which would affirm

²² Cheryl Benard, *Civil Democratic Islam: Partners, Resources, and Strategies* (National Security Research Division, supported by the Smith Richardson Foundation) 2003.

²³ Kashif Hasan Khan and Marin Ekstrom, 'How Authoritarian Oppression Breeds Religious Extremism in Central Asia' (11 May 2024) <https://thediplomat.com/2024/05/how-authoritarian-oppression-breeds-religious-extremism-in-central-asia/> accessed 13 December 2024.

²⁴ *Mosque and State in Central Asia: Can Religious Freedom Coexist with Government Regulation of Islam?* (Briefing of the Commission on Security and Cooperation in Europe, 17 December 2018) printed for the use of the 115th Congress, 2nd Session, Washington 2019.

social solidarity and protect the secular base of its laws.

Kyrgyzstan and Tajikistan: Balancing Tradition and Legal Reform

Indeed, Kyrgyzstan and Tajikistan are highly compliant with the incorporation of religious law principles, particularly to personal law. For instance, they have adopted aspects of family law where only nikah marriage contracts practiced under specific conditions are respected.²⁵ In this regard, the state regulates the activity so that the practices performed do not conflict with existing secular legal standards, in this case, gender equalization and the rights accorded to the individual.

This gives Kyrgyzstan and Tajikistan the opportunity to retain their rich Islamic heritage while still modernizing their base of legislation. It smoothly navigates the intricate relationship between religious freedom and the risk of extremism.

Uzbekistan and Turkmenistan: Restricted Religious Expression

Uzbekistan and Turkmenistan take a harsh policy of religious expression since the former strictly regulates Islamic jurisprudence in a public realm. The state of Uzbekistan moves ahead with its version of "cultural Islam," that is values that are more traditional in nature, not part of the strict legal code that is called religious law.²⁶ It, therefore confines Shari'a strictly to the private sphere, reducing public life significantly under religious influence.

In terms of government interference with Islamic life, Turkmenistan is even more oppressive by tolerating very little faith being expressed publicly while engaging in high degrees of observation. As a result of this, the interpretation and practice of Islamic law generally remains an empty shell throughout both of these countries in real life. Formal acceptance has to be limited through statutory recognition as these states seem determined to implement their views on the secular state without any compromise.

Islamic Legal Thought in the Context of Globalization

The Influence of Transnational Islamic Movements

²⁵ Andrew Bramsen and Zoe Vermeer, 'Religious Regulation in Muslim States' (2019) *Oxford Research Encyclopedia of Politics* <https://doi.org/10.1093/acrefore/9780190228637.013.690> accessed 13 December 2024.

²⁶ *Dynamism in Islamic Activism: Reference Points for Democratization and Human Rights* (Amsterdam University Press, Amsterdam 2006).

Transnational Islamic movements were very influential in shaping local Islamic thinking in Central Asia, and alternative movements challenged the tradition of the Hanafi School of Jurisprudence in the region. Ideological pluralism promoted by alternative movements such as Salafism sometimes clashed with official religious practice.²⁷

The governments of Central Asia responded to this challenge by reinforcing Hanafi interpretations and checks on religious institutions to ensure the protection of cultural continuity and the prevention of foreign ideologies. This interaction between global Islamic movements and local jurisprudential traditions captures the peculiarities of Central Asia's developing Islamic identity.

Islamic Legal Thought and Digital Transformation

The digital age has greatly transformed the Islamic legal thought landscape in Central Asia. Online platforms provide access to a wide and diverse range of Islamic views, where Central Asians have the chance to explore interpretations other than those provided by institutions sanctioned by the state. This new knowledge may have enriched religious understanding; however, it also put at risk the danger of ideological fragmentation and radicalization.²⁸

In response, governments have developed digital monitoring systems to counter online extremism and promote moderate, state-endorsed interpretations of Islam. This strategy aims to ensure that Islamic discourse in Central Asia aligns with the state's vision for a balanced and modern society.

Conclusion: The Evolving Role of Islamic Legal Thought in Central Asia

This implies that the analysis of the current Islamic legal thought in Central Asia reveals the dialectical relation between historic Islamic roots and post-soviet secular governance. The book, therefore shows the efforts of Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, and Turkmenistan toward merging Islamic jurisprudence with their received secular framework. These nations are not reverting to Islamic law, but rather shaping it towards new contexts of

²⁷ Juan Carlos Antunez Moreno, *Salafism: From a Religious Movement to a Political Force* (NATO Joint Force Command, Brunssum, Netherlands) <https://seguridadinternacional.es/resi/html/salafism-from-a-religious-movement-to-a-political-force/> accessed 13 December 2024.

²⁸ Maruf Hassan, 'Islam in the Digital Age: Transformative Impact of Digital Platforms on Islamic Religious Practices and Knowledge Dissemination in Bangladesh' (3rd National Research Project Contest, Bangladesh University of Professionals Research Society, May 2024).

sociolegal practices that provide national sovereignty as well as a whole range of social expectations.

The Islamic revival in Central Asia incorporates Shari'a principles in a pragmatically selective manner, especially in family law and ethical conduct. The Hanafi school of thought, focused on public welfare and flexibility, becomes the basis for contemporary jurisprudential thought.²⁹ In this way, Islamic law can retain its ethical connotations without violating the secular structures of governance. This is crucial in light of the long legacy of Soviet atheism that continues to define public consciousness and legal systems, especially in urban areas.

Central Asia is a unique form of legal pluralism, borrowing only some Shari'a, not replacing secular law. State-led religious structures, such as Kazakhstan's Spiritual Administration of Muslims (SAMK), regulate and domesticate Islamic law according to national goals and in a way that would minimize the risk of religious fundamentalism.³⁰ The religious establishments teach a mild version of Islam, enhancing social unity and state sovereignty.

Despite these efforts, there are many challenges. The public perception of Islamic law is quite varied and usually polarized between urban skepticism, often influenced by Soviet ideologies, and rural enthusiasm for religious resurgence. Moreover, transnational Islamic movements and digital diffusion of diverse interpretations of Islamic law complicate the state-sanctioned religious narratives, leading to more extensive government monitoring of online content.³¹

Conclusions In a nutshell, this modern Islamic legal thought is not a simple retreat to pre-Soviet times but a complex and adaptive process. It allows for the legacy of Soviet secularism and modern pluralistic needs on the one hand, as well as the cultural importance of Shari'a, on the other. Such a selective-integration model of Shari'a within a secular frame can be taken as a viable model by other post-colonial societies in coming to terms with their religious heritage and contemporary governance structures. In this regard, the final lesson of Central Asia is an innovative legal pluralism of stunning implications for the future role of Islamic law in globalized, secular states.

²⁹ Abbas Poya (ed), *Sharia and Justice: An Ethical, Legal, Political, and Cross-cultural Approach* (De Gruyter 2018) <https://doi.org/10.1515/9783110574593> accessed 14 December 2024.

³⁰ Svante E. Cornell, S. Frederick Starr and Julian Tucker, *Religion and the Secular State in Kazakhstan* (Silk Road Paper, April 2018) <https://www.isdp.eu/publication/religion-secular-state-kazakhstan/> accessed 14 December 2024.

³¹ Johan Engvall, *Religion and the Secular State in Kyrgyzstan* (Silk Road Paper, Central Asia-Caucasus Institute & Silk Road Studies Program, June 2020) https://www.foi.se/download/18.5484aa61725645f64f28d/1592307207108/Religion-and-the-Secular-State-in-Kyrgyzstan_Johan-Engvall-10-06-20_FINAL-wCover.pdf accessed 14 December 2024.