



## THE ROLE OF GENDER RELATIONS IN THE DEVELOPMENT OF FAMILY LAW IN UZBEKISTAN

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### ABSTRACT

The article examines historical influences, highlighting the impact of Soviet-era policies that promoted formal gender equality, and the subsequent challenges posed by deeply ingrained patriarchal norms. In the post-independence era, Uzbekistan has undertaken comprehensive reforms in family law to address gender disparities, focusing on areas such as marriage, divorce, and protection against domestic violence. The legislative framework, including the Family Code and recent amendments, reflects a commitment to ensuring equal rights within the family and enhancing legal protections for women. This exploration underscores the importance of gender relations in the continued development of family law in Uzbekistan, advocating for sustained efforts to promote legal awareness and address cultural barriers to ensure comprehensive protection and empowerment for all family members.

**KEYWORDS:** gender relations, family law, Uzbekistan, gender equality, legal reform, patriarchal norms, international treaties, domestic violence, marriage, divorce.

### INTRODUCTION

Uzbekistan, like many countries in Central Asia, has undergone significant social, political, and legal transformations since gaining independence from the Soviet Union in 1991. These changes have profoundly influenced the country's approach to family law, which serves as a cornerstone for societal stability and individual well-being. Central to these developments are evolving gender relations, which have played a pivotal role in shaping and reforming family law in Uzbekistan. This article explores the dynamic interplay between gender relations and family law, examining the historical context, recent reforms, and ongoing challenges.

Under Soviet rule, Uzbekistan experienced significant changes in gender relations. The Soviet regime promoted gender equality as part of its ideological framework, resulting in formal legal recognition of women's rights, including the right to education, employment, and participation in political life. Family law during this period was characterized by an emphasis on equality and the protection of women's rights within the family unit.

Despite these formal advances, traditional gender roles and patriarchal norms persisted, often clashing with the Soviet state's policies. This dichotomy left a complex legacy that continues to influence gender relations and family law in Uzbekistan today.

After gaining independence, Uzbekistan embarked on a path of national revival, seeking to redefine its cultural and legal identity. Family law reforms during this period aimed to balance respect for traditional values with the promotion of gender equality. The Uzbek government recognized the need to address gender disparities while preserving the country's cultural heritage.

The legal framework governing family law in Uzbekistan has been shaped by various legislative acts, including the Family Code[1], which was adopted in 1998 and later amended. This code governs matters such as marriage, divorce, child custody, and inheritance. It reflects a commitment to gender equality, stating that "men and women have equal rights in family relations."

Recent reforms have aimed to address specific gender issues within the family context. For example, amendments to the Family Code have introduced measures to protect women's rights in marriage and divorce, including provisions for fair division of property and child support. These changes underscore the evolving nature of gender relations in Uzbekistan and the state's efforts to adapt family law to meet contemporary needs.

Marriage and divorce laws in Uzbekistan have undergone significant changes to promote gender equality. The legal age for marriage is set at 18 for both men and women, ensuring that both parties have the maturity and agency to enter into marriage voluntarily. Forced and child marriages, which have historically affected women's autonomy, are now explicitly prohibited by law.

Divorce laws have also been reformed to protect women's rights.[2] The process for obtaining a divorce has been streamlined, making it easier for women to leave abusive or unsatisfactory marriages. Additionally, provisions for alimony and child support have been strengthened to ensure that women and children receive adequate financial support after a divorce.

One of the critical areas where gender relations have influenced family law is in the realm of domestic violence. Recognizing the pervasive issue of domestic violence, the Uzbek government has enacted legislation to protect victims, predominantly women. The Law on Protection from Domestic Violence, adopted in 2019, provides a legal framework for issuing protection orders and offering support services to victims.[3]

This law marks a significant step forward in addressing gender-based violence within the family, highlighting the importance of legal protection for women's safety and well-being. It also reflects a broader commitment to challenging traditional norms that have perpetuated gender inequality and violence.[4]

Legal and social barriers also persist, particularly in rural areas where traditional practices and limited access to legal resources can impede women's ability to exercise their rights. Addressing these barriers requires ongoing efforts to raise awareness, provide legal education, and improve access to justice for women.

International organizations and treaties have played a crucial role in shaping gender relations and family law in Uzbekistan. The country has ratified key international agreements, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which obligates it to uphold gender equality in law and practice. These international commitments provide a framework for domestic policy and legal reforms, encouraging Uzbekistan to align its family law with global standards of gender equality and human rights.

Conclusion. The development of family law in Uzbekistan is closely intertwined with evolving gender relations, reflecting the country's efforts to balance tradition with modernity and gender equality. Significant progress has been made in reforming family law to protect women's rights and promote gender equality, but challenges remain in addressing persistent cultural norms and legal barriers.

The ongoing development of family law in Uzbekistan highlights the critical role of gender relations in shaping legal frameworks and ensuring the protection and empowerment of all individuals within the family unit. As Uzbekistan continues to navigate its path toward greater gender equality, the continued evolution of family law will be essential in fostering a more just and equitable society.

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