

G'AFUR G'ULOM'S PROSE WORKS: LEGAL PROBLEMS AND SOLUTIONS

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Annotatsiya

Ushbu maqolada o'zbek adabiyotining yirik namoyandasi G'afur G'ulom ijodida aks etgan ijtimoiy-huquqiy muammolar tahlil qilingan. Ayniqsa, yozuvchining "Shum bola", "Mening o'g'rigina bolam" va "Yodgor" kabi mashhur asarlarida tasvirlangan voqealar zamonaviy O'zbekiston qonunchiligi nuqtai nazaridan yoritilgan. Muallif o'z asarlarida o'tgan asr boshidagi jamiyatdagi adolatsizlik, voyaga yetmaganlar va ayollar huquqlarining poymol qilinishi, ijtimoiy tengsizlik kabi masalalarni badiiy vositalar orqali ifodalagan.

Kalit so'zlar

G'afur G'ulom, "Shum bola", huquq, adabiyot, jinoyat, oila kodeksi, ijtimoiy adolat, voyaga yetmaganlar huquqi.

Аннотация

В данной статье анализируются социально-правовые проблемы, отражённые в творчестве выдающегося узбекского писателя Гафура Гуляма. В частности, события, изображённые в его известных произведениях — «Озорник» («Shum bola»), «Мой маленький вор» и «Йодгор», рассматриваются с точки зрения современного законодательства Республики Узбекистан. Автор через художественные образы показывает социальную несправедливость, нарушение прав женщин и несовершеннолетних, а также общественное неравенство, характерные для начала XX века. В статье проводится правовой анализ этих явлений и их сопоставление с современными юридическими нормами.

Ключевые слова

Гафур Гулям, «Озорник», право, литература, преступление, семейный кодекс, социальная справедливость, права несовершеннолетних.

Abstract

This article analyzes the social and legal issues reflected in the works of the prominent Uzbek writer G'afur G'ulom. In particular, the events depicted in his famous stories – “*Shum bola*”, “*Mening o'g'rigina bolam*” and “*Yodgor*” are examined from the perspective of modern Uzbek legislation. The author uses artistic expression to depict the injustices, violations of women's and minors' rights, and social inequality characteristic of the early 20th century. The article provides a legal analysis of these aspects and compares them with current legal norms of Uzbekistan.

Keywords

G'afur G'ulom, “*Shum bola*”, law, literature, crime, family code, social justice, minors' rights.

Introduction

In Uzbek literature, G'afur G'ulom holds a special place with his unique artistic style, national language, and works filled with deep philosophical meaning. Universal values such as humanity, kindness, loyalty, justice, and conscience are put forward as the main ideas in his works. G'afur G'ulom is not only a writer but also a thinker who profoundly analyzed the social life of his time.

As our First President Islam Karimov emphasized, "G'afur G'ulom's work must be promoted not only in Uzbekistan but all over the world" – this opinion remains relevant today. This is because, through the writer's works, one can gain an understanding of the life of that era, the difficult living conditions of the people, and the level of legal awareness and culture.

This article analyzes some events in the writer's famous works based on modern legal criteria. The goal of this analysis is to identify legal conflicts in the artistic images of the past, compare them with current laws, and strengthen legal awareness through literature.

Main Body

As we read the works penned by G'afur G'ulom, we realize that each of them has its own unique artistic and spiritual significance. This is because every work of the writer can be interpreted not only from the perspective of human feelings, moral values, and life experiences, but also from a legal content point of view. Through the destinies of his characters, their place in the social environment, and their conflicts with society, the author illuminates the political and social life of that time and the inconsistencies in the legal system. In particular, we will focus on the interpretation of his novellas “*Shum bola*” (The Mischievous Boy), “*Yodgor*”, and the story “*Mening o'g'rigina bolam*” (My Little Thief Son).

In "Shum bola," one of G'afur G'ulom's most famous works, the author reflects on the social life of that era, the violation of children's rights, and issues of injustice through the adventures of the main character, Qoravoy. The trials and injustices Qoravoy experiences are vividly portrayed through humor. This is directly related not only to Qoravoy's rights but also to the condition of the whole society. Furthermore, several legal problems are encountered in the work. Therefore, it is important to analyze them in light of today's legislation.

For example, at the beginning of the work, Qoravoy is forced to feed his brother-in-law's "rich boy's birds" with *suzma* (a strained sour-milk product) and kills them. According to current legislation, Qoravoy's action may constitute the elements of a minor theft (Article 169 of the Criminal Code of the Republic of Uzbekistan). At the same time, the attempt by the other boys to forcibly take the turtle dove from him is assessed as violent seizure of property (Robbery) (Article 166 of the Criminal Code) [1].

In addition, Qoravoy's experiences are directly related not only to his rights but also to the rights of all children of that time. Analyzing the situations in the work with today's legislation, Article 50 of the Constitution of the Republic of Uzbekistan establishes that everyone has the right to education. This right is enshrined not only in the legislation of the Republic of Uzbekistan but also in international law [2]. However, we can see that this right was restricted in the society where Qoravoy lived. Violations of this right can be encountered not only in the society where Qoravoy lived but also in today's society.

Also, the work frequently features situations related to the violation of the rights of minors. We again turn to the legislation on this issue. According to Article 77 of the Constitution of the Republic of Uzbekistan, parents and persons replacing them are obliged to support their children until they reach the age of majority, and to care for their upbringing, education, healthy, full, and comprehensive development [3]. However, Qoravoy is forced to fend for himself. The fact that "Shum bola" commits several minor "crimes" during his adventures is actually connected with this very issue. Despite this, we cannot blame either Qoravoy or Qoravoy's parents. We can point to "Shum bola's" mischievousness and the environment of that era as the reasons for all this. However, the relevance of this topic not having lost its importance even today is crucial.

According to Article 20 of the Labor Code of the Republic of Uzbekistan, an employee's labor legal capacity and legal competence arise simultaneously upon reaching the age of sixteen [4]. This means that the adolescent gains independent rights and obligations through their labor. However, the legislation also provides for exceptions. Specifically, with the written consent of a parent or guardian,

children can conclude an employment contract to perform light work starting from the age of fifteen. This norm strictly requires that the work must not harm the child's education or health.

One of the key aspects in the narrative is that what compelled children like Qoravoy to engage in the arduous labor necessary for survival was not a legal norm, but rather the difficult and complex socio-economic way of life. Social injustice, poverty, and the necessity of making a living forced them to give up their childhood and made it impossible to survive without hard work. This stands as one of the most bitter manifestations of the violation of children's rights.

Today, special attention is paid to the labor and protection of minors in Uzbekistan. A separate chapter of the Labor Code is dedicated specifically to regulating the labor of minor employees. Furthermore, a number of additional opportunities and privileges are being created for them.

Furthermore, the narrative also shows signs of several minor "crimes" committed by Qoravoy. For instance, in the work, Qoravoy lives in the service of an *Eshon* (a religious figure) and carries out his tasks. The writer sharply criticizes the *Eshon*'s polygamy and his concealment of moral depravity behind religious pretexts. According to the current legislation of Uzbekistan, this situation is recognized as a crime under Article 126 of the Criminal Code. Thus, the writer uses artistic means to reveal the vices hidden under religious disguise. This highlights its relevance today and the necessity to form legal awareness and culture in society.

Moving on to G'afur G'ulom's story "Mening o'g'rigina bolam," the author broadly describes the environment of that era through this work [5]. Although we encounter several legal situations in the work, ideas such as humanity, kindness, and mercy prevail. Therefore, the work can be analyzed from both sides. In this work, the author intertwines the theme of theft with human experiences. Although the writer recognizes the thief, he does not expose him. This situation could be assessed as concealment of a crime under today's legislation. However, the writer prioritizes the compassion and kindness in the human heart over the law. In this way, he illuminates the complex balance between legal and moral values.

Another work by the writer with legal significance is the novella "Yodgor," which highlights social problems such as adoption of orphans, family stability, and relations between men and women. The event of the "divorce" between Jo'rakhon and Mehrikhan deserves special attention from a legal perspective. This is because, even though they were not officially married, they go to the Civil Registry Office (FHDYO) for a divorce. According to Chapter 7 of the current Family Code of the Republic of Uzbekistan, a marriage can only be terminated after it has been

officially registered [6]. Based on this, the writer artistically analyzed the weakness of the institution of family and the sluggishness of the legal system in his time.

We learn from the work that Mehri marries at the wish of her parents. Consequently, later on, due to family conflicts, and her unwillingness to live with a person she does not love, they decide to divorce. But in the middle of it all, the child becomes an orphan. What fault is it of the baby? What about child care and alimony issues?

Indeed, although these issues find their resolution through the humanity of the work's characters, they remain relevant today. Legislation also confirms this. Unfortunately, however, people often do not adhere to the law. For example, Article 76 of the Constitution of the Republic of Uzbekistan stipulates: "The family is the primary unit of society and shall be under the protection of society and the state. Marriage is based on the traditional family values of the people of Uzbekistan, the voluntary consent and equality of rights of the intending spouses." We know that the rights of the work's characters were violated [7]. As a result, the stronghold of a family, the primary unit of society, is destroyed, and the chick born with so much hope becomes an orphan. Even when his own mother turns away from him, he finds a place in the arms of people who have not yet lost their humanity. While we can call the ending of the work a result of the author's skillful literary approach, such situations do not always end this way. Therefore, we keep returning to these topics.

Conclusion

In conclusion, the prose works of G'afur G'ulom not only demonstrate the literary and artistic potential of their time but also serve as an invaluable source for the socio-legal landscape of the early 20th century. Through his vivid artistic means, the writer effectively conveyed to the public the painful issues prevalent in society, such as oppression, lack of legal protection, social stratification, and inequality.

Specifically, the character of Qoravoy created by the author is not merely a simple "mischievous boy" but an artistic embodiment of an individual who raised an internal rebellion against the horrific social injustice of his era. When we assess the events of the work from the perspective of that time, as well as by the standards of today -- an era where human rights are fully guaranteed -- we recognize that Qoravoy's struggle against injustice contains a profound meaning and philosophical depth.

In the present day, with the legislation of the Republic of Uzbekistan fully ensuring the protection of human rights, minors, women, and the family, studying G'afur G'ulom's works is of critical importance not only for literary criticism but

also for shaping legal thinking and principles of humanity. His work remains an unparalleled source for strengthening historical legal awareness, appreciating the current legal stability, and promoting devotion to the ideals of justice.

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