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The Family is the Hearth of Spirituality and Upbringing

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Abstract:

This article analyzes the theoretical and practical aspects of the family - the basis of society, an important link, which is not only a personal matter, but also its social significance, the legal basis of marriage - family relations and the implementation of the rights and obligations of family relations. In addition, this article contains current problems in families and promising suggestions for strengthening the family.

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In the process of building a democratic state and a free civil society in the Republic of Uzbekistan, which is on the path of independent development and progress, a clear policy is being pursued to strengthen the institution of the family, ensuring its integrity. All the reforms being implemented are significant in that they are aimed at socially supporting the interests of the family and every citizen.

Hugo said, "The family is the crystal of society," while F. Adler wrote, "The family is a small society, and its independence depends on the security of an adult society *."

In our country, the family is considered as the basis of society, an important link, which is not only a personal matter, but also has a social significance.

After all, a perfect person grows up in a well-rounded, fluffy, healthy family. It is no coincidence that the upbringing of a healthy generation, the formation of a healthy family environment is recognized as a priority of public policy.

The Action Strategy for the five priority areas of development of the Republic of Uzbekistan -

*. Encyclopedia molodoy jenshchin y. Translation from the Czech -Main edition of the encyclopedia T.1992 . S-184

increasing the social and political activity of women, strengthening their role in government and society, employment of women, graduates of professional colleges, their involvement in entrepreneurship, further strengthening the family marked.[†]

In his speech at the solemn ceremony dedicated to the International Women's Day this year, President of the Republic of Uzbekistan Sh. Mirziyoyev said: “We have set a great goal to build the foundation of the Third Renaissance in our dear Motherland. In this noble and honorable path, we rely first of all on the sacred values of the family and the deep spirituality of our mothers, who are true coaches.” The legal basis of the institution of the family as a state issue is first of all enshrined in the Constitution of the Republic of Uzbekistan. According to our Constitution, the family is the basic unit of society and is under the protection of society and the state. Priority provisions in this regard are enshrined in a number of laws, including the Family, Civil and Labor Codes of the Republic of Uzbekistan, the Law on Employment, the Law on Public Health, and the Law on Additional Benefits for Women. The sanctity and stability of the family, its comprehensive care are legally guaranteed.

Among the above-mentioned laws, the Family Code has a special status, it directly regulates family relations. This law, adopted in 1998, is important in that it is based on international experience in the regulation of family relations, as well as national traditions and values, along with universally recognized international principles. As a result of the adoption of the Family Code, as a result of legal reforms in our country, a new level of quality has been achieved in the legal regulation of marriage and family relations as a type of social and legal relations.

New family legislation has been formed, combining the national values and traditions of the Uzbek people with modern legal practice, and today mechanisms have been created to implement the rights and obligations of the subjects of marriage and family relations.

The family has a specific social function as an important link in the social structure of society. In particular, the family has important spiritual relationships, such as raising children, respecting the elderly, caring for the little ones, a culture of mutual respect, and the preservation and observance of oriental traditions.

It is known that the legal basis of the family is a marriage legally registered with the civil registry office. A marriage contracted according to the rules of Sharia has no legal significance and has no legal consequences.

A legal marriage is a mutual agreement of a couple, as an alliance, which is concluded under certain conditions and gives rise to certain rights and obligations between the spouses.

Family relations are comprehensive and are governed not only by the rule of law, but also by the rules of morality and tradition.

For example, if the marriage is legally confirmed by a deed in the department or the House of Happiness, issues such as its announcement are announced in different regions on the basis of different customs (bread, large or small wedding celebrations, etc.).

Respect for the elders, respect for the younger, and serious attention to family and kinship are the law of society. Although these rules are sometimes exaggerated, they have preserved the strength of the family for centuries, and it has had its effect, albeit partially, to this day. Although it is rooted in our religion, customs and traditions, this feature of it is weakening, and there are more and more things

[†] Decree of the President of the Republic of Uzbekistan No. PF-4947 dated 07.02.2017

that undermine the peace of the family.

Today, most families are embroiled in controversy for a variety of reasons. These disagreements sometimes lead to major crises and conflicts. As a result, families are falling apart. The number of orphans is increasing and family and kinship ties are weakening. Disagreements in the family have a negative impact on children in the first place.

In our view, this is due to the fact that the couple does not fully understand the rights and obligations that arise between them before they enter into a marriage.

Article 13 of the Family Code of the Republic of Uzbekistan defines the procedure and conditions for marriage, and marriages are concluded in the civil registry offices. Only such a marriage creates mutual rights and obligations between the couple. The registration of a marriage with the appropriate state body is the only legal proof that the marriage has taken place.

Marriage arranged according to religious rites has no legal significance. Issues related to the registration of marriage in the relevant state bodies Articles 13-17, 203, 212-217 of the Family Code, approved by the Cabinet of Ministers of the Republic of Uzbekistan dated November 14, 2016 No 387 "Rules for registration of acts of civil status"[‡] regulated by.

Although it has been established that marriages based on religious rites have no legal significance, however, in practice, marriages based on religious marriage are on the rise today.

As a result, families are falling apart and the number of orphans is increasing due to insignificant disputes in families built without legal grounds.

For example, a resident of Besharik district in Fergana valley, S.A. He is married to 4 women and today has 6 children. His first marriage was legal, but he divorced without annulment of this marriage and then married 3 more women one after the other on the basis of sharia marriage. Citizens S.A. does not work anywhere, does not fulfill its obligations to raise children and provide financial assistance at all.[§]

A.B, a resident of Toshloq district, is married to 3 women on the basis of sharia marriage and today they have 4 children. Citizens B.A. nor does it work anywhere, nor does it participate in the joint resolution of child-rearing and other issues of family life.

According to the data, today there are a total of 34,126 alimony debtors in Fergana region, of which 18,637 do not work anywhere.^{**}

Today, in order to provide financial support for children of women with broken marriages, it is necessary to receive regular financial support for children under 2 and 16 years of age in the mahallas. They have applied to various agencies at the district, regional and national levels for housing, and have received financial assistance from the state and other sponsors.

There are many such examples.

We believe that in order to prevent such incidents, it is necessary to take decisive and bold steps to

[‡] Rules of registration of acts of civil status T. "Justice" 1999.

[§] EB Besharik district department i / x

^{**} EB Toshloq district department i / x

sharply reduce the number of single mothers and orphans in society by studying the legislation of developed countries and making some changes and additions to our legislation based on our national values.

Article 29 of the Family Code of the Republic of Uzbekistan stipulates that a marriage contract is an agreement between persons who are getting married or a couple during their marriage and (or) in case of divorce, defining their property rights and obligations.

Articles 30 and 31 of the law specify the procedure for concluding a marriage contract and the content of the marriage contract.

However, in practice today, these requirements of the law do not work at all.

Based on the above, we would like to suggest the following:

Firstly, the procedure for concluding a marriage contract is regulated by subordinate normative legal acts;

Secondly, to make the Family Centers responsible for concluding the marriage contract so that they can act as mediators between the parties to the marriage;

Thirdly, the parents and legal representatives of the parties to the marriage must also be involved in concluding the marriage contract;

Fourthly, the marriage contract must specify the rights and obligations of the parties to the marriage, including their future residence, financial support, permanent registration at the place of residence, and other circumstances that determine the future of the family;

Fifthly, the marriage contract must clearly state the legal consequences of the husband and wife's infidelity to the family during their marriage, their refusal to jointly decide on the upbringing of children and other issues of family life.

Sixthly, those who marry legally without a legal marriage are also liable (the Code of Administrative Offenses only criminalizes teachers who perform religious marriages. are outgoing individuals) appropriate amendments and additions should be made to the administrative and criminal codes to strengthen accountability. Only then will the number of single mothers and orphans decrease sharply.

Based on the above, we must not forget that the family, which is the basis of society, is a continuous and systematic process to increase its place in society and its importance as a source of spirituality and upbringing.

List of used literature:

1. The Constitution of the Republic of Uzbekistan-Tashkent: "Uzbekistan", 2018.
2. Civil Code of the Republic of Uzbekistan.-Tashkent: "Justice", 2018.
3. Family Code of the Republic of Uzbekistan.- Tashkent, 2021.
4. "Rules of registration of acts of civil status" of the Cabinet of Ministers of the Republic of Uzbekistan // Collection of Legislation of the Republic of Uzbekistan, 14.11.2016. VMQ -387.