


# Uzbekistan Legal Terms of The Independence Period and Their Improvement Processes

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**Abstract:** This article examines the process of the improvement of Uzbek legal terminology during the years of independence, the research conducted in this regard, and their significance. It also explores the origin of legal terms, their belonging to native or borrowed layers, their classification, and investigates the phenomena of polysemy, synonymy, homonymy, and antonymy in legal terms. The article reviews the achievements and shortcomings in the process of nationalizing legal terms. Additionally, it clarifies the future tasks, the responsibilities of legal experts and linguists, and research directions in this field.

**Keywords:** Legal terminology, years of independence, native layer, borrowed layer, classification of legal terms, synonymy of legal terms, homonymy in terms, the process of nationalizing terms, jurisprudence, linguistics, development of national language, legal language.

**Introduction:** It is well-known that the first steps towards the independence of the Republic of Uzbekistan began with the granting of the status of the state language to the Uzbek language. This historic event not only enhanced the prestige of the language but also paved the way for conducting legal documentation in Uzbek, creating national legal terms, and enriching them with elements of the state language. This laid a crucial foundation for the comprehensive formation of the Uzbek legal language. The new era, new state, and legal reforms gave a strong impetus to the formation, development, and improvement of legal terminology. Gradually, legal terms began to be adapted to the Uzbek language. This process required not only translation work but also the creation of entirely new terms to express new social and legal relations. Prior to independence, legal terms were primarily borrowed from Russian, Arabic, and Persian-Tajik languages. For example, a significant portion of the terms borrowed from Russian was used based on their transcription in that language, such as "konstitutsiya" (constitution), "prokuratura" (prosecutor's office), and "notarius" (notary). This resulted in an artificiality that did not align with the natural phonetics and semantic structure of the Uzbek

language. As a consequence, difficulties arose for the people in reading and understanding legal documents. Starting from 1991, the process of nationalizing legal language and terminology and adapting them to the possibilities of the Uzbek language began. In particular, the writing of the Constitution in Uzbek and the adoption of legal documents in the national language became decisive factors in the development of the country's legal terminology.

During this period, a number of changes were observed. Specifically, Russian terms were replaced with their Uzbek equivalents (e.g., "sudya" instead of "judge," "zakon" instead of "law," "pravo" instead of "right," and "ugolovnoye delo" instead of "criminal case"). New terms were created for new legal concepts, such as "inson huquqlari" (human rights), "fuqarolik jamiyati" (civil society), "sud hokimiyati mustaqilligi" (independence of the judiciary), "huquqiy davlat" (rule of law), and "konstitutsiyaviy nazorat" (constitutional control).

As stated by President Shavkat Mirziyoyev, ensuring the rule of law in society means that citizens strictly adhere to the law. For this, it is crucial to develop legal language and its lexicon in a clear and comprehensible

way that the public can understand, with legal terms organized scientifically and practically.

The adoption of the "State Language Law" in 1995 and the "Legal Reform Program" in 1997, among other legal documents, accelerated the process of nationalizing legal terminology.

Given the ongoing social changes in the world and the radical reforms in our country, which require new ways of thinking, new ideas, and the introduction of new concepts into practice, the need to improve legal terms has become more pressing.

It is important to note that the national legal terms have gone through several historical periods before reaching their current state. Ruling powers have attempted to integrate their own legislation and language into our legal system, influencing its adoption and usage. Uzbek legal terminology, after undergoing various trials and periods, has reached a more developed state in the present era. However, we are far from considering it perfect. Further improvements require additional time, conditions, and the research efforts of specialists.

#### METHOD

Uzbek legal terms are listed in some dictionaries as around 3,500, while other sources report approximately 6,000. A certain portion of these terms is only understandable to the general population, i.e., those who are not familiar with the legal field. However, many of these terms have become widely used due to their frequent occurrence in everyday life, with people encountering them regularly. Despite this, the majority of legal terms are better understood by specialists who are knowledgeable about the field and have either studied or worked in the system.

Not all of our national legal terms are in pure Uzbek. The majority belong to the native Uzbek layer (e.g., investigative, acquitting), some have entered the language under the influence of Russian, others have been borrowed from Persian-Tajik and Arabic, and some are made up of international words and phrases. For example, terms such as "sudya" (judge), "yuridik" (legal), "hukm" (judgment), "mahkum" (convict), "guvoh" (witness), "afv" (pardon), "apellyatsiya" (appeal), and "intansiya" (instance) are part of this category.

In the early years of Uzbekistan's independence, in 1993, a legal terminology dictionary titled "Yuridik terminlar va iboralar lug'ati" (Dictionary of Legal Terms and Phrases) was published under the leadership of legal scholars G. Ahmedov, A. Saidov, and U. Bozorov. This publication aimed to improve the national legislation of the newly independent state and present

legal terms in the state language to the public. It was noted that "... such a need has become apparent, especially in recent years, as legal terms used in Uzbek-language laws, textbooks, educational manuals, popular-science publications, and journals are being used incorrectly" [2, 4].

Even today, the improper or incorrect use of legal terms in various fields, as well as the ambiguous interpretation of some terms, continues to create problems. This situation leads to diverse understandings of legal documents.

As stated in the "Dictionary of Legal Terms and Phrases," the general public and students often learn legal terms exactly as they appear in laws, popular science publications, textbooks, and educational manuals. Unfortunately, legal terms are not always presented correctly, precisely, or clearly. Media outlets, publishing house staff, authors, translators, deputies, and legal practitioners such as judges, prosecutors, lawyers, investigators, notaries, and others often spend considerable time finding the correct Uzbek equivalent for certain Russian legal terms or interpreting them accurately, as a single term may be used or interpreted differently across various publications or even among legal professionals. Therefore, it has become an important task for us, legal scholars, and practitioners to create a comprehensive legal terminology dictionary and to regulate the terms related to various branches of law [2, 4].

Indeed, this publication is considered a significant solution to a major problem faced by the newly independent country and its scholars, legal professionals, and even media representatives, who were still heavily influenced by the Russian language and used outdated terminology in their work. It was a vital resource for those working in legal processes, especially for those who were accustomed to the old methods. Moreover, unlike previous dictionaries, this publication introduced the Uzbek equivalents of around 6,700 legal terms and phrases. However, despite this, the changing times and the development of the New Uzbekistan have made these dictionaries somewhat outdated.

Additionally, in 1999, the "Dictionary of Loan Legal Terms" was published by H. Bektemirov, H. Kholmedov, and S. Sodiqov. In the same year, linguist G. Sotimov published the "English-Russian-Uzbek Dictionary of Legal Terms."

In 2001, the "Legal Encyclopedia" was published under the general editorship of Doctor of Law, Professor U. Tadjikhanov. This work included legal terms widely used during the years of independence, with nearly 3,500 legal terms and phrases explained. The need for

the encyclopedia was justified by two interconnected goals: first, to assist in understanding the content of our national legislation; and second, to support acquiring basic knowledge of legal principles and the integration of legal institutions and theories developed by world legal science [7].

In 2003, G. A. Abdumajidov and others published the "Comprehensive Dictionary of Legal Terms." This work also includes explanations for approximately 3,500 legal terms and phrases.

Additionally, in 2020, A. M. Kurganov and D. S. Djuzbayeva published the "Uzbek-Russian-English Dictionary of Legal Terms" [4].

In 2021, "The Explanatory Dictionary of Legal Terms" was published, compiled by M. Turgunov, A. Tulyaganov, O. Sulaymonov, and others. The dictionary was created based on the legislation of the Republic of Uzbekistan in effect as of December 31, 2021. Its normative value lies in the fact that it recommends the usage standards of legal language lexicon. Each term in the dictionary is explained in terms of its spelling, scope of use, and meaning. The source encompasses terms from all branches of jurisprudence. The legal terms are presented in accordance with the requirements of the Uzbek literary language and the principles of dictionary compilation [8].

Currently, Professor Sh. Ko'chimov is conducting extensive research on legal terminology and its history, usage, standards, and analysis, with a focus on the field of legal linguistics. Based on his research, he advocates for studying the legal field in conjunction with linguistics. In his book "The Theory of Legal Language," the scholar has explored several aspects, including the semantic analysis of Uzbek legal terms, phenomena such as homonymy and synonymy, and the unity of form and meaning in legal terminology [5].

In addition, several other researchers have conducted studies on Uzbek legal terminology. For example, M. Kasimova has researched the "Structural and Systemic Features of Uzbek Legal Terminology" (Структурно-системные особенности юридической терминологии узбекского языка) [3], O. F. Tursunova has worked on "Linguistic Study of Legal Terms Used in the History of Uzbek Statehood," (O'zbek davlatchiligi tarixida qo'llanilgan huquqiy terminlarning lisoniy tadqiqi) [9], R. Sharopova has investigated the "Semantic-Structural Features and Lexicographic Interpretation of Uzbek Social-Political Terms," (O'zbek tili ijtimoiy-siyosiy terminlarining semantik-struktur xususiyatlari va leksikografik talqini) [10] and E. Sabirova has defended a dissertation on "The Representation of Legal Terms in the Explanatory Dictionary of Uzbek Language" (O'zbek tilining izohli

lug'ati"da huquqiy terminlarning berilishi) [6] in the field of philology.

The studies also include proposals and scientific conclusions regarding the classification of legal terms. In particular, the "Legal Terms Encyclopedic Dictionary" classifies legal terms in the following way based on their characteristics:

- a) General terms (those commonly encountered in daily life and understandable by everyone);
- b) Special legal technical terms (such as essential defense, statute of limitations, standard, certificate, etc.);
- v) Terms reflecting specific fields of knowledge (such as terms from technology, economics, medicine, and others) [1].

Sh.Ko'chimov, in his book "Theory and Practice of Legal Language", proposes the following classification for the terms used in legal language:

1. Social-political terms – terms related to social and political concepts.
2. Non-legal terms – terms that are not directly related to the legal field.
3. Terms that are widely used but acquire a special meaning in legal documents – these terms have a general meaning in everyday language but take on a specific legal interpretation within legal contexts.
4. Purely legal terms – terms that are specifically used in the legal field, with precise legal meanings [5, 47].

G.G'ulomova's research provides a comprehensive approach to the classification of legal terms, highlighting the progression of Uzbek legal terminology in the post-independence period. Her dissertation "The Development of Uzbek Legal Terminology in the Independence Period" emphasizes organizing legal terms into a coherent system, with an initial focus on creating a general legal thesaurus. She investigates various semantic relationships between legal terms, such as hyponymy, synonymy, and antonymy, shedding light on their interconnections.

Moreover, G.G'ulomova traces the historical roots of Uzbek legal terminology, referencing classical works like Mahmud al-Kashgari's "Divanu lug'at al-Turk" and Alisher Navoi's "Mahbub al-qulub", in which legal terms and expressions were used, providing an early foundation for modern legal language.

She also presents a detailed classification of legal terms, dividing them into the following categories:

1. Terms denoting persons in the legal system – this category is further subdivided into:

o Terms referring to individuals engaged in legal practice (e.g., judges, lawyers, prosecutors).

o Terms referring to those involved in unlawful acts or subject to legal penalties (e.g., criminals, offenders).

2. Terms denoting types of crimes – these terms describe various categories of criminal offenses.

3. Terms denoting actions related to criminal proceedings – these terms refer to actions taken during the processing of criminal cases.

4. Terms denoting judicial bodies – terminology related to the institutions responsible for adjudicating legal matters (e.g., courts, tribunals).

5. Terms denoting places of punishment – terms that describe locations where individuals are held for punishment (e.g., prisons, correctional facilities).

6. Terms denoting legal documents – terminology related to various legal documents such as contracts, decrees, laws, etc.

7. Terms denoting judicial rulings – terms used to describe court decisions, judgments, and their legal consequences.

G.G'ulomova's work reflects an organized and systematic approach to the development and classification of legal terms in the Uzbek language, taking into account both modern legal usage and historical linguistic sources.

This classification, in our opinion, is insufficient to encompass all legal terms. It primarily presents a classification of terms related to criminal cases. Legal terms pertaining to cases considered in civil, administrative, and economic courts cannot be included in this classification. Therefore, we propose the following classification of terms related to the activities of courts:

1. Terms denoting the concept of "judicial authorities."

2. Lexical units denoting individuals within the legal terminology.

3. Terms denoting the concept of "legal documents."

4. Terms denoting the concept of "procedural actions."

5. Terms denoting "types of crimes."

6. Terms related to civil cases.

7. Terms related to administrative cases.

8. Terms related to economic cases.

9. Terms denoting "places of detention."

10. Terms denoting the concept of "court

decisions."

11. Terms denoting the concept of "court judgments."

This classification aims to better categorize and distinguish the legal terminology used in different branches of law, including those applied in civil, administrative, and economic proceedings.

This classification can be used for grouping terms related to the activities of courts. Additionally, terms from the fields of environmental, financial, and international law can also be incorporated into the general classification framework.

The researcher G. G'ulomova, in her work, also addresses the phenomenon of antonymy found in legal terminology and elaborates on her views using examples. Furthermore, she analyzes legal terms morphologically by categorizing them into groups such as legal compound terms, terms derived from affixoids, and legal neologisms. In her scientific research, G. G'ulomova also studies the etymology of terms, their origins, and their degree of belonging to native or borrowed layers. According to her, legal terms can be classified into groups such as Persian-Tajik terms, Arabic terms, and Russian-international terms [12].

The influence of the developing era is naturally reflected in the development of legal terminology. We are gradually witnessing that legal texts are being written in the state language. For instance, prior to 2017, the practice of replacing or canceling the sentence imposed on prisoners in advance was carried out in the form of an amnesty procedure. In the Legal Encyclopedia, amnesty is defined as follows: amnesty (from Greek "amnistia" – forgiveness, passing over a sin) – an act of the highest state authority, a decision to release certain individuals from criminal punishment, annul a criminal case, or reduce a sentence. Amnesty is a humanitarian decree that releases individuals who have committed crimes or other offenses from full or partial punishment or replaces the imposed sentence with a more lenient one. According to Article 80 of the Constitution of the Republic of Uzbekistan, the President of Uzbekistan submits documents on amnesty to the Senate of the Oliy Majlis of the Republic of Uzbekistan. The acceptance of amnesty documents for individuals convicted by the courts of the Republic of Uzbekistan falls within the absolute authority of the Senate [11, 24].

Since 2017, the practice of reducing or canceling the sentences of prisoners or prematurely annulling imposed sentences has been carried out by presidential decree, without the involvement of the Senate. In this context, the legal term "pardon" has been widely used. The Legal Encyclopedia defines this term as follows:



pardon – the act of forgiving a person (convict) sentenced by the court based on their request, allowing them to be forgiven for their crime. In Uzbekistan, pardoning is carried out by the President of the Republic of Uzbekistan. According to the Regulation on the Procedure for Implementing Pardon in Uzbekistan, approved by the Decree of the President of Uzbekistan on July 17, 1992, Article 1 states that pardoning is determined based on the request submitted by the individual themselves, and the decision is made for those individuals convicted by the courts of the Republic of Uzbekistan [11, 34].

Additionally, in the territorial courts, the practice of replacing a sentence with a milder one has been introduced for certain individuals during legal proceedings. In these cases, terms such as "reducing the sentence" or "cancelling the sentence" are being used.

It is also important to note that new legal terms have entered the political and legal landscape of New Uzbekistan. For instance, terms like "Ministry for Reducing Poverty," "Women's Register," "Youth Register," "Iron Register," "electronic appeal," "portal," "public services center," "cashback," "subsidy," "mobile reception," and "mobile court" have been introduced through legal documents. These terms have become widespread in the public consciousness through mass media and are now widely understood and commonly used by the general public.

## CONCLUSION

In the years of independence, the development of Uzbek legal terminology has been a significant step in the progress of the national language. This process is still ongoing. Every new law, social change, and modern technology influences legal language. Therefore, continuous research, scientifically-based approaches, and collective efforts are necessary in this field. Legal terminology is not only the language of laws but also a means of communication between the state and the people.

Updating terminology is not an easy process. Several challenges may arise. For example, new terms may not be used consistently, and sometimes multiple synonyms are used simultaneously (e.g., "ishonchnoma" and "notarial ishonchnoma"), some legal concepts have no clear Uzbek equivalents (e.g., "delikt," "kontrasignalizatsiya"), and in some instances, Russian terms are used alongside or instead of their Uzbek counterparts in legal texts. Moreover, new terms have not been widely accepted by the public. This is often due to their meanings not being properly and fully promoted.

Therefore, in this process, it is essential to strengthen

the cooperation between linguists and legal experts, standardize legal terminology, create a unified terminology base, ensure the popularization of legal terms among the public, and provide opportunities to use words with explanations and synonyms on electronic legal platforms.

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