

## THE LEGAL STANDING OF MARRIAGE AND ITS SOCIAL ROLES IN SOCIETY

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**Abstract:** This text extensively covers the religious, legal, and social essence of the concept of marriage. It is emphasized that marriage has Arabic origins, that it is a sacred relationship established by Allah, and that it is the basis for creating a family between a man and a woman. According to the traditions of the Karakalpak people, special attention is paid to kinship and blood relations, and the non-marriage of representatives of one clan is justified from a religious and cultural point of view. The article also examines the problems of divorce, their main causes, and the negative impact on the lives of society, men, and women. In general, this work scientifically, theoretically, and practically substantiates the role of the institution of marriage and family in the life of society, the need to prevent early marriages and divorces.

**Keywords:** Marriage, divorce, legal protection, Family Code, early marriage, young men and women, criminal liability, age of majority.

**Annotatsiya:** Mazkur matnda nikoh tushunchasining diniy, huquqiy va ijtimoiy mohiyati keng yoritilgan. Nikohning arabcha kelib chiqishi, uning Alloh tomonidan belgilangan muqaddas munosabat ekani, erkak va ayol o'rtasidagi oila qurishga asos bo'lishi ta'kidlanadi. Qoraqalpoq xalqining urf-odatlariga ko'ra, qarindoshlik va urug'-qon masalasiga alohida e'tibor berilishi, bir urug' vakillarining nikohdan o'tmasligi diniy va madaniy jihatdan asoslab beriladi. Maqolada yana ajralish muammolari, ularning asosiy sabablari va jamiyat, erkak hamda ayollar hayotiga ko'rsatadigan salbiy ta'siri ham ko'rib chiqilgan. Umuman olganda, ushbu ish nikoh va oila institutining jamiyat hayotidagi o'rnini, erta nikoh va ajralishlarning oldini olish zarurligini ilmiy-nazariy va amaliy jihatdan asoslab beradi.

**Tayanch so'zlar:** Nikoh, ajralish, qonun himoyasi, Oila kodeksi, erta turmush qurish, yosh yigit-qizlar, jinoyiy jazovgarlik, balog'at yoshi.

**Annotaciya:** Bul tekstda neke tushunchasining diniy, huquqiy ham socialliq manisi keng ko'rsatilgan. Nekenin arabcha kelip shig'iri, onin Allah ta'ropinen belgilengen muqaddes qatnasiq ekeni, erkekek ham hayal arasindagi shaharaq duziwge tiykar bolatugini atap otiledi. Qaraqalpaq xalqinin dasturlerine bola, tuwısqanlıq ham ruw-qan masalesine ayırıqsha itibar beriliwi, bir ruw wakillerinin nekeden otpewi diniy ham madeniy jaqtan tiykarlanadi. Maqalada ajirasıw mashqalaları, olardin tiykarğı sebepleri ham jamiyet, erkekek ham hayal-qızların turmisına ko'rsitetugin unamsız ta'siri de ko'rip shıgılğan. Ulıwma alğanda, bul jumis neke ham shaharaq institutinin jamietlik turmistağı ornı, erte neke ham ajirasıwların aldın alıw zárurligin ilimiy-teoriyalıq ham ameliy jaqtan tiykarlap beredi.

**Tayanish sózler:** Neke, ajirasıw, nizam qorğawı, Shaharaq kodeksi, erte turmis quriw, jas jigıt-qızlar, jinayiy juwapkershilik, erjetkenlik jası.



**Аннотация:** В данном тексте широко освещена религиозная, правовая и социальная сущность понятия брака. Подчеркивается, что брак имеет арабское происхождение, является священным отношением, установленным Аллахом, и является основой для создания семьи между мужчиной и женщиной. Согласно традициям каракалпакского народа, особое внимание уделяется вопросам родства и крови, религиозно и культурно обосновывается, что представители одного рода не вступают в брак. В статье также рассматриваются проблемы разводов, их основные причины и негативное влияние на жизнь общества, как мужчин, так и женщин. В целом, данная работа научно-теоретически и практически обосновывает роль института брака и семьи в жизни общества, необходимость предотвращения ранних браков и разводов.

**Ключевые слова:** Брак, развод, защита закона, Семейный кодекс, ранний брак, молодые люди, уголовная ответственность, совершеннолетие.

Nikah is an Arabic word meaning union. Marriage is a relationship given by Allah Almighty. Both male and female persons take part in marriage. They first get to know each other, understand each other and start a family. Before starting a family, our young people should first of all know about their descendants.

Because they need to know who they are and which nationality they belong to, and which race they belong to. The reason is that we Karakalpaks must not have the same race and blood. If there is one, they are siblings. It does not suit our religion or our culture. The reason is that if we build a family by uniting kinship ties, our future children may be poor, so such actions are not carried out in Karakalpaks.

One of the most important signs of marriage is that they are under the protection of the law, and it is a system that expresses their duties, obligations to their children, and mutual relations. Young people who have reached the age of 18 can get married. Medical examination of married persons is mandatory. In addition, married persons receive free medical care in the institutions of the state health care system. Violation of the specified conditions can be the basis for the court to find the marriage invalid. According to Article 63 of the Family Code of the Republic of Uzbekistan, marriage is based on the voluntary consent of the parties and equal rights. Marriage issues are fully expressed in the Family Code of the Republic of Uzbekistan ((adopted in 1998 and implemented from September 1 of that year).[1] Current family legislation pays special attention to the procedure for the formation of marriage and its formalization by the relevant state authorities. According to Article 13 of the Republic of Uzbekistan's OK, marriage is concluded in the bodies of registration of civil status documents. Only such a marriage creates rights and obligations. Religious A marriage concluded according to customs has no legal force. Also, a marriage made by a spouse or one of them without the intention of creating a family is considered invalid.

As a social relationship, marriage has different forms in different societies and systems. Marriage registration procedures and marriage age requirements differ in different countries.

In a number of countries, marriage is considered a civil-legal contract, and the procedure for its formalization is determined not by family law, but by civil law. In France, the age of marriage is set at 15 for women, 18 for men, 14 and 16 in Italy, 16 and 21 in Germany, and 1418 and 1521 in the United States (varying in different states).[2] The issue of the property of the future couple is of great importance in the divorce. Marriage contracts are drawn up for this.

Early marriage is the marriage of boys and girls who have not yet reached the age of puberty to start a family. Today, in every country, the age of marriage for boys is higher than for girls.



The age of marriage is set at 18 years. Every girl is allowed to marry if she reaches the age of 18. If he is under 18 years old, he will be prosecuted. Because they are not ready by the law and by their health.

At the 65th session of the WHO in 2012, a seminar was held on teenage pregnancy and its negative consequences. The problems of early marriage were discussed. According to it, the standard of living of the population of the developed and developing countries of the world, the medical care provided to women, and the age limit for marriage are determined. Also, this organization works on the basis of information about early marriage and its negative consequences.[3] On April 30, 1998, the Family Code of the Republic of Uzbekistan was approved by the Oliy Majlis. About 50 family-related laws and about 90 decrees, decisions and orders have been adopted.[4] Article 63 of our Constitution states that "The family is the main unit of society and has the right to share in the protection of the state and society. Marriage is based on the voluntary consent of the parties and equal rights. Also, in the family code, related principles such as early marriage and forced marriage are defined within the law. The prevalence of early marriage in Uzbekistan is high (37.3%), which is only in some regions (16.8%) or in individual cases (1.5%). According to the survey, the most common reasons for divorce in the family are the incompatibility of the spouses' character (41.2%) and financial problems (40.4%). According to the respondents, another problem that often leads to divorce is a lack of housing.[5]

According to 12.6 percent of respondents, one of the most common reasons for divorce is infertility.[6] The study showed that the absolute majority of survey participants (81.3 percent), regardless of gender, age, level of education, and employment, consider divorce to be a negative event in family and community life.

At the same time, the survey showed that one of the factors that reduce the stability of the family is that the future spouses know each other for a short time before marriage - less than a year. Among the reasons for early marriage are the desire of parents to organize their children's family life quickly (48.1%), lack of proper knowledge and illiteracy of young people in matters of reproductive health (25.9%), and the desire to improve the life of their children. The main negative consequences of early marriage are financial loss through profitable marriage (22.5%), unplanned pregnancy (15.2%). It is desirable that the age of marriage should be 21-22 years for girls and 23-25 years for boys.

The problem of divorce remains one of the most urgent problems of society today. The existence of family divorces attracts the attention of the public in our republic and encourages to take the necessary measures to find a solution to this problem. Because, as mentioned above, as a result of divorce, millions of people - first of all, children, women, men, and even relatives of divorcees - receive "spiritual well-being". There can be different reasons for divorce. Each case is different, but common causes of divorce include: loss of love, communication problems, infidelity, financial problems, stress and external pressures, interference from family members, changes and development, differences and expectations. If we count the main effects of divorce on women and men, they are as follows:

For society: the number of dysfunctional families will increase, inter-family or inter-relative enmity will arise, hatred of one gender for the other gender will appear, prostitution will increase, skin and venereal diseases will increase, social activity of a person will decrease.

For men: increased feeling of loneliness, addiction to drugs and alcohol, various diseases.

For women: increased feeling of loneliness, limited possibility of remarriage, neuroses,



stress, various diseases, suicide.

Divorces have their own socio-psychological and ethno-psychological characteristics. These characteristics are expressed in the reasons that lead to the breakdown of families, their implementation process, consequences, and the situation of couples before and after divorce.[7]

In conclusion, marriage is a socio-legal institution that is of incomparable importance in the development of society and human life. It is formed in the harmony of religious, national and universal values, and is built primarily on the basis of mutual consent, equal rights and responsibility of men and women. The legal registration of marriage by the state, the obligation to undergo a medical examination and the established age limits serve to ensure a healthy family and a well-rounded generation. The Karakalpak people's strict adherence to the issue of blood and blood ensures not only the continuation of national traditions, but also the protection of the health of the future generation.

At the same time, today, early marriage, forced marriage, and lack of adequate preparation for family life are among the important factors that lead to an increase in the number of divorces. The results of social studies show that character incompatibility between spouses, material shortage, low communication culture, insufficient reproductive literacy, and external pressures are the cause of family conflicts. Divorces have a serious negative impact on the lives of not only the spouses, but also children, relatives and the entire society, leading to an increase in the number of dysfunctional families and deepening of mental and social problems.

Therefore, in order to form a strong family institution in the society, it is important to prepare young people for marriage and family life from a spiritual, legal and psychological point of view, to increase the responsibility of parents and the public, and to promote family values. A conscious approach to marriage, mutual respect, patience and responsibility are the main factors that ensure family stability. A strong family is the foundation of a healthy generation, stable society and high spirituality.

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