

## **Rights and Responsibilities of the Spouses**

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### **Abstract**

This article describes in detail the legal rights and responsibilities of the spouses, their rights and freedoms in marriage and post-marriage, as well as their obligations. Also, the fact that women have equal rights in matters of marriage, the forms of responsibilities that arise as a result of the marriage of the couples, and, consequently, the marital relationship between the spouses. As well as, there are also comments and suggestions on the legal rights and responsibilities of the spouses.

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The reforms that have been implemented in our country in recent years have not unnoticed the martial relationship between couples. The reason is that a family is the root of the state and society. Each branch of the state policy is directly connected with the family and marriage, where, the next generation is born, formed and raised.

The Uzbek nation have always paid special attention to the issue of marriage. There are also special traditions of the Uzbek people, in particular, the tied connection with the birth of a child, the naming of a child, the care of a child, the upbringing of a child with love and other traditions and beliefs that are related to children throughout their lives. Particularly, it should be stated that the mutual respect, honor, the special role of the father in the family and the obedience of the other members in the family to him.

As our esteemed First President said, Caring for the future generation, striving to bring up a healthy, prosperous generation is our national identity. Every person who is living on this sacred soil - strives, works, and spares every effort to see the happiness and perfection of his children throughout his life [1].

If the relationship between husband and wife is stable, the family will be much stronger, and the work on raising children, bringing them up as useful people in society will be effective. Therefore, the importance of legal norms in building a humane, democratic state and regulating marital relations in our country is high. A marriage arranged in accordance with the rules set forth in the statute brings both rights and benefits for the husband and the wife, as well as the relationship between them. From the moment of marriage, individual rights arise from the subjective rights of each husband and wife and are arose in legal relations belonging to a single family. So, it is protected by the family's statutory documents from a single point of view. The individual rights and obligations of each spouse are governed not only by the law of the land, but also by other aspects of the law. In this case, women have the same rights as men in political matters as they have the same rights and benefits as men in all personal and property matters in the family. This rule is enshrined in Article 46 of the Constitution of the Republic of Uzbekistan. [2] The legal rights and obligations arising from the marriage of the spouses can be of two types - personal and property. Many of the individual rights are the same as the right of the spouses due to their marriage. For example, the right to choose one's last name, the right to choose child's upbringing, the right to choose one's place of residence, the right to choose one's occupation. In such cases, their labor and civil rights are an element of their ability to participate and do not fall within the scope of civil law. From the moment of marriage registration, individual rights form the subjective right of each husband and wife and can be manifested in the legal relationship belonging to the family. In this case, it is protected by the city's statutory documents from a single point of view. The individual rights and obligations of each spouse are governed not only by the law of the land, but also by other aspects of the law.

The honor and dignity of citizens is protected in accordance with Articles 20-100 of the Civil Codex of the Republic of Uzbekistan. It is important that the personal rights of the spouses take precedence over their property rights in marriage relations, and that their size, content, and character are the same as the legal rights of the husband and wife in family relations.

Pursuant to Article 18 of the Constitution of the Republic of Uzbekistan and the principle of equality, Article 19 of the Family Codex establishes the equal rights of a husband and a wife in a family [3]. In all legal relations, husband and wife are considered equal subjects of law, they are given equal rights and are given the appropriate gratitude. This principle is fully implemented and materially provided. The couple jointly deals with all issues related to individual rights that

are not subject to civil law. They are equal in all individual rights in the marriage.

The current regulations do not in any way shape the ability of the wife after getting married, nor do they subjugate her to a husband. In all legal relations, husband and wife are considered equal subjects of law, they are given equal rights and are given the appropriate gratitude. In Uzbekistan, married couples are considered to have equal rights not only officially, but also in the family. Relying on the rights of the family, the couple carry out household chores together, in solidarity. They help each other spiritually, and solve all problems by consulting. However, the constant affect on the personal rights of one spouse (for example, the choice of profession of one of the side), or using individual rights in a not appropriate way may lead to a divorce.

The right to choose a surname is one of the essential personal rights of a couple. According to Article 20 of the Civil Codex, "At the time of marriage, both husband and wife choose the surname of the husband or the surname of the wife as their last name, and they also can save his or her own surname. The change of one's surname does not lead to the change of the surname of another. " The change of surname is allowed only in the cases specified in the law. If at the time of the marriage the spouses remained in the surnames of their own, and later if they want to transfer their surname – this kind issue is specified in the law. Explaining the right of spouses to choose their last name is considered to be the responsibility of the registrar.

In the legal practice of countries that are members of the Commonwealth of Independent States, spouses also have the choice of having a double surname, that is, a surname of both husband and wife. However, in the territory of the Republic, citizens who register a marriage cannot choose the double surname of the spouses as a surname, because there is no such rule in the current regulations.

Article 21 of the Marriage Codex stipulates that "the upbringing of children and the issues related to a family shall be dealt with jointly by the husband and the wife." One of the most important responsibilities of a parent is to look after and raise a child. The Constitution of the Republic of Uzbekistan states that "Parents are responsible for the care and upbringing of their children till adolescence."

From a legal point of view, one of the hallmarks of a marriage is the togetherness of an each member of a family. For this reason, all issues related to their life, such as issues, and, in particular, underage children, are resolved jointly by the husband and wife, taking into account the circumstances.

If there is no agreement on the upbringing of children and the settlement of separate issues of marriage, each of the spouses is entitled to inform the appropriate state body to resolve the conflict that arose. It is stated in the law which body is responsible for resolving the conflict. Depending on the nature of the conflict, such bodies include the law-court, the judiciary and other bodies. Disputes over the upbringing of children and disputes over the naming of children can only be resolved by the caring institutions. In addition to the current marriage regulations on the settlement of disputes between parents and children, the Supreme Court of the Republic of Uzbekistan has adopted a resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan dated September 6, 2013 No. 19 states that "On the practice of applying the rules with the help of the courts in resolving disputes related to the upbringing of children." This document provides a basis for ensuring the proper resolution of disputes related to the upbringing of children through the courts, increasing the responsibility of parents in the upbringing of their children, the use of actions that may be against the interests of parents such

as conflict prevention.

“Every man and woman is free to choose their type of occupation, the profession, the place of residence and the place of work.” Article 22 of the Marriage Codex is aimed at ensuring the right of spouses to jointly resolve issues related to the marriage. The type residence, the issues of career choice will be resolved in an agreed manner. However, each spouse has the right to decide on these matters on a case-by-case basis.

Each spouse chooses the type of business that suits him / her, depending on his / her interests, personality, creative abilities, and physical development. The chosen profession should satisfy and serve to earn money for the maintenance of the family. The fact that one of the spouses spends a lot of time doing nothing and does not participate in the financial support of the family can also lead to divorce.

The right of the spouses to free choice of profession is enshrined in law. This unequivocally explains the couple's issues related to their profession (place of study and courses, participation in circles, etc.) these issues are solved considering their underage child.

The coexistence of husband and wife serves as a basis for the upbringing of children and the building of a strong marriage. The law gives each spouse the right to freely choose where they live, and also supports them. The legislation facilitates such goals like; the payment of travel expenses, the distribution of graduates who have completed their studies, and the promotion of those who have been fired. Depending on the place of residence of the spouses, the places of residence of their unmarried children are determined.

In short, the joint action of the above-mentioned rights and obligations determines the meaning of matrimony. Usually, some of individual rights and obligations, such as surname, occupation, housing, is closely related to the citizen, and it is a matter of law and order. Finally, individual rights and responsibilities play a decisive role in urban relations in relation to civil relations.

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