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THE STAGES OF DEVELOPMENT OF UZBEK LEGAL DISCOURSE IN LINGUISTICS

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Abstract. This article vividly describes the development stages of Uzbek legal discourse and its special features including legal terms, sources and documents. Indeed, throughout these development periods, Uzbek legal language has been greatly influenced by other languages such as Old Turkish, Arabic, Russian and etc. Uzbek legal language has not been thoroughly studied until the independence due to the effect of Russian language used in Soviet Union, and, thus most of the legal terms borrowed from this very language are still in use. However, it is not true to completely believe that most borrowings are Russian as Russian language itself borrowed most of its legal terms from other languages.

Key words: legal language, Uzbek legal discourse, law, punishment, legal changes, legal terms, jurisprudence, source, documents and drafts

For a start, we consider it appropriate to periodize the study of the Uzbek legal language as the stages of development of the legal language of foreign countries:

1. Old legal Uzbek (mid-second millennium BC - mid-first millennium AD)
2. In the Middle Ages (second half of the V-XIX centuries)
3. New period (second half of the XIX century - beginning of the XX century)
4. The most recent period (early XX-XXI century)

It seems that each period has its own political, social and legal changes, which have also affected the legal language.

The history of old legal Uzbek is characterized primarily by the collapse of the primitive community system and the emergence of the state and law. The first written sources on this period are the Avesto, the Achaemenid inscriptions, and the sources of the ancient world written outside our country. These sources provide information about the history of the ancient East and the world in Central Asia, the names of the most ancient peoples, the names of legendary heroes and kings, the life, socio-economic and political system of the people of our country. In particular, the Avesto, the sacred book of Zoroastrianism, appeared in the ninth century and contains instructions on the political system, law, rules of conduct, family and marriage, crime and punishment of the ancient tribes. For example, although there is no concept of crime in this source, according to Zoroastrianism, deception, lying, and harm to nature are considered crimes and punishable. We can learn about this from the book "Vandidod", which is the legal part of the source.

Moreover, Dora's inscriptions on the Behistun rocks of the Achaemenid kings state

that "laws" were introduced in the occupied territories. For example, Darius I dealt with himself and specially appointed judges in some cases and those, who were against the king and his family members were sentenced to death for several crimes.

Uzbek linguist Tursunova, who studied historical and legal terms in depth, said in the language of ancient written monuments: in her study she highlighted the words *ata*, *qan*, *yeg*, *apa*, *qiz*, *ag'a*, *ini*, *choluq*, *er*, *qatun*, *eke*, *yig'un*, *achi*, *ingun* and other similar ancient Turkic terms related to family and marriage (2007, p.18).

The role of the Kushan Kingdom, the Hephthalite state and the Turkish Khanate in the development of law and legal issues in the territory of our state from the beginning of the 7th century AD is incomparable. In particular, information about the Turkish khanate, which was formed in the middle of the VI century, has come down to us mainly through the Sughd legal and notarial documents of the VI-VIII centuries, which deal with issues such as land acquisition, lease, marriage registration. shown. The legal terms such as "Budun", "Kara Budun", "Beklar", "Tegin", "Yabgu" and "Tudun" were also widely used in the Haqqanis during this period.

It is evident that in the Uzbek legal discourse and the enrichment of the legal language, Arabic terms and the holy book of Islam and the main source of Sharia, the Holy Qur'an, have a special place. This, in turn, is due to the conquest of modern Uzbekistan by the great Arab Caliphate in the 7th century and the spread of the Arabic language, culture and Muslim jurisprudence. Socio-political events of that period are described in the book "History of Bukhara" by historian Narshahi. In the eighth and ninth centuries, Baghdad and the hadith schools of Madinah were founded to establish Muslim jurisprudence. Burhanuddin al-Marghinani's famous book "Hidaya" is also recognized as the most consistent and perfect source of jurisprudence in Islamic jurisprudence.

According to the linguist Gulomova (2004), due to the introduction of Islamic law in our country, many Arabic terms have been adopted into the Uzbek legal language and we can divide them into widely used terms in legal language and the ones which were widely used in the past and are not present in the speeches of lawyers today. For example, words such as *kazzob*, *tabaa* (citizen), *tavq*, *talaq*, *tarafayn*, *hanafiya*, *malikiya*, *zakat*, *vojib* are not used in legal language today. However, Arabic terms such as *qonun*, *huquq*, *fuqaro*, *tajovuz*, *tasarruf*, *tuhmat*, *shariat*, *voris*, *meros*, *mulk*, *nikoh*, *jinoyat*, *jazo* are actively used in modern Uzbek legal language.

Mahmud Kashgari, an 11th-century Central Asian philologist who lived during the reign of the Qarakhanid dynasty, wrote a valuable book on the Turkic tribes and clans living there at that time. Many legal terms were also used in the encyclopedia including *бошуғу-ozod qilish*, *эвзади- tuhmat qildi*, *кучади-zo'rlik qildi*, *бујурмақ- buyurmoq*, *иланди-aybladi*, *ічкін эр- josus*, *ауғ'оқчи*, *жала-tuhmat*, *кіртуладі-haqiqat hisoblanadi*, *tasdiqladi*, *манчу-ish haqi*, *оғриламақ- o'g'irlamoq*, *оғри-o'g'ri* and etc.

It should be noted that the Timurid state and the legal system play an important role in the development of Uzbek legal discourse. Therefore, the Code of Timur, ie "Temur

tuzuklari" is a set of rules of governing the state of Amir Temur and contains basic information about the socio-political events of the second half of the XIV century, the reign of Temur, the state system and the judiciary. Based on the source, we know that in the state of Timur, the judiciary was administered by judges, and the judiciary was divided into three: the Sharia judge, the ahdos judge (a judge acting on the basis of law) and the administrative courts. In the state of Timur, there were small divisions in the state administration, such as "Vazir devoni", "Devoni mustavfiy", "Devoni yorg'u", "qozi devoni". The source also makes extensive use of legal terms such as vaqf, mutavalli, mufti, muhtasib, fatvo, munshiy, amir ul-umaro, tiyul, sadrlar sadri, yarg'u.

The period from the 16th century to the first half of the 19th century covers the specific legal aspects of the Sheibani, Ashtarkhanid state and Uzbek khanates, and the main legal source of information about this period is "Majma al-Arqam". This source was written in the 18th century and contains important information about the forms of ownership, administration and devons in the khanates (mainly the Bukharakhanate). In the source, we may encounter legal terms like buyuk devon, davlat xazinasi devoni, sarkor devoni, tanob devoni, mahramlar devoni, davodjiha (xarajatlar) devoni kabi devon nomlari, shayxulislom, mufti, a'lam, muhtasib, dodxoh, haram og'asi, amir harami.

Indeed, the new period of development of the Uzbek legal language is characterized by the establishment of the system of occupation and colonization of Russia. As a result, Russian law and the Russian language began to influence the Uzbek legal discourse. According to Mukimov, the author of several history books, during this period, the sources of law were mainly divided into two parts: Sharia law and imperial law. (2003, p. 229). In turn, imperial law consisted of two parts: all-imperial law and colonial law. Accordingly, severe medieval corporal punishment was banned in Turkestan by this time, and judges applied only the penalties provided by Russian law. However, the Khiva khanate retained absolute monopoly and practiced medieval legal customs. For example, career titles such as qushbegi, devonbegi, eshon rais, qo'shin boshlig'i, yasovulboshi as well as judicial and judicial names such as qozi, qozi askar, naqib, "Hay'at ul- fukah", "Mahkamai shariya", shayxulislom were used. In general, during this period in Turkestan, along with the imperial legislation, the rights of European law in banking, commercial, promissory note, credit, mining, private entrepreneurship were widespread.

In the most recent period of development of Uzbek legal discourse, according to Kochimov, the attention of the state and scholars was mainly focused on Russian law, and the legal language was studied in depth in the 1920s and 1930s. As a result, many articles and pamphlets on legal language were published, and by the 1960s, the study of legal language had intensified and PhD and doctoral dissertations had been defended. For instance, a pamphlet "The Language of Laws" in 1990, which discussed legal issues, was also published. However, the Uzbek legal language and style have not been sufficiently studied during this period. This is due to the high importance of the Russian language in the former Soviet Union and the fact that the government is governed by

Russian law. Therefore, Russian words and terms are actively used in many laws. For example, орган, союз, гражданин, штраф, протокол, эксперт, справочник, секретарь, устав, судья, заседатель, etc.

Finally, between 1989 and 1993, the process of translating Russian (European) terms into Uzbek began. However, there are some drawbacks of this process, because Uzbek and Russian belong to other language families, there is a big difference between them, and these languages have their own characteristics. However, during this period, such features and such aspects as brevity, clarity and simplicity in the laws were not taken into account. Therefore, thanks to independence, the attention to the Uzbek legal language and method of legislation is growing, and the law, taking into account such aspects as the choice of legal terms mastered by our scholars and the strictness, accuracy, conciseness, logical consistency in the legislation documents and drafts were prepared. At the same time, our Constitution, which is our main encyclopedia at the time of independence, is clear, concise and fluent in the Uzbek language, in compliance with all the requirements of the legal language. Also, in order to demonstrate the full potential of the Uzbek legal language after independence, many of our lawyers and linguists have done a lot of work on legal language, legal terminology and legal style.

In particular, the pamphlet of Saidov and Sargsyan "Legal language and the speech of a lawyer", Abdumajidov and Saidov's articles "Law and the state language: problems and solutions", Mamedov's "Current problems of the Uzbek legal language" were published.

In sum, the study of Uzbek legal discourse and legal language has a long history, and during this period of development, the Uzbek legal language developed under the influence of ancient Turkic, Arabic, Russian and other languages. Therefore, even today, idioms are actively used in legislation, drafts and speeches of lawyers.

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