

## MARITAL RELATIONS IN FAMILY LAW

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**Abstract.** *The subjects of family legal relations are husband and wife, parents, children, guardians and sponsors, other relatives and legal entities participating in the resolution of one or another relationship in the field of family law, civil society, institutions, learned, social are unions.*

**Keywords:** *family, parental relations, family members, legal laws, moral and material values, etc.*

## БРАЧНЫЕ ОТНОШЕНИЯ В СЕМЕЙНОМ ПРАВЕ

**Аннотация.** *Субъектами семейных правоотношений являются муж и жена, родители, дети, опекуны и попечители, иные родственники и юридические лица, участвующие в разрешении тех или иных отношений в сфере семейного права, гражданского общества, институтов, ученых, общественных союзов. .*

**Ключевые слова:** *семья, родительские отношения, члены семьи, правовые нормы, нравственные и материальные ценности и др.*

Actions and decisions taken by the subjects of family law regarding moral and material values that belong to family members or former family members and are protected by law can be the objects of family legal relations. Legal entities are the set of rights and obligations that the subjects of family legal relations have in the process of solving problems related to each other. It is known that marriage relations have existed since the beginning of primitive society. In the early period, people unknowingly felt the feelings of husband and wife, children, and performed their duties among themselves. First of all, these unions are called "group marriage", and later "couple marriage". As human consciousness developed in the society, changes occurred in marriage relations. The society began to transition from the era of clans-motherhood to the era of patriarchy-paternity. By this time, men had the feeling of owning their wives, the children born from them, and their earned income. This period, called civilization, lays the foundation for the origin of single marriage monogamy. Thus, changes in the relationship of marriage caused a great change in the family.

The main goal of those in family relationships, both in the time of seed production and today, is related to the characteristics of helping, educating and caring for each other, and the closest people unite in this organization. It is known that a person develops and matures in a family. A person who contributes to the future of our independent republic is brought up first of all in the family. A family can be strong only if there is harmony between the spouses. Therefore, it is important to learn what nikph is, how it is formed, and its place in our society. A family is an association made up of parents, spouses, children and relatives, which creates property and personal rights and obligations between family members. The family is under the protection of the state. Having widely assessed the role of the family in the future of our country, it was confirmed that the family is the main link of the society and that it has the right to be under the protection of the state in the "society and individual" chapter of the Constitution. Family relations are regulated by the "Family Code of the Republic of Uzbekistan". These relations include marriage, husband and wife, parents, children, and other family members. The main tasks of family laws are to strengthen the family, to see family relations on the basis of mutual love, trust and respect,

solidarity, helping each other and the sense of responsibility of all its members before the family, to allow a person to have his own family issues. It consists in preventing unnecessary interference, family members exercising their rights without hindrance and protecting these rights. The family is a part of society, a small homeland, an expression of human love, a place that brings a person into the world, the first place of education, the wealth and support of the country, a symbol of love. demands to raise one of its members as a patriot, who serves our country sincerely and loyally.

Family laws regulate relations that are required to be traced by the state. These relations determine the procedure for concluding marriages and contracts; regulates the personal and property relations between husband and wife, parents (adoptors), children, other family members; adopting other people's children; patronize; regulates the relations that arise in connection with the adoption of children; determines the terms of the marriage annulment procedure; defines the rules of registration of civil status documents. It can be felt that family law is closely related to civil law, despite the features that differ from other areas of law. These differences include:

- Family relations arise from legal facts not specific to civil law (marriage, siblingship, motherhood, fatherhood, adoption, etc.);
- Family relations, unlike civil law, have a more personal and legal essence.
- The rights and obligations of the subjects of the supreme right consist of rights and obligations that cannot be alienated and cannot be transferred to new others.

The subject of superior law is relations regulated by the norms of family law. Family law consists of social relations arising from marriage, kinship, raising children in a family, etc., and is regulated by the norms of the civil rights of people and citizens. Sources of family law: Constitution of the Republic of Uzbekistan:

- Family Code of the Republic of Uzbekistan (signed by the President of the Republic of Uzbekistan No. 607-1 on April 30, 1998 and entered into force on September 1, 1998); Civil Code of the Republic of Uzbekistan.
- Laws on family law adopted by the Oliy Majlis of the Republic of Uzbekistan;
- -Decrees and decrees of the President of the Republic of Uzbekistan on family law;
- Normative legal documents of the government of the Republic of Uzbekistan;
- They are considered as norms of international law.

Our country can be understood as a family in action. If there is no mutual respect and discipline, all members of the family do not fulfill their duties, if they do not show kindness and kindness to each other, it is impossible to live peacefully and decently. The family has many strong and spiritual foundations, and marriage is built on the basis of the laws of conscience. The needs and values of people are formed in the family. The majority of our people prioritize their family's safety over their personal well-being. This is a family-level value, a gem of the human heart. The Law of the Republic of Uzbekistan "On Education" of July 2, 1992 also paid special attention to the issue of family education. As stated in its Article 16, parents and other family members should take care of the physical, spiritual maturity and intellectual development of a person. Parents and their substitutes have the right to create an opportunity to obtain the child's information in the family. In such cases, a contract is concluded between the students' parents or their substitutes and the relevant agencies of the educational institution. The state supports family education. Appropriate state institutions provide methodical diagnostic consulting assistance in accordance with the procedure established by law. Family pension can be paid in the cases and according to

the procedure established by law. In most of the legal documents adopted in our country, great attention is paid to the issues of family and child education. For example, in article 16 of November 20, 1991 of the Supreme Council of the Republic of Uzbekistan "On the foundations of state policy regarding youth in the Republic of Uzbekistan", social benefits for citizens and young families are provided, such as: allotment of land for private housing, buying a house, building a house, paying membership fees for copiers, buying household goods (including livestock), buying long-term daily household appliances, commercial Long-term loans are granted for paying tuition fees and other purposes. Loans to young people are made by banks with a low interest rate and in a preferential manner established by the laws of the Republic of Uzbekistan. As stated in Article 63 of the Constitution of the Republic of Uzbekistan, "The family is the main link of society and has the right to be under the protection of society and the state." There is an integral relationship between the new society and the family, the social system defined in our Basic Law. All principles and rules defined in the Constitution of the Republic of Uzbekistan, family life and other normative legal documents that regulate them are of great importance in studying the content and nature of the Family Code. The rule that the family is under the protection of the state, as stated in the Universal Declaration of Human Rights, is considered one of the important tasks assigned to the state and has a broad meaning, in which the family is glorified as the natural and main lower link of society. create the necessary material benefits for mothers and disabled family members and other issues important for family strengthening.

Family law is an integral part of the science of civil law, and it mainly deals with the procedure and conditions of marriage between a man and a woman, the rights and obligations arising from the property and non-property personal relations of the husband and wife, the consequences of the termination of marriage and its invalidity, the grounds and procedure, rules for determining blood kinship and genealogy of children, personal and non-property and property rights and obligations of parents and children, rules for determining adoption, guardianship and sponsorship, and other similar relations. In the social sense, the family consists of a union of people based on marriage, kinship, adoption for raising children, common life goals, mutual care, moral, psychological, physical and household relations between people in the family union they create a commonality in life and family goals. Usually, the birth of a family is based on marriage, so even if a child is not born in the family, the marriage relationship itself constitutes a family. The presence of children in the family along with husband and wife creates a typical family. Parents and children form a family unit that is closely related. There will be very close family relations between them. These individuals form the nucleus of the family. Depending on its social content, the family usually consists of three interconnected social groups, marriage as its basis, and children as the result of marriage. In addition to typical family relationships, relationships between a single mother with a child and her child, other relatives, and in some cases, relationships between non-born (adopted) also constitute family relationships. In the legal sense, family is a legal relationship. The legal character of family relations affects the behavior of family members with legal norms, helps to develop the family on the basis desired by the society. Legal marriage and close kinship are an important legal basis for the establishment of family-legal relations. In the special legal literature, the family is defined by legal scholars. A family in a humane legal state can be defined as follows: The family is a natural and fundamental link of society, legally bound by the relevant rights and obligations resulting from marriage, kinship, adoption or other forms of permanent upbringing of children. consists of individuals. It consists of a union of citizens aimed at

developing and strengthening family relations based on the ideology of national independence, universal values and oriental traditions.

Therefore, each of the functions of the Family Code is important in defining the rights and obligations of the participants in family relations, as well as expressing the need to regulate family relations by law. Moral norms related to family relations are closely related to legal norms. One of the main tasks of the Family Code is to educate citizens in the spirit of feeling their duty towards the family. Fulfillment of such a task plays a big role in good and correct implementation of relations between husband and wife, parents and children, as well as relatives. The main principles of family law are as follows:

- discretion and equality;
- monogamy;
- civil family;
- voluntary separation from marriage;
- equal rights of men and women.

The science of family law consists of the following system:

- family law. Its premise, principles and procedure;
- the concept of "marriage and family";
- conditions of marriage and divorce;
- current actual marital relationship;
- -rights and obligations of alimony of parents and other persons;
- adoption, guardianship and sponsorship.

In the family, there are good traditions and customs regarding the education of children, left by our fathers and mothers, which have passed the tests of a thousand years of life. Currently, relevant medical and educational work is carried out among the population to prepare people for family life and transition to marriage. It is difficult to imagine life without marriage and family. therefore, it is necessary to strengthen the reputation of the family and its influence in the society. Consideration of economic, social, demographic, psychological and other problems of the family is the demand of the time. The general provisions embodied in Chapter 1 of the Family Code of the Republic of Uzbekistan are important for determining the essence and content of articles in other chapters of the OC, their interpretation and practical application, as well as for improving family law documents in the future. These provisions are somewhat different from the previous Marriage and Family Code. They are put into the appropriate system and divided into two chapters: "Basic rules" and "Implementation and protection of family rights". In these chapters, additional application of civil law documents in relation to family relations, similar application of family and civil law documents, application of local customs and traditions, international agreements in family relations for the first time, provisions on implementation and protection of family rights are provided. Instead of the introduction to the importance of the family in the socialist society in the previous Marriage and Family Code, the main purpose and principles of legal regulation of family relations in the current political, socio-economic conditions are detailed in Article 1 of the OK. At the same time, the scope of relations regulated by family law documents is clearly preserved by introducing a number of clarifications. It is inevitable that a democratic society, where justice and equality are established, should be built on the basis of high ideals of family relations - love, friendship, solidarity, mutual respect and respect. It is necessary for it to be strong and eternal. The

main goal of the legal regulation of family relations is to build relationships on the basis of mutual love, trust, respect and solidarity, on the basis of the sense of responsibility of all members. This goal is the main idea of the family code and other legal documents. This idea is the criterion that determines the specifics of all institutions of the Family Code; marriage and its annulment; rules on the rights and obligations of husband and wife, parents and children.

According to Article 8 of the Family Code, in the absence of relevant norms on the regulation of family relations in legal documents, it is established that local customs and traditions that do not contradict the principles of the laws of the Republic of Uzbekistan shall be used. One of the next sources of family law is the codes and laws containing family legal norms. They include, for example, the Civil Code, Housing Code, Laws on Property, Laws on Agriculture, etc. k. enters. As for the fact that the Civil Code is the source of family-legal relations, the citizen, who is the most central subject of civil law, is first of all born in a certain family, grows up and is formed as a person. In the current Civil Code, the content of the rights of citizens has been significantly enriched. According to it, citizens can own property on the basis of property rights, inherit and bequeath property, engage in farming and other activities not prohibited by law, wage labor can use, establish legal entities, enter into agreements and participate in obligations, choose the type of training and place of residence. These cases are closely related to both civil law and family law. Family law is an independent field of law, which includes family members, i.e. spouses, parents, children, adopters and adopted children, deprived of parental care children, guardians and sponsors, records of civil status documents procedure, as well as foreign citizens and stateless persons regulates family relations between individuals. Professor F. M. Otakhojhayev defined family law and said that it is spouses, relatives, parents (adopters) and children the network of law regulating private property and property relations related to them states that. Also, family law is integrated and closely related to other areas of law connection, but family law has its own subject, method, principle, shows that it is distinguished by its system. Family Law is different with its subject, method, principle and system it is distinguished from the fields of law. It is worth noting that the scope of relations regulated by the norms of family law It is defined in the Family Code of the Republic of Uzbekistan. Family social relations regulated by legal norms includes personal and property relations.

Strict compliance with the laws, considering that the attention of the courts when considering disputes related to child upbringing is one of the important guarantees of the protection of the interests of children and families. focusing on the necessity, related to children's upbringing: which of the different parents the child lives with; eliminating the resistance of a father or mother who is separated from their child to participate in their child's education; return children who are in the care of other persons to their parents; deprivation of parental rights and restoration of parental rights; to take their children without depriving them of parental rights (retention of parental rights); meeting of the child with a parent whose parental rights are limited; cancellation of the restriction of parental rights; states that the annulment of adoption or declaring it invalid and other disputes should be heard in court. In this sense, it should be said that although the decisions of the Plenum do not create a new norm, they recommend the attention of the lower courts to rely on the actual situation, the law and internal confidence in resolving disputes. Based on the above, sources of family law can be defined as follows: regulatory documents that legally regulate and strengthen family relations are considered sources of family law.

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