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### THE CONCEPT OF THE FAMILY IN MODERN SOCIETY AND ITS MAIN TASKS IN UZBEKISTAN

Abdurakhmanova A. R.

Student of Tashkent State Pedagogical University,  
direction: "national idea, spirituality and legal education".

Khudaykulova O. H.

Student of Tashkent State Pedagogical University,  
direction: "national idea, spirituality and legal education".

#### Annotation:

The article examines the issues: legal and sociological concept families; The main tasks of the family; family protection by society and government family law of foreign countries, etc. The concept of family law; the role and place of family law in the legal system; principles of family law; a system of family law.

**Keywords:** principles of family law, rights of the child, family, right-wing culture.

One of the most important social institutions is the family. In a family, a person is brought up, formed as a person, enters a complex circle of social relations, becomes a citizen. The family becomes the basis of material and psychological support of the person, normal development of children. The family ensures the continuity of cultural heritage. It is in the family that the world-view of the person is initially formed, its social qualities are formed. The family is an important decisive link in the education of the physically developed younger generation, where children are formed as individuals, educated by worthy representatives of their people in the spirit of national and universal human values and love for the motherland. The family as an institution ensures that the basic norms of morality and basic skills of human interaction are learned and passed on to the next generation.

The family, as a social community in all civilizations, has been an essential element of global development. The ideology of the family as a priority and its intrinsic value for the life and development of the individual and society are enshrined in many normative acts. One of the main provisions of these documents



is the strengthening and protection of the institution of the family by society, the development by all States of national family policies.

Under the Constitution, the family is the basic unit of society and has the right to the protection of society and the State and is based on free consent and the equality of the parties. Parents are obliged to maintain and raise their children until they reach the age of majority. The State and society take full care of orphans and children deprived of parental care and encourage charitable activities towards them.

The great majority of constitutions of the world do not bypass the family with their attention. So, Art. 24. The 1946 Constitution of Japan establishes that marriage is based only on the mutual consent of both parties and exists on the basis of mutual cooperation based on the equality of husband and wife. All matters relating to marriage and the family must be regulated by law on the basis of the principle of personal dignity and equality of the sexes. Under art. 2, para. 1. 21 The Greek Constitution of 1975 «the family as the basis for the preservation and development of the nation, as well as marriage, motherhood and childhood are under state protection».

Some constitutions specifically guarantee the rights and interests of children. Article 4, paragraph 5, of the Mexican Constitution states: It is the duty of parents to respect the right of children to their needs, mental and physical development. The law defines the means to be provided by public institutions for the protection of children». China's difficult demographic situation prompted the drafters of the current Constitution to include the following provisions: «The State shall distribute birth planning to bring population growth into line with plans for economic and social development» (art. 25); Spouses - husband and wife are obliged to carry out birth planning (Art. 49, para. 2. ). At the same time, given the decline of mores in our society, one cannot but pay attention to the following provisions of Parts 3 and 4 of the same Article. 49 The Constitution of the People's Republic of China: Parents are obliged to maintain and raise minor children, adult children are obliged to support and support parents. Violation of freedom of marriage and cruelty to old people, women and children are prohibited». In addition, the State protection of the family is an important task under the Universal Declaration of Human Rights, to which the Republic of Uzbekistan is a party. It makes the family a natural and fundamental part of any society. Its inviolability must be ensured and all conditions must be created for



the strengthening of the family and the education and upbringing of children. All conditions are being created to support the family in Uzbekistan, as evidenced by the legal and regulatory instruments adopted since independence. A procedure had been introduced whereby young people were required to undergo medical examinations prior to marriage, with a view to establishing a healthy family and giving birth to healthy children. Motherhood and fatherhood are honoured and respected. The interests of mothers and children are protected by special measures to protect women's health and to enable women to combine work with motherhood, their legal protection and material and moral support.

The Republican scientific-practical center «Oil» makes a worthy contribution to the solution of these tasks connected with education of the comprehensively developed generation, protection of mothers and children. Established in accordance with the Decree of the Cabinet of Ministers of the Republic of Uzbekistan of February 2, 1998. Its activity is aimed at preserving the rich national family traditions, awareness among young people of the sanctity of the concepts of family and marriage, Improving people's legal knowledge and providing practical assistance to citizens.

The family also has an impact on society because it plays a decisive role in the continuation of the human race, in the upbringing of children and in the development of the personality. Therefore, family relations are important not only for every person, but also for society as a whole.

More than 33 million people live in Uzbekistan. 7 million families. Under the Constitution, the population of Uzbekistan, regardless of national differences, is a citizen of the Republic of Uzbekistan. So the process of ethnic globalization in our country seems to be complex. In view of the above, family law plays an important role in regulating relations between the family, which is the smallest social unit (unit) of society, and its members, as well as in the protection of the family by the State and society.

Family relations are governed not only by moral norms, customs and religious canons, but also by the rules of law, which form an independent sphere of legislation - family law.

To art. 1 The Family Code establishes: The objectives of the family law are strengthening the family, building family relations on the feelings of mutual love, trust and mutual respect, cooperation, mutual assistance and responsibility before the family of all its members, the inadmissibility of arbitrary interference of

someone or in the affairs of the family, ensuring the unhindered exercise by family members of their rights and their protection». It should be noted that the concept of family is not explicitly enshrined in family law. The concept of family is distinguished in legal and sociological sense. Some authors define the family in society as a union of persons based on free and equal marriage or close relationship (often in adoption), united by mutual material and moral support, care, rearing of offspring, States, with extensive and increasing assistance and with corresponding rights and responsibilities.

According to Professor F.M. Otahuzhaev, The family is a specific social enterprise. This peculiarity of the family manifests itself first of all in its inextricable connection with the public interest and social objectives. There is therefore a general (social) and a specific (legal) concept of the family. The theory of family law also distinguishes the sociological and legal definition of the family. In a sociological sense, the family is a union of persons based on marriage, kinship (or only kinship), the adoption of children into a community of life and mutual support. In this case, the focus is on actual family relations, care and attention. A family may exist from a sociological point of view even when it is not legally understood, for example, the de facto cohabitation of a man and a woman who are not married. In the legal sense, the family is the union of persons united by legal rights and obligations. In other words, the family is understood as a legal relationship. Family law gives legal importance to marriage and parenthood in particular, as well as to certain degrees of kinship (child and grandparents, brother and sister), properties (stepfather, stepmother and stepson, stepchild), relations resulting from adoption, guardianship, foster care. So, legally speaking, the family is a circle of people,

The rights and obligations arising from marriage, filiation, affinity, adoption or any other form of foster care. The family plays an important role in the life of the individual and society as a whole.

The essential interests of the individual are realized in the family. The family plays an important role in the continuation of the human race, the development of personality, the education of children.

As can be seen, the concept of family is broader than that of marriage: marriage is the basic premise of the family, its precondition. A normal and complete family only arises and develops on the basis of marriage and not outside it. In summary, the concept of family is defined as follows: «The family is based on marriage or



kinship association of persons connected with each other by personal and property rights and obligations, moral and material community and support, common economy and education of children».

It should be noted that, while there is no unanimity in family law theory on the concept of the family, there are no differences of principle between individual definitions. It was only a question of finding the most precise and concise language, which was very important for a legal definition.

Recently, there has been growing interest in family law and family law, their theoretical part, due primarily to the following factors: 1) the expansion of contractual and dispositive principles in the field of family law, 2) Emergence of new relationships and related problems (competition of social and biological parenthood, necessity of legislative reaction to reproductive relations, non-traditional partnerships, etc.) Updating the legal status of family members in connection with social changes in the relationship between men and women (emancipation, enhancement of the social status of de facto marriage, etc. ), parents and children (formation of the child's active position as a subject of law, a member of the family), etc.

Family law, as a branch of law, has a special subject and method of regulation. In the legal field, the subject of legal regulation is understood to be a set of essentially uniform social relations, which are regulated by the rules of this branch of law. The subject matter of the law answers the question of what regulates what affects a particular branch of law.

In Uzbekistan, relations that constitute the subject of family law have traditionally been governed by a separate sphere of legislation. It is well-known that the family law «broke away» from civil law. Moreover, in many countries (e.g., France, Germany), relationships arising from marriage and family affiliation are regulated by the relevant chapters of the civil codes. As a consequence, there is still debate as to whether family law is a separate branch of law, a civil law branch or a complex branch of law consisting of different branches of law (civil, administrative, etc.).

In this regard, it should be noted that the relations governed by family law have sufficient specificity. At first glance, the subject of civil and family law regulation coincides: property and personal non-property relations.

Family law has its own characteristics:

- relations that are subject to regulation by the family





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rights, characterized by a special subjective composition: spouses, parents, children, adoptive parents, guardians, trustees and t.p.;

- family-marriage legal relations arise from specific

Legal facts: marriage, filiation, maternity, paternity, adoption, etc. For family law more than for others

the branches of law are characterized by legal facts-states. Although not

Legal facts inherent in civil law are excluded

for example, transactions (marriage contract, alimony agreement).

- family and marriage relations are mainly personal, property relations are secondary, derivative-

from personal. Moreover, most property rights and obligations are inseparable from the person authorized and therefore

Non-transferable to others (e.g., right to Ali-cops).

Since in family relations it is impossible to replace their participants, as long as any family relationship (property or personal non-property) becomes personal. However, the personal nature of family relations is not only conditioned by the fact that personal and property rights and obligations are inseparable from the identity of the authorized person.

The content of family relations is primarily personal and then property. Personal relations are of a priority nature, as property relations are always connected with them and flow from them. Personal relations largely determine the content of the rules governing property relations. For example, the legislator, given the influence of personal moments (attachments, feelings, emotions, etc. ) on the process of concluding a marriage contract or alimony agreement, sets special restrictions. Family relations are therefore among those where the scope for application of the law is very limited. It has to do with their trust.

They are determined mainly by moral and moral rules, not by law. In adopting the relevant laws, the State shall endeavour, as far as possible, not to interfere in the strictly personal relations of citizens, confining itself to establishing only such binding rules (legal rules) as are necessary to strengthen the family, to exercise and protect the rights and legitimate interests of all its members.

The features of family relations discussed above allow to separate them from the general mass of property and personal legal relations into a separate sphere of



independent subject of regulation of family law.

With this in mind, family law regulates a special type of social relations - relations between people in connection with marriage, creation of family, birth and upbringing of children. All these relationships form the subject of family law, which is an independent branch of law. The range of relations governed by the rules of family law (subject of family law) is defined directly in the Family Code. Art. 5 The State Commission of Uzbekistan considers the conditions and procedure for entering into marriage, dissolution and annulment of marriage to be a subject of family law, regulates personal non-property and property relations between family members: spouses, parents and children (adoptive parents and adoptive parents) and, in cases and within the limits provided for by family law, between other relatives and other persons, as well as the forms and order of placement in a family of children left without parental care, the procedure for registration of civil status acts.

Thus, family law is a set of legal rules governing personal non-property and property family relations arising from marriage and kinship and relations assimilated by law to the family for the protection and strengthening of the family, rights and interests of its members.

Family law is characterized by methods of legal regulation of family relations, which together form what in legal science is called the method of legal regulation. The family-legal method of regulation consists of means, techniques, and a set of methods of legal regulation of personal non-property and property legal relations, which are the subject of family law.

It is the presence of a special subject and method of legal regulation allows to allocate a certain set of rules in a separate branch of law.

Modern family law, unlike the previous one, makes it a priority rights. The number of permissions is the highest among all other family laws. However, the number of mandatory prescriptions is still

great (relations arising from marriage, dissolution and annulment of marriage; personal legal relations between parents and children; relations on adoption of a child, etc.).

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