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СУБЪЕКТИВНОЕ ПРАВО И ЮРИДИЧЕСКАЯ ОБЯЗАННОСТЬ КАК СОДЕРЖАНИЕ ПРАВООТНОШЕНИЯ

***Аннотация:** В статье рассматриваются субъективное право и юридическая обязанность в качестве содержания и основных элементов правоотношения. На основе системного и функционального подходов раскрывается их содержание, изучаются основные признаки, и анализируется правовое значение этого правового явления.*

Ключевые слова: субъективное право, юридическая обязанность, правоотношение, правовое регулирование, юриспруденция.

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SUBJECTIVE LAW AND LEGAL OBLIGATION AS THE CONTENT OF THE LEGAL RELATIONSHIP

***Abstract:** The article examines subjective law and legal obligation as the content and basic elements of the legal relationship. On the basis of the systemic and functional approaches, their content is revealed, the main features are studied, and the legal significance of this legal phenomenon is analyzed.*

Key words: subjective law, legal obligation, legal relationship, legal regulation, jurisprudence.

The legal relationship has a material, volitional and legal content. Material, or in fact, constitute those social relations that are mediated by law; strong-willed - state will, embodied in a legal norm and in the legal relationship arising on its basis, and also volitional acts of its participants; legal content is formed by subjective rights and

obligations of the parties (subjects) of the legal relationship. Let us dwell on the latter in more detail.

Legal regulation is carried out mainly through the mechanism of subjective rights and legal obligations, this is what distinguishes it from any other regulatory regulation, for example moral. The specified rights and obligations, corresponding to each other within a certain legal relationship, act as its legal content.

Subjective law is defined in legal science as a type and measure guaranteed by law possible or permitted behavior of the person. A legal obligation - as a type and measure of due or required behavior. Subjective law is based on a legally provided opportunity; the basis of the obligation is a legally enshrined necessity. The bearer of the opportunity is called entitled; the bearer of the obligation is liable. The former can perform well-known actions; the second is obliged to fulfill them. Before us are two poles of legal relationship as mutual legal connection.

The structure of subjective law. Subjective law is a certain legal possibility, but this the opportunity is multifaceted, it includes at least four elements:

- 1) the possibility of positive behavior of the entitled person himself, i.e. the right to own actions;
- 2) the ability to demand appropriate behavior from a legally liable person, i.e. right to other people's actions;
- 3) the ability to resort to state coercion in case of non-performance the opposing party to their duty (claim);
- 4) the opportunity to use a certain social benefit on the basis of this right.

In other words, subjective law can act as law-behavior, law-demand, right-claim and right-use.

Depending on the nature and stage of implementation of a particular subjective right to the first the plan in it can go one of the indicated possibilities, as a rule, the first one. In general, all four components in their unity make up the content and structure of subjective law as a general concept. It serves as a means of satisfying the interests of the authorized person.

A characteristic feature of subjective law is a measure of behavior provided not only by law, but also by the responsibilities of others. Otherwise, it is not a subjective right, but a simple permissiveness (permissiveness, non-prohibition), which follows from the current in society law and order on the principle “what is not prohibited is permitted”.

There are countless such permissions in everyday life. For example, no one it is forbidden to go for walks, admire nature, swim in the sea, listen to music, practice sports, singing, reading, writing, cycling, etc., but these are not subjective rights and they are not constitute the content of legal relations.

Bibliography:

1. Adilkariev Kh.T. Theory of Government and Rights. T.: Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan, 2014. 212
2. Islamov Z.M. Society. State. Right. T.: "Adolat", 2001. 178 p.
3. Matuzov N.I., Malko A.V. Theory of State and Law: Textbook. M.: Jurist, 2004. 191 p.