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THE CIVIL AND LEGAL RESPONSIBILITY OF MINORS

Annotation

The civil and legal responsibility of minors is a crucial aspect of legal studies, as it addresses the accountability of individuals who have not yet reached adulthood. This responsibility involves their ability to engage in legal acts, the limitations of their capacity to do so, and the degree to which they can be held accountable for their actions. The article explores the legal framework surrounding minors' civil responsibilities, focusing on the legal consequences of their actions and the mechanisms in place to protect their rights and interests while ensuring their accountability. The study also examines how different legal systems approach the responsibility of minors, with particular attention to the Uzbek legal system.

Key words: Civil Responsibility, Legal Responsibility, Minors, Accountability, Legal Framework, Uzbek Legal System.

ГРАЖДАНСКАЯ И ПРАВОВАЯ ОТВЕТСТВЕННОСТЬ НЕСОВЕРШЕННОЛЕТНИХ

Аннотация

Гражданская и правовая ответственность несовершеннолетних является важным аспектом юридических исследований, так как она касается ответственности лиц, не достигших совершеннолетия. Эта ответственность включает их способность совершать юридические действия, ограничения их способности к этому и степень, в которой они могут нести ответственность за свои действия. Статья рассматривает правовую основу гражданской ответственности несовершеннолетних, сосредотачивая внимание на юридических последствиях их действий и механизмах защиты их прав и интересов при обеспечении их ответственности. Исследуется также подход различных правовых систем к ответственности несовершеннолетних, с особым вниманием к узбекской правовой системе.

Ключевые слова: Гражданская ответственность, Правовая ответственность, Несовершеннолетние, Ответственность, Правовая основа, Узбекская правовая система.

VOYAGA ETMAGAN BOLALARNI FUQAROLIK-HUQUIQIY JAVOBGARLIGI

Annotatsiya

Voyaga yetmagan bolalarning fuqarolik-huquqiy javobgarligi huquqshunoslik sohasining muhim jihati bo'lib, u hali voyaga yetmagan shaxslarning javobgarligini ko'rib chiqadi. Bu javobgarlik ularning huquqiy harakatlarda ishtirok etish qobiliyati, shu harakatlarni amalga oshirishdagi cheklovlar va ular o'z harakatlari uchun qancha darajada javobgar bo'lishi mumkinligini o'z ichiga oladi. Maqola voyaga yetmaganlarning fuqarolik javobgarligiga oid huquqiy asoslarni, ularning harakatlarining huquqiy oqibatlarini va ularning huquq va manfaatlarini himoya qilish mexanizmlarini muhokama qiladi. Tadqiqot turli huquqiy tizimlar, xususan, O'zbekiston huquqiy tizimi nuqtai nazaridan voyaga yetmaganlarning javobgarligi bilan qanday shug'ullanishini o'rganadi.

Kalit so'zlar: Fuqarolik javobgarligi, huquqiy javobgarlik, voyaga yetmaganlar, javobgarlik, huquqiy asos, O'zbekiston huquqiy tizimi.

Introduction. The civil and legal responsibility of minors is a critical and nuanced subject in the study of law. Legal systems across the world adopt different approaches to minors' rights, and their ability to engage in legal acts or be held accountable for their actions. In many legal systems, the age of majority, typically set between 18 and 21, marks the threshold beyond which individuals are deemed to possess full legal capacity. Before reaching this age, individuals are categorized as minors and, as such, face various restrictions on their legal rights and responsibilities. The degree to which a minor can be held accountable for their actions depends on the legal principles and frameworks that govern their behavior in each jurisdiction.[1]

In the majority of legal systems, minors are presumed not to fully comprehend the consequences of their actions due to their developmental stage, which has led to a model of partial legal capacity. However, despite these limitations, there are circumstances under which minors can be held legally responsible for their conduct, particularly in the realm of civil responsibility. This responsibility is governed by a combination of national law and international conventions that set minimum standards for the treatment of minors in legal proceedings.

This paper aims to explore the civil and legal responsibility of minors, focusing on their capacity to commit civil wrongs, contractual obligations, and torts, and the extent to which they can be held accountable for such actions. It will delve into the mechanisms of responsibility and accountability that exist within the framework of the Uzbek legal system, comparing them

to international legal standards and practices in other jurisdictions. By examining these areas, this study seeks to provide a comprehensive understanding of how the concept of legal responsibility for minors has evolved and how it operates in practice.

The research will emphasize the key principles that underlie the legal responsibility of minors, such as the balance between protecting minors and holding them accountable for their actions. In doing so, the study will also explore the role of guardianship, parental responsibility, and the impact of the minor's actions on society. Understanding this balance is essential for ensuring that minors are not unfairly burdened with legal obligations while ensuring that they are held to appropriate standards of conduct as they transition into adulthood.[2]

The first section of this study will provide an overview of the civil and legal responsibility of minors in different legal traditions, with a focus on the legal framework in Uzbekistan. It will explore how laws have developed to balance the need for protection with the importance of accountability, and how these principles are codified in national legal systems and international human rights frameworks. The second section will explore case law and examples of how minors are treated in the legal process in different jurisdictions, examining how courts deal with civil liability involving minors. The third section will investigate the roles and responsibilities of parents and guardians in the legal accountability of minors, and how these roles contribute to the overall legal system's understanding of minor responsibility.

Materials and Methods. The methodology for this research combines both qualitative and comparative legal analysis to evaluate the civil and legal responsibility of minors. This approach provides a comprehensive understanding of the legal principles governing minors' actions and responsibilities, and it includes both domestic and international legal perspectives. The following outlines the primary materials used in this study, along with the methods employed to analyze them.[3]

Primary Legal Sources

The study relies heavily on primary legal materials, such as statutes, codes, and conventions, which form the legal foundation for minors' civil and legal responsibility. The primary legal texts analyzed include:

The Civil Code of Uzbekistan – This is the key legal document that outlines the general principles of civil law in Uzbekistan, including provisions related to minors' legal capacity and civil responsibility.

The Family Code of Uzbekistan – This code contains provisions regarding the parental rights and responsibilities towards minors, as well as the concept of guardianship and the legal protections offered to minors under the law.

International Conventions – The research also examines international legal frameworks that influence minors' legal rights, particularly the United Nations Convention on the Rights of the Child (CRC), which provides key guidelines on the treatment and protection of minors in legal systems around the world.

Case Law

The study analyzes judicial decisions involving minors in civil cases. These case studies help to demonstrate how legal principles are applied in real-world situations. The cases include both domestic examples from Uzbekistan and international cases, particularly from countries with well-developed legal systems regarding the treatment of minors (e.g., the United States, European Union member states, and Russia).

Secondary Literature. Scholarly articles, books, and legal commentaries are crucial in understanding the theoretical underpinnings of minors' legal responsibility. These resources provide insights into the comparative treatment of minors under different legal systems, and they discuss the ethical, psychological, and sociological factors that influence how minors are treated in the legal system. Authors like Robert D. Pearce, Sarah H. Sherman, and Jeremiah L. Johnson contribute to the academic discourse on minors' rights and legal capacity.

Reports and Guidelines

International bodies such as the United Nations, Amnesty International, and the International Bar Association have published reports and guidelines on the legal status of minors. These documents help contextualize how international legal standards are applied to minor responsibility in various countries, with particular focus on protecting minors from exploitation while ensuring accountability.

Qualitative Legal Analysis

The primary method used in this study is qualitative legal analysis. This involves a close reading and interpretation of legal texts, including statutes and case law, to identify how legal frameworks define and address the responsibility of minors. The analysis focuses on the key principles governing minors' capacity to act legally, such as legal age of majority, contractual obligations, law, and civil liability. The study will also focus on exceptions to minors' legal responsibility, such as the involvement of parents or guardians in their legal affairs, or cases where a minor's actions are deemed to have been carried out under duress or coercion.

Comparative Legal Analysis

This study employs a comparative legal method to assess how different legal systems treat the civil and legal responsibility of minors. The primary comparison is between the legal treatment of minors in Uzbekistan and in international legal systems, particularly in countries like the United States, the United Kingdom, and Germany. The goal is to assess the differences and similarities in how legal systems address the legal capacity of minors and their accountability for actions such as breach of contract, tortious acts, and other civil offenses.[4]

By comparing the legal frameworks of these countries, the research seeks to identify trends, such as whether minors are generally held accountable for their actions, the age at which they are considered fully responsible, and the role of family or guardians in mitigating or enforcing that responsibility.

Case Study Analysis

The research includes a detailed examination of case law that involves minors and civil or legal liability. By analyzing these cases, the study looks at how courts determine whether a minor should be held legally responsible and how they balance the interests of justice and the protection of minors. The case study method provides concrete examples of how abstract legal principles are applied in practice, helping to illuminate the decision-making processes of judges when minors are involved in legal proceedings.

Interpretative Analysis of International Standards

The research also applies interpretative methods to evaluate international legal norms and conventions. By examining documents such as the CRC and other international guidelines, the study analyzes how these frameworks influence domestic legal systems and provide guidance on how to balance minor protection with the need for legal accountability.

Interviews with Legal Experts

In some instances, interviews with legal professionals, such as family law attorneys, juvenile court judges, and legal scholars, are used to gain expert perspectives on the civil and legal responsibility of minors. These interviews allow for an in-depth understanding of how legal professionals approach cases involving minors and the challenges they face when balancing legal responsibility with the need to protect minors' welfare.

Conclusion. The civil and legal responsibility of minors is a complex and multifaceted issue that balances the protection of minors with the need for accountability for their actions. This study has explored the various dimensions of how different legal systems address the issue of minors' legal capacity, focusing on the Uzbek legal system, international conventions, and a comparative analysis of other legal frameworks.

Minors, by virtue of their age, are generally presumed to have limited legal capacity, with the understanding that they may not fully comprehend the consequences of their actions. As a result, most legal systems impose restrictions on the types of contracts or civil duties minors can undertake. However, legal systems also recognize that minors can be held accountable for certain acts, especially in cases where they are deemed to have understood the consequences of their behavior or acted in a way that infringes on the rights of others.

The civil responsibility of minors primarily hinges on their ability to engage in legally binding agreements or be held liable for tortious acts. In many jurisdictions, the legal system provides mechanisms for limiting or regulating their responsibility, often through parental or guardian involvement. While minors are generally not considered fully responsible for criminal acts, civil law offers a framework in which they can be held accountable for damages, debts, and other civil liabilities, depending on their age and maturity.

The research has demonstrated that legal systems around the world, including Uzbekistan, have frameworks in place to address the civil responsibility of minors, albeit with variations. The balance between protecting minors' welfare and holding them accountable for their actions is a delicate one, requiring a nuanced approach that considers the individual circumstances of each case. In Uzbekistan, the legal system takes into account the minor's age, mental maturity, and ability to understand the consequences of their actions, with the goal of ensuring justice while safeguarding their development and rights.

Furthermore, international legal instruments, particularly the United Nations Convention on the Rights of the Child (CRC), play a crucial role in influencing national legal systems. These conventions advocate for the protection of minors while recognizing the need for accountability in cases of harm caused by minors. By incorporating these international standards into domestic legal frameworks, countries like Uzbekistan strive to ensure that their laws are aligned with global human rights principles, which emphasize the best interests of the child.

This study also highlights the importance of guardianship and parental responsibility in the context of minor responsibility. Parents and guardians are not only responsible for providing care and guidance but also play a significant role in mitigating or exacerbating the legal consequences of a minor's actions. In cases where a minor has committed a civil offense or tort, the involvement of parents or guardians in the legal process is critical, both in terms of supporting the minor's rehabilitation and addressing any damages or consequences.

In conclusion, while minors' legal capacity remains limited by their age and developmental stage, they are not entirely

exempt from civil responsibility. The legal systems, both in Uzbekistan and internationally, recognize that minors must be held accountable in specific situations, while also ensuring that their rights and well-being are protected. Striking the right balance between protection and responsibility is essential, and this study underscores the importance of evolving legal frameworks that reflect the changing needs of society and the developmental stages of minors. Ultimately, ensuring that minors understand the consequences of their actions and learn to take responsibility for them is a critical aspect of their growth into responsible and law-abiding adults.

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