

The Concept of Family in Modern Society and its Main Tasks in the Republic of Uzbekistan

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Abstract - 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 - Legal and Sociological Concept of the Family, Family Protection, the Concept of Family Law, Property and Personal Non-Property Relations.

One of the most important social institutions is the family. In the family, a person receives education, is formed as a person, enters into a complex circle of social relations, and becomes a citizen. The family becomes the basis of material and psychological support for the person, the normal development of children. The family ensures the continuity of cultural heritage. It is in the family that a person's worldview is initially formed, his social qualities are formed. "The family is an important decisive element in society in the upbringing of the physically developed younger generation, where children are formed as individuals, brought up by worthy representatives of their people in the spirit of national and universal values, love for the motherland." The family as an institution ensures the assimilation and transfer to the next generation of basic moral standards and the simplest interaction skills between people.

The family as a social community in all civilizations was the most important element of global development. The

ideology of family priority, its enduring value for the life and development of man and society, is 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 a national family policy.

In accordance with Art. 63 of the Constitution of the Republic of Uzbekistan "the family is the main unit of society and has the right to protect society and the state, and is based on the free consent and equality of the parties". According to Art. 64 of the Constitution of the Republic of Uzbekistan, parents are required to support and raise children until they come of age. The state and society comprehensively take care of orphans and children deprived of parental care, encourage charitable activities towards them.

The vast majority of the world's constitutions do not ignore the family. So, Art. 24 of the Japanese Constitution

of 1946 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 issues of marriage and family should be regulated by law, based on the principle of personal dignity and gender equality. According to Part 1 of Art. 21 of 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 protected by the state."

Some constitutions specifically guarantee the rights and interests of children. Part 5 of Article 4 of the Constitution of Mexico reads: "The duty of parents is to respect the right of children to meet their needs, to mental and physical development. The law defines the means for the protection of children that should be provided by state institutions." China's difficult demographic situation prompted the drafters of the current Constitution to include the following norms: "The state disseminates fertility planning to bring population growth into line with economic and social development plans" (Art. 25); "Spouses - husband and wife are obliged to carry out fertility planning (part 2, article 49). At the same time, given the decline in morals in our society, one cannot but pay attention to the following provisions of parts 3 and 4 of the same art. 49 of the Constitution of the PRC: "Parents are required to support and raise minor children, adult children are required to support and support their parents. Violation of the freedom of marriage and cruel treatment of the elderly, women and children are prohibited." Moreover, the state protection of the family is an important task stipulated by the norms of the Universal Declaration of Human Rights, to which the Republic of Uzbekistan is a party. In accordance with it, the family is a natural and fundamental part of any society. It is necessary to ensure its inviolability, create all conditions for strengthening the family, education and upbringing of children. To support the family in Uzbekistan, all conditions are created, which is confirmed by normative legal acts adopted over the years of independence. The procedure for compulsory medical examination of young people before marriage has been introduced, which is aimed at creating a healthy family and giving birth to healthy children. Maternity and paternity are respected and respected. The protection of the interests of mothers and children is ensured by special measures to protect the health of women, creating conditions that allow women to combine work with motherhood, their legal protection, material and moral support.

The Republican Scientific and Practical Center "Oila", created in accordance with the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan of February 2, 1998, makes a worthy contribution to the solution of these tasks related to the education of a comprehensively developed generation, the protection of motherhood and childhood. Its activities are aimed at preserving the rich national family traditions, youth awareness of the holiness of the concepts of family and marriage, improving the legal knowledge of people and practical assistance to citizens.

The family also influences the life of society, since it plays a decisive role in the continuation of the human race, in raising children, and in the formation of personality. Therefore, family relationships are important not only for each person, but also for society as a whole.

More than 30 million people in Uzbekistan live in 7 million families. According to the Constitution, the population of Uzbekistan, regardless of national differences, are citizens of the Republic of Uzbekistan. This means that the process of ethnic globalization in our country seems to be complicated. In view of the above, it can be noted that 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 protecting the family by the state and society.

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

In Art. 1 of the Family Code of the Republic of Uzbekistan enshrined: "The objectives of family law are to strengthen the family, build family relations on the feelings of mutual love, trust and mutual respect, cooperation, mutual assistance and responsibility to the family of all its members, the inadmissibility of arbitrary interference by anyone in family affairs, ensuring unhindered exercise by family members of their rights and their protection." It should be noted that the concept of family is not directly enshrined in family law. Distinguish the concept of family in the legal and sociological sense. Some authors define a family in society as a union of persons based on free and equal marriage or close kinship (often in adoption), united by mutual material and moral support, care, raising offspring, carried out with the wide and ever-increasing help of the state and having the corresponding rights and obligations .

According to Professor F.M. Otakhuzhayev, "The family is a specific social enterprise. This feature of the family manifests itself, first of all, in its inextricable connection with public interests and social tasks. In this connection, there is a general (public) and special (legal) concept of the family. The theory of family law also distinguishes between the sociological and legal definition of the family.

It should be noted that, although in the theory of family law there is no unity of views on the concept of the family, there are no discrepancies in principle between the individual definitions. It is only a search for the most accurate and comprehensive formulations, which is very important for a legal definition.

Recently, there has been growing interest in family law and family law, their theoretical part, in view of, first of all, the following factors: 1) expansion of contractual and dispositive principles in the field of family legal regulation, 2) the emergence of new relationships and related problems (competition - social and biological parenthood, the need for a legislative reaction to relations in the reproductive sphere, non-traditional partnerships, etc.), updating the issues of the legal status of family members in connection with social changes in the relationship between a man and a woman (emancipation, raising the social status of the actual marriage, etc.), parents and children (the formation of an active position of the child as a subject of law, a family member), etc.

Family law as a branch of law is characterized by a special subject and method of legal regulation. In jurisprudence, under the subject of legal regulation it is customary to understand the totality of social relations that are inherently governed by the norms of this branch of law. The subject of legal regulation answers the question of what regulates what this or that branch of law affects.

In Uzbekistan, relations constituting the subject of family law are traditionally regulated by a separate sphere of legislation. It is well known that family law "split off" from civil law. Moreover, in many countries (for example, France, Germany), relations arising from marriage and family affiliation are regulated by the relevant chapters of civil codes. As a result of this, there is still a debate about whether family law is an independent branch of law, a sub-branch of civil law, or a complex branch of legislation consisting of the norms of various branches of law (civil, administrative, etc.).

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

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

In its content, family relations are primarily personal in nature and only then property. Personal relations are a priority, since property relations are always associated with them and arise from them. Personal relationships largely determine the content of the rules governing property relations. For example, the legislator, taking into account the influence of personal moments (attachments, feelings, emotions, etc.) on the process of concluding a marriage contract or an alimony agreement, establishes special restrictions. Consequently, family relations between its members are among those where the possibility of applying legal norms are significantly limited. This is due to their personal trusting nature.

They are determined mainly not by law, but by moral, moral rules. By adopting relevant laws, the state seeks, as far as possible, not to interfere in the strictly personal relations of citizens, limiting itself to establishing only such mandatory rules (legal norms) that 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 make it possible to distinguish them from the total mass of property and personal legal relations in a separate sphere, an independent subject of family law regulation.

In view of the aforesaid, family law regulates a special type of social relations - relations between people in connection with marriage, family formation, birth and upbringing of children. The totality of these relations is the subject of family law, which is an independent branch of law. The circle of those relations that are regulated by the norms of family law (the subject of family law) is defined directly in the Family Code of the Republic of Uzbekistan. Art. 5 SK RUz refers to the subject of family law the conditions and procedure for marriage, termination of

marriage and invalidating it, regulates personal non-property and property relations between family members: spouses, parents and children (adoptive parents and adopted), and in cases and within the limits provided for family law, between other relatives and other persons, and also determines the forms and procedure for placement of children without parental care in a family, the procedure for registration of acts of civil status.

Thus, family law is a set of legal rules governing personal non-property and property family relations arising from marriage and kinship, and relations equated by law with family in order to protect and strengthen the family, rights and interests of its members.

Family law is characterized by the methods of legal regulation of family relations, which together form what is commonly called legal regulation method in legal science. The family-legal method of regulation is formed by means, receptions, a set of receptions of legal regulation of personal non-property and property legal relations that make up the subject of family law.

It is the presence of a special subject and method of legal regulation that makes it possible to single out a certain set of norms into an independent branch of law.

Modern family law, in contrast to the previous one, prioritizes rights. Permissions are quantitatively leading among all other family law regulations. However, the number of mandatory provisions is still great (relations arising in connection with marriage, termination of marriage and invalidation of it; personal legal relations between parents and children; relations on adoption of a child, etc.).

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