

## **MARRIAGE RELATIONSHIPS IN THE FAMILY**

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**Abstract.** This article analyzes the legal, social and moral aspects of marital relations in the family. It discusses the definition of marriage, its legal foundations and its role in society. The article examines the regulation of marriage and family relations on the basis of the Civil Code of the Republic of Uzbekistan and other legal documents, as well as the social and religious aspects of marriage. The main goals of marriage, legal equality between men and women, social protection, and raising children are covered. The legal dissolution of marriage (divorce) and the legal procedures related to it are also discussed. The article explains the important role of the family in society, its stability and importance in raising children. The social, legal and moral aspects of marital relations in the family are also covered. The concept of marriage, the stages of its formation, mutual rights and obligations between spouses, as well as factors ensuring the strength of marriage are considered. The article also examines the problems of marriage in modern society and ways to overcome them. The work also analyzes the influence of national values and traditions on marital relations.

**Keywords:** marriage, family, marital relations, legal foundations, moral norms, family values.

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### **INTRODUCTION**

The family is the pillar of every society. The marriage relationship, which forms its basis, is one of the most important socio-legal institutions in human life. Marriage is a legally formalized union of a husband and wife, endowed with mutual rights and obligations, which is central to ensuring stability and prosperity in society.

Marriage relations are formed in direct connection with the culture, traditions, religious beliefs and legal system of a society. In Uzbekistan, marriage issues are regulated by the Family Code. It defines important issues such as the age of marriage, the procedure for entering into marriage, the rights and obligations of spouses, cases of divorce and the upbringing of children.

Mutual respect, trust, responsibility and love are the main elements in marriage. If these aspects are not enough, family conflicts, misunderstandings and separations may occur. The increasing number of family divorces today, especially among young people, requires a serious approach to this topic. Therefore, it is important to prepare young people for family life before marriage, instill a culture of mutual interaction and a sense of responsibility.

The factors that strengthen marriage are mutual love, patience, financial stability, spiritual closeness, and joint responsibility for raising children. In particular, a healthy family environment directly affects not only the couple, but also the upbringing of children, who are the future of society.

It is important to emphasize that our national values and traditions contribute to the positive development of family relations. Qualities such as respect for the elderly, attention to the young, mutual support, and loyalty to the country and family are the basis of a strong marriage.

Marriage in the family is a legally and socially recognized relationship between two individuals. Marriage is essentially the legal union of a man and a woman and their joint lifestyle. Family and marriage relations play an important role in every society, as this institution is central to the upbringing of generations and has social and economic significance.

The family is the main unit of society. Therefore, in our country, special attention is paid to the family and family relations. In addition, family and marital relations are regulated by laws and norms. The Civil Code of the Republic of Uzbekistan and the laws on marriage and family determine family relations and the legal principles of marriage. According to Article 76 of the Constitution of the Republic of Uzbekistan, the family is the main unit of society and has the right to be protected by society and the state.<sup>1</sup>

Marriage is an Arabic word (نِكَاحًا - يَنْكِحُ - نَكَحَ) meaning "to join", "to unite" and is a union between a man and a woman based on mutual love and respect, which is registered in the Civil Registry Office (Civil Status Registration Office). In Sharia, it is formed by acceptance and consent (consent of both parties).

"Marriage is a contract that allows a couple to have sexual relations with each other, makes it lawful for them to have children, and establishes their rights and obligations."<sup>2</sup>

Many religions view marriage as a sacred and social responsibility. For example, in Islam, marriage is a legal relationship between a man and a woman that is concluded by mutual consent. Since the majority of the population in Uzbekistan is Muslim, Islamic rules are important in marriage, such as the presence of two witnesses to make the marriage valid and the obligation of the man to pay the woman a dowry. The legal aspect of marriage refers to the set of rights and obligations of those two individuals towards each other.

The main purpose of marriage is to strengthen family relations and provide legal protection for citizens. The Family Code is the main legal document regulating family and legal relations, which specifies in detail the structure of marriage, its conditions, rights and obligations between spouses, the procedure for terminating marriage, and other issues. Through this, the main purpose of marriage - to strengthen family relations and provide legal protection for citizens - is practically realized. For example, Article 76 of the Constitution states that "the family is the basic unit of society and shall be protected by society and the state."<sup>3</sup> This indicates that the main purpose of marriage is approved by the state.

The specific characteristics of marriage are as follows:

<sup>1</sup>Constitution of the Republic of Uzbekistan. Article 76. – Tashkent: Uzbekistan. 2023.

<sup>2</sup>Burhanuddin Ali ibn Abu Bakr Al-Margh'anani. Al-Hidaya.

<sup>3</sup>Family Code of the Republic of Uzbekistan, Article 76. – Tashkent: Uzbekistan. 2023.

- Mutual respect and equality between men and women. In marriage, men and women have equal rights and obligations. Both parties should live on the basis of mutual assistance, love, respect and mutual trust. Family relations are regulated on the basis of the principles of a voluntary union of a man and a woman, equality of personal and property rights of husband and wife, resolution of internal family issues by mutual agreement, priority of raising children in the family, caring for their well-being and maturity, and protection of the rights and interests of minor and incapable family members <sup>4</sup>.
- Voluntary choice: Marriage is entered into by the free will of both parties. The use of force or coercion is prohibited.
- Social protection: Married people are protected by society, and their family rights and interests are protected within the framework of the law <sup>5</sup>.

The marriage is concluded under the following conditions:

- It is based on the agreement of a man and a woman.
- Marriage age: “The marriage age is set at eighteen years for men and women. In exceptional cases (pregnancy, birth of a child, declaration of a minor as fully capable of legal action (emancipation), at the request of those wishing to enter into marriage), the khokim of the district or city where the state registration of marriage is carried out may reduce the marriage age by no more than one year.” This article sets the marriage age in Uzbekistan at 18 years for men and women. At the same time, in certain justified cases, the marriage age may be reduced by no more than 1 year, that is, marriage may be permitted from the age of 17. This permission is granted only by the local khokim.
- Care and Readiness: Before entering into marriage, the parties must be willing and able to make an absolute commitment to each other. This will especially help the man and woman understand their mutual responsibilities.

The legal basis of marriage includes the following important aspects:

- Property Rights: After marriage, family members (husband and wife) acquire joint property. In other words, property issues between husband and wife in marriage are related to their functioning in social partnership.
- Children: Children, regardless of the marital status of their parents, are legally protected. Parents must be financially and morally responsible for their children.
- Divorce: The legal dissolution of a marriage (divorce) is based on the following conditions: mutual consent of both parties, filing a petition with the court, and the existence of legal grounds such as violence or fraud.

The following mutual obligations arise between the two parties who enter into marriage:

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<sup>4</sup>Family Code of the Republic of Uzbekistan, Article 2: Equality of women and men in family relations.

<sup>5</sup> Family Code of the Republic of Uzbekistan .

- Mutual respect, love and support between a man and a woman.
- Social responsibility: The family's obligation to adapt to social changes and provide proper upbringing for children.
- Material and moral support: Helping each other, material support for spouses, parents and children, mutual trust and decisions.

Social foundations of marriage:

Marriage socially affects the role of the family in society, its economic and social ties, and the relationships between generations:

Raising a Generation: Marriage is central to raising a generation. The upbringing given to children by parents broadens their worldview and determines their place in society.

Social support: Families in marriage can receive some level of support from society if they need social support.

Sometimes marriage relationships are formed on a contractual basis. In this case, agreements are made between the husband and wife based on mutual consent, which consider the following issues:

- Property distribution.
- Child rearing issues.
- Certain legal issues: division of property in the event of divorce and separation, alimony, and other rights.

Marriage is an important factor that forms society socially, legally and morally. Family relations are legally based on mutual respect, love and responsibility. Through marriage, the social role and interests of the family are ensured, the proper upbringing of children and their place in society are formed.

Religious, legal, and moral foundations of the family - the institution of the family occupies an important place in society, and its formation, functioning, and development are carried out on the basis of a number of religious, legal, and moral norms. These foundations help ensure the social stability of the family, its role in society, and its importance in raising children.

Religious foundations play an important role in the formation and development of the family. Religious teachings and values determine the main goals of the family, moral behavior, and the relationships between family members.

Religion establishes moral rules to ensure the inner peace and stability of the family. Values such as parents' proper upbringing of their children, respect for each other, and maintaining mutual love are important.

From a religious perspective, one of the main tasks of the family is to properly raise children. In many religions, it is important to provide children with religious knowledge, teach them good morals, and encourage them to be good people in society.

Family relations are also clearly defined and regulated in legal terms. The Civil Code of the Republic of Uzbekistan and other legal acts determine the legal foundations of the family. The legal aspect of marriage and family includes the following issues:

- **Legal definition of marriage:** In Uzbekistan, the law regulates the formation and dissolution of marriage, the rights and obligations of family members. Marriage establishes legal relations between spouses, establishes legal norms regarding property between them, the upbringing of children, and the legal responsibilities of parents.<sup>6</sup>
- **Rights of family members:** The rights of each family member, especially children, are protected. According to the Civil Code, the right of children to education, the obligations of parents to their children, and other rights are clearly defined. In marriage, the mutual rights and obligations of family members are also determined (for example, property issues between husband and wife, alimony, and upbringing).
- **Divorce and separation:** In the case of divorce, the legal aspects are also regulated. The process of annulment or separation is carried out legally. In the case of divorce, for example, the division of property, with whom the children will live from the parents, and alimony are important legal issues.<sup>7</sup>

## **CONCLUSION**

In conclusion, the article provides a comprehensive analysis of the legal, social and moral aspects of marital relations in the family. Marriage is an important component of the family institution in society and is closely related to issues such as legal equality between men and women, raising children and social protection. The Civil Code of the Republic of Uzbekistan and other legal acts define the legal foundations of marriage and family relations and regulate them. The article also emphasizes the social role of marriage, its stability and importance in raising children. Divorce and the legal procedures related to it are also considered separately. Therefore, marital relations in the family are important not only from a legal point of view, but also from a social and moral point of view, their stability and development are necessary for the general well-being of society. In conclusion, marriage is not just a formal relationship, but also a deep social and moral responsibility. Each person, striving for family happiness, must deeply understand his rights and duties and conscientiously fulfill them. After all, a strong family is the foundation of a strong society.

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<sup>6</sup>This can be referred to in several articles of the Constitution of Uzbekistan and the Family Code.

<sup>7</sup> The Constitution of Uzbekistan, Chapter 7 of the Family Code on "Dissolution of Marriage" addresses this issue in detail in Articles 37-48 .

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