



Concept, Essence, And Types Of Civil Legal Relationship

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Abstract: This article describes the concept of civil-legal relations, its essence, theories of scientists, types of civil-legal relations, subjects and objects of civil-legal relations.

Key words: civil-legal relationship, subjects of civil-legal relationship, objects of civil-legal relationship, types of civil-legal relationship, personal legal relations of property and non-property nature, absolute and relative legal relations.

A civil-legal relationship refers to a social relationship that arises between different subjects of civil law and is regulated by civil legal norms. As a civil-legal relationship, as a social relationship, first of all, it is a normal relationship between different subjects, people, and these relationships arise according to the will and desire of the persons participating in it. Although the will of people participating in civil relations is expressed in their actions, its essence and scope are embodied in civil legal documents [1].

Citizens and organizations (i.e. enterprises with the right of legal entity) are the subjects of civil-legal relationship, and the persons participating in this legal relationship. The state can also be a subject of civil legal relations.

Persons participating in civil-legal relations must have civil legal capacity, that is, the capacity to have civil rights and duties [2].

Objects considered as objects of civil-legal relations are important in civil law.

Works and services are legal objects provided to citizens and legal entities.

For example, according to the sales contract, the seller makes an action aimed at handing over the item, according to the contract, the tailoring atelier is obliged to perform the action aimed at sewing clothes according to the customer's order and hand over the result of the work done by him.

The results of intellectual activity, including works of science or art, inventions, industrial samples, are objects of legal relations regulated and protected by the norms of copyright and industrial property law [3].

Civil-legal relations are diverse and extensive. Therefore, civil-legal relations are divided into types according to certain bases and criteria. Such a classification plays an important role in the regulation of civil-legal relations and in the practice of law enforcement. When dividing civil-legal relations into types, the basis for the emergence of legal relations, the material scope of the powers of the subjects of legal relations, and the state of non-material benefits in civil transactions are determined as the main criteria. For example, according to the basis of the establishment of the legal relationship, civil-legal relations are personal legal relations of a proprietary and non-property nature, absolute and relative legal relations according to the scope of the powers of the participants of the legal relationship, according to the status of material and immaterial goods in the civil circulation - property legal and obligation are divided into legal relations.

1. Personal legal relations of a proprietary and non-property nature. Property relations are defined as social relations with specific economic content, for example, property sale, lease, and other transfer of property, in general, property transactions. legal relations are understood.



Non-property personal legal relations are personal rights directly related to the person (citizens and legal entities), which cannot be alienated from their owner and cannot be transferred to someone else, for example, the author's name of the person, consists of rights related to dignity and other personal interests.

2. Absolute and relative legal relations. In absolute legal relations, the owners of subjective rights can demand that their rights are not violated from anyone and everyone. Absolute rights are protected from anyone because they can be violated by anyone unknown. These include property, copyright, and personal rights.

In a relative legal relationship, only one person (or persons) has rights or obligations. Relative rights are only valid against the specific person (or persons) who undertake the obligation. All contractual rights are relative rights. It will be possible to demand the realization of demands based on relative rights, the fulfillment of obligations, and the payment of borrowed money only from the person who has assumed the obligation on the basis of the contract.

3. Property legal and obligation legal relations. Property legal relations, as mentioned above, are absolute legal relations, have a property character and are focused on possession, use and disposal of the object. Persons who have rights in property-legal relations have the opportunity to directly exercise their rights without needing the positive actions of other persons.

Obligatory-legal relations are relative relations, and even if they are related to property legal relations, they may not always be related to material things (items). Such relations usually arise as a result of civil dealings. For example, it can focus on the performance of certain works, the provision of services or the payment of damages. All contracts, relationships related to damage to someone, unjustified acquisition or saving of property are relationships of obligation.

In recent years, due to the development of civil law and the wide opportunities given to the participants of civil-legal relations in the conditions of the market economy, the criteria for dividing civil-legal relations into types are also changing. In particular, as a result of the abolition of the state monopoly of legal entities and the application of the principles of social protection to the participants of legal relations, the opinion that civil-legal relations can be divided into corporate legal relations and privileged legal relations is expressed in legal literature [4].

4. Corporate legal relations. In the system of market relations, a new type of civil-legal relations, corporate legal relations, also appeared, and it led to the expansion of the scope of the subject of civil law with organizational-legal relations. Organizational-legal structures that have legal entity marks are legal relations that arise on the basis of membership (participation) in corporations. Corporate law forms the content of such legal relations. But the corporate legal relationship is not a purely private legal relationship, it includes some elements of public legal relationship (tax, administrative management). According to the authors, corporate law is a branch of civil law. This is primarily explained by the fact that the similarity of regulated relations acquires a property character in one case or another and has the structure of an alternative fee structure. The scope of the subject of corporate law includes not only organizational and legal relations, but also those outside it, that is, with partners. relationships are also included [5].

5. Preferential (advantage) legal relations. In civil-legal relations, there is a separate group of legal relations that include the content of rights that give privilege and preference to a specific legal entity. For example, the co-owners have the right of preferential purchase when a share in a shared property is sold (Civil Code, Article 224). When a member



of a closed joint-stock company sells his shares, other members have a privilege to buy them. When the subject of the pledge is sold, the pledgee has a preference over other creditors in satisfying his demands at the expense of its value. These rights are unique and go beyond the scope of equal rights of subjects of civil-legal relations. For this reason, preferential legal treatment is established only on the grounds established by the law and only for subjects of a special scope. Privileged rights are exclusive and may be waived only by an authorized entity. Any legal action that violates privileged rights is not valid per se.

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