



## FAMILY AND LEGAL RESPONSIBILITY: ESSENCE AND IMPLEMENTATION IN ACCORDANCE WITH THE LEGISLATION OF THE REPUBLIC OF UZBEKISTAN

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**Abstract:** This paper examines the essence of family-legal liability, as well as the mechanisms for its implementation within the framework of the current legislation of the Republic of Uzbekistan. Particular attention is paid to the types of liability in family law, the grounds for occurrence and legal consequences. Judicial practice is analyzed, the importance of compliance with legal norms for strengthening the institution of the family is emphasized.

**Key words:** family law, responsibility, obligations, legislation, Uzbekistan, legal consequences, protection of rights.

**Аннотация:** В данной работе рассматривается сущность семейно-правовой ответственности, а также механизмы её реализации в рамках действующего законодательства Республики Узбекистан. Особое внимание уделяется видам ответственности в семейном праве, основаниям наступления и правовым последствиям. Анализируется судебная практика, подчеркивается важность соблюдения норм права для укрепления института семьи.

**Ключевые слова:** семейное право, ответственность, обязательства, законодательство, Узбекистан, правовые последствия, защита прав.

**Introduction:** The family is the foundation of society, and its legal protection is one of the most important tasks of the state. The legislation of the Republic of Uzbekistan regulates a wide range of issues related to the rights and obligations of family members. A special place in this system is occupied by family-legal responsibility, ensuring compliance with established norms and protection of the rights and interests of all participants in family legal relations. This paper examines the theoretical foundations and practical aspects of the implementation of family-legal responsibility in Uzbekistan.

**Main part . Family** law liability is a form of state coercion applied to a person for violating family law norms. Its purpose is to restore violated rights and prevent new offenses.

In family law there is no direct criminal or administrative liability, but there are measures aimed at protecting rights, for example:

- deprivation of parental rights,
- restriction of parental rights,
- collection of alimony,
- recognition of marriage as invalid,
- cancellation of adoption, etc.

The implementation of family and legal responsibility is carried out through the courts, guardianship and trusteeship authorities, and with the participation of the prosecutor's office. Mediation and conciliation procedures play an important role.



The main norms are enshrined in the Family Code of the Republic of Uzbekistan, the Civil Procedure Code, the Law "On Guarantees of the Rights of the Child" and other regulatory legal acts.

The family is one of the most significant social institutions. In the family, a person receives an education, develops as a person, enters into a complex circle of social interactions and becomes a citizen. For a person, the family is the basis for both psychological and financial support; for the normal development of the child. The family guarantees the flow of cultural heritage. A person's perspective is first formed in the family; his social traits also develop. In the development of a physically developed young generation, where children are formed as individuals, brought up as worthy representatives of their people in the spirit of national and universal values, respect for the Motherland, the family is the most important decisive link in society. The family as an institution guarantees the assimilation and transmission to future generations of basic moral principles and the simplest interpersonal skills. In every civilization, the family has been the most important component of public life. Many rules reflect the worldview of the family, which emphasizes its lifelong importance for the development of man and society. The development of national family policies by all states and Strengthening and protecting the institution of the family by society are among the main features of these treaties. Based on free consent and equality of the parties, the family is the basic unit of society and has the right to protection of society and the state in accordance with the Constitution of the Republic of Uzbekistan. Parents must help and raise their children until they become adults. As for orphans and children deprived of parental care, the state and society, as a rule, take care of them and support charitable affairs in relation to them. The vast majority of constitutions around do not ignore the family in their considerations. Indeed, Article 24 of the 1946 Constitution of Japan shows that marriage is based on mutual cooperation, based on the equality of husband and wife and based only on the joint consent of both parties. Based on the ideas of personal dignity and equality of the sexes, all matters of marriage and family should be regulated by law. According to Part 1 of Article. 21 of the 1975 Greek Constitution, "the family, as the basis for the preservation and development of the nation, as well as marriage, motherhood and childhood, are under the protection of the state." Some constitutions specifically guarantee the rights and interests of children. "It is the duty of parents to respect the right of children to the satisfaction of their needs, to mental and physical development," states Part 5 of Article 4 of the Constitution of Mexico. "The law determines the ways in which state institutions must protect children." The difficult demographic situation in China prompted the authors of this Constitution to include the following provisions: "The State extends birth planning to bring population growth in line with economic and social development plans" (Article 25); "Spouses - husband and wife are obliged to carry out birth planning (Part 2 of Article 49). Given the decline in morals in our society, one cannot fail to pay attention to the following provisions of Parts 3 and 4 of the same article. 49 of the Constitution of the PRC: "Parents are obliged to support and raise minor children, adult children are obliged to support and assist their parents. Violation of freedom of choice in marriage, cruelty to the elderly, women and children is prohibited. In addition, state protection of the family is the most important duty provided for by the Universal Declaration of Human Rights, to which the Republic of Uzbekistan is a party. According to it, any society is natural and fundamental to the family. Its inviolability must be guaranteed, all conditions must be created to strengthen the family, including for the



upbringing and education of children. The normative legal acts adopted over the years of independence confirm that all conditions have been created in Uzbekistan to promote the family. In order to create a healthy family and give birth to healthy children, mandatory medical examination of young people before marriage is used here. Fatherhood and motherhood are respected. Special measures to protect women's health, the creation of conditions for women to combine work and motherhood, their legal protection, material and moral support contribute to ensuring the interests of the mother and child.

The Republican Scientific and Practical Center " Oila ", established in accordance with the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated February 2, 1998, makes a worthy contribution to solving these problems of raising a comprehensively developed generation, protecting motherhood and childhood. Its activities are aimed at preserving rich national family traditions, raising awareness of young people about the dignity of the ideas of marriage and family, thereby increasing people's legal knowledge and providing them with useful support. The family shapes not only the life of society, but also the upbringing of children, the development of personality, the survival of the human race, thereby influencing the course of events. Therefore, family ties are important not only for each individual, but also for society as a whole. About 33 million residents of Uzbekistan live in 7 million families. The Constitution states that the population of Uzbekistan, regardless of national differences, is a citizen of the Republic of Uzbekistan. This suggests that the process of ethnic globalization in our country seems confusing. Taking into account the above, it becomes clear that family law protects the family from the state and society, and also helps regulate relations between the family, the smallest social unit (cell) of society, and its members. Legal norms form an autonomous area of legislation, thereby regulating family relationships not only from the point of view of morality, customs and religious canons, but also from the point of view of law. "The goals of family law are to strengthen the family, build family relationships on feelings of mutual love, trust and mutual respect, cooperation, mutual assistance and responsibility to the family, the inadmissibility of arbitrary interference by anyone in family affairs, ensuring the unhindered exercise of family rights by family members and their protection," says Art. 1 of the Family Code of the Republic of Uzbekistan. It should be emphasized that the family is not clearly defined in family law. A distinction is made between the family from the legal and sociological points of view. Some authors define a family in society as a union of people based on a free and equal marriage or close kinship (often adoption), united by mutual material and moral support, care, upbringing of offspring, carried out with broad and ever-increasing assistance from the state and possessing the corresponding rights and obligations. Professor F.M. Otakhuzhaev says: "A family is a specific social enterprise." First of all, this quality of a family is manifested in its inseparable interaction with public affairs and public interests. This is due to the broad (public) and private (legal) definition of a family. In addition, the division of sociological and legal concepts of a family constitutes the philosophy of family law. In social terms, a family is a union of people based on marriage, kinship (or simply kinship), adoption of children for upbringing, marked by cohabitation and mutual assistance. In this situation, genuine family ties, care and attention come to the fore. From a social point of view, a family can exist even when it is not created in the legal sense, for example, the actual cohabitation of a man and a woman who are not married. From a legal point of view, a family is a group of people united by legal rights and obligations. In other words, a family is considered a legal relationship. Family law mainly



ensures the legal significance of marital and parental relations, as well as certain degrees of kinship (child and grandparents, brother and sister, property, stepfather, stepmother and stepson, relations arising as a result of adoption, guardianship, custody, adoption of children in a foster family). Thus, in a legal sense, a family is a circle of people bound by rights and obligations arising from marriage, kinship, property, adoption or other type of guardianship of children for upbringing. In the life of an individual, as well as society as a whole, the family plays a very significant role.

**Conclusion:** Family and legal responsibility plays a key role in ensuring law and order in the sphere of family relations. Its implementation helps protect the interests of children and other family members, strengthen the institution of the family and prevent offenses. Improving legal regulation and law enforcement practice in this area is an important task for increasing the legal culture of the population and developing a state governed by the rule of law.

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