


Research and Development of Uzbek Legal Terms

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Received: 16 March 2025; **Accepted:** 12 April 2025; **Published:** 14 May 2025

Abstract: This article discusses the origins and the role of Uzbek legal terminology in the development of the language. It explores the contributions and significance of the research carried out by linguists and legal scholars in the study of legal terms. The paper examines the stages of development of Uzbek legal terminology and reviews various scholarly perspectives. Furthermore, it analyzes the challenges involved in aligning Uzbek legal terms with international standards and highlights the advantages of increasing the share of Uzbek legal terminology in the national legislative system.

Keywords: Legal terminology, study of Uzbek legal terms, development of legal terminology, alignment with international standards, national legislation.

Introduction: It is well known that the word "term" originates from Latin and means "boundary", and it refers to a word or a phrase that carries a specific scientific or specialized meaning. Words or expressions that fall into this category are studied within the field of terminology.

Some scholars interpret terminology as the traditional language of science or technology [4], while other researchers argue that any word in a language can become a term [3, 6]. However, the scope of usage of such words is clearly defined by specialists. In other words, a term must meet specific requirements that distinguish it from general language vocabulary, dialectal words, or colloquial.

According to L. M. Alekseyeva, terms are not the property of any one language; rather, they form part of the international terminological corpus [1].

Some English researchers define a term as "a word or phrase used by convention that carries a specific scientific meaning" [6].

In Western legal linguistics, one can also encounter definitions such as "terminology is the underwater part of the lexicon, most sensitive to external influences" [6].

As noted by researcher M. Isaqova, "...the development of a given language's terminology is

closely linked to societal life and the transformations occurring within it. Furthermore, the formation of a language's terminological base is a complex and demanding process that requires not only specialized knowledge and professional competence from its creators, but also broad cultural awareness, erudition, and impeccable literacy" [5].

In particular, these observations are especially relevant when discussing the development of legal terminology. For example, the formation and evolution of Uzbek legal terminology not only reflect a specific historical period and trajectory but also demanded from Uzbek linguists and legal scholars a high level of expertise, literacy, and scholarly rigor. We aim to elaborate on these aspects in more detail below.

When discussing the language of law and legal terminology, it is important to emphasize that the culture of legislative drafting presupposes the use of a strictly professional language while simultaneously requiring clarity, simplicity, and accessibility for all segments of the population. The incorrect usage of terms in the text of normative-legal documents can distort the intended meaning of a law. Proper use of legal terminology is thus an integral part of legislative activity. Moreover, such terms are designed to preserve the consistency of legislative language and ensure its practical applicability [5].

Today, the inappropriate and incorrect use of legal terms in many areas, the unclear interpretation of some terms, of course, creates problems. This situation leads to different understandings of legal documents.

M. Isaqova says: “A legal term is a word or a stable combination of words that expresses the will of the legislator, is used uniformly in the texts of legal documents, is a generalized name for a legal concept with a clear meaning, and is distinguished by its functional stability. Nevertheless, the legal terminology of each language system is characterized only by its own characteristics” [5].

Thus, a legal term is a term that expresses legal norms and serves as the main component of any legal language.

Sh. Kochimov says: “...a legal term is a word or combination of words that is the external appearance, naming of a certain legal concept, logically expressing a legal meaning and is methodologically neutral” [7].

According to S. Mukhtoraliev, “...a legal term is understood as a word or combination of words that very clearly expresses one or another evidence, event or phenomenon related to legal reality and has one meaning (as far as possible, one meaning)” [8].

O. Kolarkova, A. Savina note that legal terminology is a set of words and phrases used to express special concepts and identify objects of legal reality in one or another field of legal knowledge [6]. They indicate the presence of legal words and phrases that have entered the English language mainly from Latin and French. The main reason for the adoption of Latin terms in Europe is associated with the clarity of political language terminology. It is noted that even today, Latin legal terms are used in English almost without changing their orthographic structure, but some insignificant changes are occurring in the semantics of words [6].

According to G. Guloma, 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 itself. Because the legal language is an integral part of the literary language [11].

So, terms, especially legal terms, do not appear on their own. Each term that finds expression in our language due to a certain need is a part of the language and one of its special, most rapidly developing lexical layers. In order to prevent changes in this regard and emerging problems, it is urgent to standardize legal terms and introduce a unified approach.

METHODOLOGY

Since one of the main pillars of the legal sphere is legal terminology, each society, when forming its legal system, first of all, develops its legal language, legal terms.

In Uzbekistan, research on legal terms began at the beginning of the last century. In particular, the enlightened scientist Ghazi Yunus compiled the “Russian-Uzbek Brief Legal and Political Dictionary” in 1926. He tries to give Russian legal terms in the dictionary based on Turkic words and for this he relies more on the book “Temur Regulations” by the great commander Amir Temur, from which he takes most of the legal terms. The scientist also published the Criminal Code “Penal Code of the Uzbek Social Soviet Republic” and the Criminal Procedure Code “Penal Code of the Uzbek Social Soviet Republic” in 1926 [7, 51].

In 1959, the legal scholar F. Bakirov published the “Dictionary of Legal Terms”. It can be seen from the publication date that since our country was under the influence of Russian colonization during this period, the dictionary also contains many words and phrases related to the Russian language. In some places, some terms are quoted without translation. This is also mentioned in the preface to the “Dictionary of Legal Terms and Phrases”, published in 1993 under the leadership of legal scholars G. Ahmedov, A. Saidov, and U. Bozorov. “In addition, many words such as agentura, agraria, aggression, amnesty, anarchy, archive, banda, pechat remain Russian, and only in some places is a synonymous Uzbek word accidentally quoted in brackets” [2, 8].

In 1983, F. Muhitdinov and K. Mirzajonov published a “Brief Russian-Uzbek Dictionary of Legal Terms”. Although some legal terms have Uzbek equivalents in these dictionaries, the principle of giving more Russian terms in their place was followed [7, 53].

Some dictionaries list around 3.5 thousand Uzbek legal terms, while some sources list around 6 thousand. Only a certain part of them is understandable to ordinary people, that is, to the population unfamiliar with the legal field. Moreover, due to their widespread use in consumption and the frequent encounter of these terms in people’s daily lives, most of the legal terms have become popular. However, 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 field or work in the system.

It should be noted that not all Uzbek legal terms can be said to be purely Uzbek. Most of them belong to their own layer (inquiry, acquittal), some entered our language under the influence of the Russian language,

some were borrowed from the Persian-Tajik and Arabic languages, and a certain part consists of international words and word combinations. For example, judge, legal, sentence, convict, witness, pardon, appeal, instance, etc.

In the process of significant changes in the legal sphere during the years of independence, the creation of legal terms in the Uzbek language, their formation on the basis of national language elements, became an urgent issue, and many new terms emerged. In particular, civil law, administrative responsibility, human rights, etc.

Sh. Kuchimov says: "Uzbek legislation operates on the basis of the Uzbek literary language. Accordingly, the emergence and development of Uzbek national legal terms are directly and indirectly related to the history of the Uzbek people and the science of Uzbek jurisprudence. In order to determine the development of Uzbek legal terms, we studied the sources of Sharia, especially the laws adopted during the former Soviet regime, that is, from the October coup to the present, and the dictionary of legal terms created during this period. These observations showed that legal terms went through 5 periods in the 1920s-2010s. These periods can be named as follows:

- 1) the period of significant dominance of Arabic legal terms (1920-1937);
- 2) the forced introduction of Russian (European) legal terms into the system (1938-mid-1950s);
- 3) Russian the gradual introduction of (European) legal terms (from the mid-1950s to 1990s);
- 4) the beginning of the process of Uzbekization of Russian (European) legal terms (in 1989-93);
- 5) the determination of the principles of the correct direction of the development of Uzbek legal terms [7, 50].

It is clear that many periods passed before our national legal terms reached their current form and state, the ruling powers tried to absorb the influence of their legislation and language, to introduce them into our consumption. We are far from the idea that Uzbek legal terms, which have gone through various testing processes and periods, have reached a perfect state at the present time. To bring them to perfection, a certain period and conditions, as well as many studies by specialists, will be necessary.

In addition, it is necessary to harmonize the Uzbek legal language with international legal terms. For example, if terms such as arbitration and expertise exist in international legal practice, it is also important to translate them correctly and give them a national flavor.

Sh. Kochimov noted that "... words imported from

abroad should be given based on the capabilities of the Uzbek language. However, this does not mean that all terms imported from European languages through the Russian language that correctly express the essence of legal concepts should be Uzbekized from the beginning. At the same time, the adoption of all terms imported from abroad also negatively affects the development of the language" [7, 59]. From this point of view, national legislation should be enriched and improved based on the capabilities of the Uzbek language.

The researcher G. Gulomova, studying the legal terminology of the Uzbek language as a holistic system, raises the issue of creating a general legal thesaurus aimed at regulating terms for the first time. In addition, she studies the factors that reveal the mutual semantic relationships of legal terms, namely hyponymy, synonymy, antonymy. At the same time, she cites examples of the expression of words and lexical units related to the legal field in ancient monuments, in particular, in the works of Mahmud Kashgari's "Devoni lug'otit turk" and Alisher Navoi's "Mahbub ul-qulub". In addition, G. Gulomova also touches on the classification of legal terms of the Uzbek language in detail and proposes dividing them into the following groups. Namely:

1. A number of lexical units denoting individuals in the composition of legal terms. In this case, she also divides this group into a small structural group. For example, terms denoting persons working in the field of jurisprudence and terms denoting persons who are punished and who commit illegal acts.
2. Terms denoting "types of crime".
3. Terms denoting the concept of "actions in the consideration of a criminal case".
4. Terms denoting the concept of "judicial bodies".
5. Terms denoting the concept of "places of punishment".
6. Terms denoting the concept of "legal documents".
7. Terms denoting the concept of "court verdict".

The researcher also touches upon the phenomenon of antonymy in legal terms and explains his opinion using examples. In addition, he analyzes the terms morphologically by dividing them into groups such as legal made-up terms, terms made with affixoids, and legal compound terms. In her scientific research, G. Guloma also studies the etymology of 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 [10].

The influence of today's progressive era is also evident in the development of legal terminology. One can

observe the pursuit of perfection in legal terminology and their application. For example, the practice of replacing the sentence imposed on convicts with a lighter one or canceling it ahead of schedule on the eve of certain national holidays was carried out under the amnesty procedure until 2017. The legal encyclopedia defines amnesty as follows: amnesty (Greek *amnistia* - forgiveness, remission of sins) - a private act of a higher state authority, a decision to release certain persons from criminal punishment, to cancel a criminal case or to mitigate the punishment. Amnesty is a humanitarian decree on the full or partial release from punishment of persons who have committed crimes and other offenses, replacing the imposed punishment with a lighter one... The President of the Republic of Uzbekistan submits documents on amnesty to the Senate of the Oliy Majlis of the Republic of Uzbekistan. The adoption of documents on amnesty in respect of persons convicted by the courts of the Republic of Uzbekistan falls within the exclusive competence of the Senate... [9, 24]

Since 2017, the reduction of the sentence of convicts or the early cancellation of the imposed sentence has been carried out by presidential decree, without using the authority of the Senate, and the legal term "pardon" is widely used in it. The legal encyclopedia defines this term as follows: pardon - the forgiveness of a person (convict) who has been sentenced to punishment by a court verdict upon his petition. In Uzbekistan, pardon is carried out by the President of the Republic of Uzbekistan [9, 34].

In addition, in court proceedings conducted by territorial judicial bodies, the practice of replacing the sentence imposed on certain individuals with a lighter one is being introduced. In this process, the terms of replacing the sentence imposed with a lighter one or canceling the sentence imposed are also used.

It is also necessary to note that new legal terms are also entering the political and legal space of New Uzbekistan, based on the opportunities of the time and today. For example, through legal documents, words and word combinations such as poverty reduction (ministry), "Women's notebook", "Youth notebook", "Iron notebook", electronic appeal, portal, public services center, cash register, subsidy, mobile reception, mobile court have also entered our language, which have become popular in the vernacular with the support of the media and have become terms that are understandable and clear to people today.

Thus, law and language are interrelated, inseparable concepts. Any idea, attitude, or concept of jurisprudence is expressed in its lexicon, that is, if the

word, term, or concept chosen to reflect an object, situation, or process does not correspond to the style of expression, no legal relationship, communication, or thought will arise [11].

CONCLUSION

In conclusion, the role of legal terms in the development of the language is very large. There are some shortcomings in increasing the prestige of the Uzbek language as a state language, in fully utilizing the potential of our national language, which require research and study, and radical changes.

Because most of the new words that have recently entered our language are terms. The development of legal terminology is important for the perfection of the legal system. Enriching the Uzbek legal language, systematically studying terms and developing them in accordance with the requirements of the time are also urgent scientific and practical issues. In this regard, the cooperation of linguists and lawyers is necessary.

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