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## LINGUISTIC ANALYSIS OF UZBEK LEGAL TERMS

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### Abstract

The article examines the processes of improvement of Uzbek legal terms during the years of independence, the studies carried out in this regard, and their significance. It also examines the origin of legal terms, the degree of belonging to their own and assimilated layers, their structure, and structural analysis. The achievements and shortcomings in the process of nationalizing legal terms are reviewed. The tasks ahead, the responsibilities of lawyers and linguists, and research in this regard are clarified.

**Keywords:** Legal term, own layer, assimilated layer, linguistic analysis, the process of nationalizing terms, law, linguistics, development of the national language, the language of law.

### Introduction

As is known, most of the new words entering our language are terms. Legal terminology is the most important component of legal discourse. To be more precise, legal discourse is based on legal terminology. Legal discourse is formed with the participation of legal terms and in this respect it differs from other discourses. Legal texts have an advantage in terms of high terminological completeness. This aspect in legal texts excludes any possible ambiguities, indicates a sign of a legislative norm or expresses the results of deviations from it. Legal terms also do not appear on the scene by themselves. Each term that



finds expression in our language due to a certain necessity is part of the language and one of its special, most rapidly developing vocabulary layers. Legal discourse formed with the participation of legal terms consists of specific lexical units that can be understood by specialists in the same field, philologists, and people familiar with the field.

### **Literature review and methods**

One of the main pillars of the legal sphere is legal terminology. Therefore, each society, in order to form its legal system, first of all develops its legal language, legal terms. In particular, Uzbekistan. According to G. Gulomava, no reform can be carried out without changing the laws, which in itself paves the way for the development of new linguistic units (words, terms and expressions) and forms. Since new legal concepts are expressed in the language in the form of words or terms, they must be expressed and formed on the basis of the laws of the state language. Because the legal language is an integral part of the literary language [6, 5].

The number of Uzbek legal terms is estimated in some dictionaries at around 3.5 thousand [8], while some sources state that it is around 6 thousand [7]. Only a certain part of them is understandable to ordinary people, that is, to the population that is not familiar with the legal sphere. In this case, most of the legal terms have become popular due to their widespread use in consumption, and people often encounter these terms in their daily lives. For example, law, right, civil, crime, robbery. But the content of the main part of the legal terms is well understood only by specialists who are familiar with the field and have studied in this direction or work in the system.

It should be noted that while some legal terms are strictly used only in the language of this field, most of them are taken from words in our daily communication, so we fully understand their content as words in general use. For example, the word torture is considered a participle of the verb torture and is often used in our ordinary communication: torture by asking a lot of questions, torture by using. This word is used as a legal term in a legal context:

Torture.



Torture by continuous beatings or other actions, if it did not entail the consequences provided for in Articles 104, 105 of this Code, shall be punishable by correctional labor for a term of up to two years, or imprisonment for a term of up to six months, or imprisonment for a term of up to three years [11, ]<sup>1</sup>. (Article 110 of the Criminal Code).

In addition, the word action is used in everyday usage in the sense of behavior in the process of doing a certain thing. In the Criminal Code, this word is expressed in the form of socially dangerous, conscious and active behavior of a person<sup>2</sup>. A large amount is an amount from one hundred to three hundred times the minimum monthly wage; a large amount is an amount from three hundred to five hundred times the minimum monthly wage; a very large amount is an amount of damage from five hundred times the minimum monthly wage and more<sup>3</sup>.

Most legal terms have the property of expressing meaning in a stable compound form, indivisible and integral. For example, to have legal capacity, to form legal capacity. In addition, some phraseologisms that are readily available in our lexicon also have a legal meaning in the text of legal documents. For example, the word to refuse (or to pull) is interpreted in the “Explanatory Dictionary of the Uzbek Language” as refusing to perform or participate in something<sup>4</sup>.

In the legal context, it is as follows:

Eviction of taxes and other mandatory payments:

a) repeatedly;

b) committed in large amounts - shall be punishable by a fine in the amount of one hundred and fifty to three hundred times the minimum monthly wage, or by correctional labor for a term of two to three years, or by imprisonment for a term of up to three years<sup>5</sup>.

<sup>1</sup> Ўзбекистон Республикасининг Жиноят Кодекси. Расмий нашр – Ўзбекистон Республикаси Адлия вазирлиги. – Т.: “Адолат”, 2014. Б.–64.

<sup>2</sup> Ўзбекистон Республикасининг Жиноят Кодекси. Расмий нашр – Ўзбекистон Республикаси Адлия вазирлиги. – Т.: “Адолат”, 2014. Б.–201.

<sup>3</sup> Ўзбекистон Республикасининг Жиноят Кодекси. Расмий нашр – Ўзбекистон Республикаси Адлия вазирлиги. – Т.: “Адолат”, 2014. Б.–197.

<sup>4</sup> O‘zbek tilining izohli lug‘ati. <https://izoh.uz/word/bo%E2%80%98in>

<sup>5</sup> Ўзбекистон Республикасининг Жиноят Кодекси. Расмий нашр – Ўзбекистон Республикаси Адлия вазирлиги. – Т.: “Адолат”, 2014. Б.–110.



The phrase "to cause damage" is also not used in legal documents in isolation. If we explain their meaning separately, damage means physical damage, damage, a damaged, broken, or damaged part of a thing<sup>6</sup>. The word "yetkazmoq" means to carry, to deliver. The two words together have become a stable combination, expressing a legal norm in the Criminal Code: intentional infliction of grievous bodily harm, intentional infliction of slight bodily harm<sup>7</sup>.

Ko'zdan kechirmoq (inspection): In paragraph 4, the words "Ko'zdan kechirish (Inspection)" and the number "53" shall be replaced by the words "Bojxona ko'zdan kechiruvi (customs Inspection)" and the number "202" respectively<sup>8</sup>.

Ko'rib chiqmoq (consider): The state body considering a citizen's appeal must ensure that the appeal is considered on the spot, if necessary<sup>9</sup>.

Bo'yniga olmoq (confession): In deciding whether there is a mitigating circumstance in the form of a plea of guilty, courts must examine...<sup>10</sup>.

Sh. Kochimov divides legal terms into terms consisting of two words (jinoyat kodeksi, qonun ijodkorligi, oliy jazo, ma'muriy ishlar, jinoiy jazo (criminal code, lawmaking, supreme punishment, administrative cases, criminal punishment), three words (ozodlikdan mahrum etish, jinoyat-qidiruv bo'limi, sudning boshqaruv majlisi, qonun chiqaruvchi organ (deprivation of liberty, criminal investigation department, court management session, legislative body), four words (dastlabki huquqiy holatni tiklash, tibbiy xarakterdagi majburlov choralari (restoration of the initial legal status, coercive measures of a medical nature), and five words (ikki yoki undan ortiq sudlangan shaxs, hokimiyat va xizmat vazifalaridan chetga chiqish (two or more convicted persons, deviation from authority and official duties) according to their structure<sup>11</sup>. During our research, we also came across legal terms consisting of six or more words, which represent

<sup>6</sup> O'zbek tilining izohli lug'ati. <https://izoh.uz/word/shikast>.

<sup>7</sup> Ўзбекистон Республикасининг Жиноят Кодекси. Расмий нашр – Ўзбекистон Республикаси Адлия вазирлиги. – Т.: "Адолат", 2014. Б.–61.

<sup>8</sup> O'zbekiston Respublikasi Davlat Bojxona qo'mitasining qarori. "Tovar va transport vositalarini davlat bojxona xizmati organi xodimlari tomonidan ko'zdan kechirish hamda bojxona ko'rigidan o'tkazish bo'yicha yo'riqnomani tasdiqlash haqida"gi qarorga o'zgartirish va qo'shimchalar kiritish to'g'risida". <https://lex.uz/ru/docs/-2931874>

<sup>9</sup> O'zbekiston Respublikasining Qonuni. Fuqarolarning murojaatlari to'g'risida. <https://lex.uz/acts/-76412>

<sup>10</sup> O'zbekiston Respublikasi Oliy sudi plenumining qarori. Sudlar tomonidan jinoyat uchun jazo tayinlash amaliyoti to'g'risida. <https://lex.uz/docs/-1455976?ONDATE=14.05.2022%2000>

<sup>11</sup> Кўчимов Ш. Юридик тил назарияси ва амалиёти.– Т., 2013. – Б.65.



a specific legal norm in a holistic form. For example, harbiy xizmatni o'tash tartibiga qarshi jinoyatlar<sup>12</sup>, harbiy mulkni nobud qilish yoki unga shikast yetkazish (crimes against the order of military service, such as destruction or damage to military property). G. Gulomova divided legal terms into simple and complex types according to their structure. It can also be seen that some researchers classify legal terms as one-component legal terms; two-component legal terms; multi-component legal terms<sup>13</sup>.

Compound terms include jinoyat, jazo, sud, da'vogar, jabrlanuvchi, sudlanuvchi, qaror, qonun, sudya (crime, punishment, court, plaintiff, victim, defendant, decision, law, judge, etc).

Two-component terms include Mehnat Kodeksi, soliq ma'muriyatchiligi, majburiy to'lov, qamoqqa olish, hukm qilmoq, davlat siri, ehtiyot chorasi (Labor Code, tax administration, compulsory payment, detention, sentencing, state secret, and precautionary measure).

Multi-component legal terms include terms that consist of several components, such as qasddan shikast yetkazmoq, qamoqqa olish ehtiyot chorasi, dastlabki tergov ma'lumotlarini oshkor qilish, harbiy xizmatni o'tash tartibiga qarshi jinoyatlar, harbiy mulkni nobud qilish yoki unga shikast yetkazish (intentional infliction of harm, preventive detention, disclosure of preliminary investigation information, crimes against the order of military service, and destruction or damage to military property).

## **Discussion and Results**

Not all legal terms in our use are purely Uzbek. Although most of them belong to their own category (o'g'irlik, zo'ravonlik, talonchilik (theft, violence, robbery), some have entered our language under the influence of the Russian language (organ, sudya (organ, judge), some have been borrowed from Persian-Tajik (guvoh, farmon (witness, decree) and Arabic (afv, qonun, huquq (amnesty, law,

<sup>12</sup>Ўзбекистон Республикасининг Жиноят Кодекси. Ўзбекистон Республикаси Адлия вазирлиги. – Т.: “Адолат”, 2014 й. – 424 б. Б. - 186

<sup>13</sup> Rajabova S. Qonun tili terminalogiyasining tasnif masalasi. Central Asian research journal for interdisciplinary studies. Volume 2 | issue 1 | 2022. <https://cyberleninka.ru/article/n/qonun-tili-terminalogiyasining-tasnif-masalasi/viewer>



right), and a certain part consists of international words (Konstitutsiya, kodeks, arbitraj (Constitution, codex, arbitration) and word combinations.

Uzbek scholars are also studying the linguistic features of legal terms. The researcher G. Gulomava analyzes the terms morphologically by dividing them into groups such as legal coined terms, terms made with affixoids, and legal compound terms, and studies the etymology of the terms, their origin, and the degree of belonging to their own and assimilated layers. According to her, she divides legal terms into groups such as Persian-Tajik terms, Arabic terms, and Russian-international terms<sup>14</sup>.

We also examined the degree of linguistic belonging of legal terms to their native and adopted layers in the following way:

- 1) **own layer:** o'g'irlik, zo'ravonlik, talonchilik;
- 2) **the acquired layer:**
  - a) entered our language under the influence of the Russian language (organ, sudya);
  - b) came from Persian-Tajik (guvoh, gumon);
  - g) learned from Arabic (afv, qonun, huquq);
  - d) international words (Konstitutsiya, kodeks, arbitraj).

Indeed, Uzbek legal terminology is also enriched through loanwords and the internal capabilities of our language, as well as through word formation. In particular, some terms that have entered our vocabulary from Arabic, Persian, Russian, and international words have become part of our vocabulary. For example, words such as adolat, qonun, fuqaro, odil, murojaat, ariza (**justice, law, citizen, just, appeal, and application**) are borrowed from Arabic; guvoh (witness) is borrowed from Persian-Tajik; sudya, ustav, organ (judge, statute, and body are borrowed from Russian; and appeal, passport, export, and import are borrowed from international (internationally recognized and used in the field of international law) words.

<sup>14</sup> Гуломова Г. Ўзбек юридик терминологиясининг истиқлол даври тараққиёти: дисс. автореф. – Тошкент, 2005.





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## **Conclusion**

In conclusion, it can be said that the national legislation, which is currently being improved, is in dire need of legal terms in the pure Uzbek language. There are certainly enough of their alternative forms in our language. By introducing more simple and understandable sentences, phrases, and word combinations into the text of regulatory legal acts and subordinate legal acts, it is possible to increase the prestige of the state language and give the documents a truly national "dress".

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