

Ethical concepts in Uzbek legal discourse: linguistic function, normative role, and institutional stabilization.

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Abstract: This paper investigates how law transforms abstract ethical concepts into concrete legal norms, using examples from the Republic of Uzbekistan. Drawing on three key concepts – *halollik* (honesty/good faith), *viydonylik* (conscientiousness), and *javobgarlik* (legal responsibility) – the study examines how philosophical and moral ideas originating from ethical discourse are linguistically grounded, semantically stabilized, and institutionally embedded within Uzbekistan’s legislative framework. The analysis focuses on four branches of law: civil law, criminal law, civil procedural law, and administrative law. While ethical concepts are often perceived as vague or

subjectively evaluated, our findings show that they acquire functional precision within legal discourse by serving as the basis for specific norm-forming operations such as conditional obligation, interpretive guidance, and enforceable consequence. The study employs a qualitative legal-linguistic methodology that integrates terminological analysis, discourse analysis, and functional-pragmatic approaches. This combined framework draws on established traditions in legal linguistics and discourse studies to examine the transformation of ethical concepts into legal norms. To achieve this aim, a corpus of 28 statutory provisions was purposively selected from the Civil Code, Criminal Code, and procedural legislation of Uzbekistan. Analysis of these provisions revealed how the target terms are embedded in conditional clauses, norm-generating structures, and consequence-triggering constructions, and identified the distinct functional patterns associated with each. The results demonstrate that the three terms perform functionally differentiated roles within Uzbek statutory discourse. *Halollik* functions both as an interpretive standard that modifies existing obligations and as a norm-generating principle that fills legislative gaps. *Vijdoniylik* operates as an auxiliary evaluative criterion supporting judicial assessment of conduct without independently creating legal obligations. *Javobgarlik* serves as the mechanism of enforceable legal consequence, converting the interpretive work of the preceding terms into irrevocable institutional outcomes. This article contributes to ongoing theoretical discussions on the role of language in connecting philosophical abstraction and legal normativity.

Keywords: philosophical terminology, legal terminology, terminological transformation, semantic stabilization, responsibility and liability

1. Introduction

Legal language is more than a reflection of social reality; it is also a means of converting abstract notions of ethics into legal consequence (Glogar, 2023; Roemling, 2025). In most legal systems, philosophical concepts of good faith, fairness, or responsibility are incorporated into laws, where they acquire the force of legal norms with the same level of abstraction. This also gives rise to the central linguistic question of

how abstract notions of ethics are made functional in legal language while remaining undefined.

Research in legal linguistics has invariably shown that legal language is not definable or translatable in semantic terms but must instead be conceived in system-bound and institutionally mediated, and thus contextually defined, manners (Šarčević, 1997). Thus, it can be said that in legal linguistics, issues of legal language as abstracted and indeterminate are not problems but, in fact, components that make legal norms function in many different factual situations.

Later scholarship has only validated these findings by emphasizing the role of institutional and textual constraint in governing the meaning of the law. Cao (2007) defines the law as a semiotic system in which language form, legal culture, and institution combine to create normative meaning. Legal language, especially abstract language, operates within a context of legal conventions, which place greater emphasis on function and authority than on semantic clarity. Again, Biel (2014) has demonstrated the role of controlled vagueness in governing statutory language in supranational and multilingual settings. All of these findings demonstrate the universality of the phenomenon of legal abstraction, rather than making it an exceptional case within a jurisdiction.

Within this context, the role of good faith as a paradigm case for an abstract legal standard has attracted particular attention. The approach to good faith as an open-textured norm in comparative legal scholarship reflects the view that good faith cannot be defined as a concrete legal rule but rather as a norm that also has an interpretative role. For Zimmermann and Whittaker (2000), the role of good faith as a norm that informs obligations without fixing their content reflects the role that good faith plays as a norm that has a reference function but not a semantic unit function, which corresponds to the role of good faith in civil law systems.

Also, legal responsibility has been explored in terms of an institutional concept rather than an ethical category. According to Hart (2008), legal responsibility should be differentiated from moral blame, as responsibility in law entails the attribution of consequences in terms of a norm-regulated system. Furthermore, this has also been covered by Duff (2007), who explored responsibility in terms of answerability to

authority in an institutional setting rather than in an ethical context, indicating that legal responsibility has a procedural framework in terms of attributing normative concepts to enforceable consequences.

The operation of abstract legal ideas has to be studied in a broader legal historico-cultural framework too. Scholarship on legal systems in the post-Soviet period has found an ongoing use of abstract formulation in legal discourse, as reflected in statutory language. Butler (2009) notes the persistence in post-Soviet legal discourse of a tradition of generalized normative formulation that guides courts toward authoritative decisions. Furthermore, Trochev (2009) observes that judicial interpretation in such systems operates within narrowly framed institutional settings that reinforce the predominance of general standards in constitutional enforcement. In sum, these lines of scholarship make the general point that abstract ethical concepts in law – such as good faith and responsibility – should be understood as institutional tools rather than definitional concepts. Legal linguistics, comparison, and responsibility scholarship all arrive at the same conclusion regarding the role of interpretability, institutional authority, and systemically mediated constraints in the play of terms such as these. Nonetheless, while much scholarship has been done to signpost the role and import of abstract ethical concepts within various systems of law, relatively little scholarship has looked at the specific linguistic mechanisms by which ethical abstraction is mobilized within the discourse of law itself. This will serve as the pivot of the argument within this study, one conducted specifically within the framework of Uzbek law.

Where previous studies on legal terms are concerned, these have tended primarily to concentrate upon matters of translation, cross-system equivalence, or terminological borrowing, particularly within the realms of comparative or international legal studies (Du, 2020; Nguyen Thai, 2021). While these studies have helped elucidate significant learnings regarding lexical gaps, translation difficulties, or terminological borrowing, these previous studies have tended not to sufficiently examine legal terms across their end-to-end functionality, where these terms constitute dynamic mechanisms for deploying specific legal functions. Too little attention, for example, has been paid

towards exploring the internal role of ethical abstractions within a legal system.

While several studies have focused on legal language, legal interpretation and normativity, there has been comparatively little effort devoted to studying the mechanisms through which legislators encode these abstract ethical concepts into their statutory discourse, particularly within civil law and post-Soviet legal systems. Most studies have approached these concepts as either philosophically ideal or as established doctrinal principles; however, there remains a lack of research into the legislative use of the terms used to encode these ethical concepts, and this is especially true for Uzbekistan's statutes.

In this sense, the discourse on law in Uzbekistan offers a particularly fruitful terrain for investigation of this question, since the concepts of ethics, such as *halollik* (honesty/good faith), *viydoniylik* (conscientiousness), and *javobgarlik* (legal responsibility), are encoded within statutory provisions. None of these concepts belong solely to ethics or solely to law, as they work at various levels of the process of the normative life-cycle, such as from the stage of judicial interpretation through to legal enforcement. Their repeated appearance within the realms of law points to a strategy of discourse, and not to coincidence.

Legal discourse theory offers the foundational methodological approach. Legislation is viewed not simply as the codification of rules but rather as a type of authoritative discourse whereby normativity is constituted via language (Goodrich, 1987). To this understanding, abstraction and semantic indeterminacy are viewed not as weaknesses in legal discourse but as enabling attributes that facilitate interpretation (Du, 2020; Nguyen Thai, 2021). This perspective harmonizes with what has been reflected within forensic linguistics on the importance of considering the role that language has for the construction of processes that exist beyond the courtroom, such as statute drafting and codification (Gibbons, 2003).

In order to explain the normative power of abstract legal concepts, the present study uses the distinction between legal rules and legal principles. Legal principles differ from legal rules in that they do not impose determinate results, as outlined by Ronald Dworkin (1977), but rather guide the process of their interpretation by virtue of their weight within the legal system. It can be observed that the legal

concepts of ethics, like *halollik*, are of the type of principles or standards rather than of the type of legal rule. In other words, they are not precisely defined and their legal efficacy consists in their sensitivity to the situation. This sensitivity is also a feature of legal vagueness and standards, as it has been pointed out by Tiersma (1999) in his book – “Legal Language”.

A pragmatic approach to legal language also draws on speech-act theory (Austin, 1962; Smolka, 2022). This perspective highlights the performative dimension of legislative acts, whereby authorized utterances do not merely describe obligations but actively create them. However, legal language performs a range of functions – descriptive, prescriptive, interpretive, and procedural – of which the performative force is particularly relevant when examining terms such as *javobgarlik*. In this context, *javobgarlik* (responsibility/liability) functions not as a moral or evaluative category but as a key element within normative structures that produce concrete legal consequences.

On the systemic level, the research uses Luhmann’s theory of the autopoietic system of law to explore how the legal system operates. A legal system is normatively closed but cognitively open. That is, the legal system processes external moral or social inputs into legal communication based on its internal binary code of what constitutes legal and what constitutes illegal (Luhmann, 2004). Moral ideas are introduced into legal discourse only to the extent they are recodable in legal operative distinctions. Teubner’s theory of “legal irritants” can be used to explain how moral ideas are recoded into a legal system, losing their original moral content in the process (Teubner, 1998).

From a terminological perspective, this research departs from the classical theory of terminologies, which postulates the existence of fixed relationships between concepts and terms and context-independent definitions (Wüster, 1979). Such postulates do not apply in legal language games, in which evaluative and abstract terms are meaningful exactly because of their contextual interpretability. Rather, the research is in line with the socioterminological and communicative perspectives on terms that conceive of terms as social and institutional units of meaning that are constructed through their contextual use in communication (Gaudin, 2003; Cabré, 1999). Those approaches enable the study of legal terms as functional means that link ethical abstraction

and legal normativity. These approaches together provide a framework that can be used to analyze the way that ethical notions are linguistically constructed. This allows for the transformation from philosophical thought to law without equating these notions either with ideals that derive from ethics or with definitions.

Accordingly, the aim of this paper is to examine how ethical abstraction is linguistically constructed and functionally distinguished in Uzbek legal texts to create the obligatory and consequential results of legal liability. Based on an analysis of exemplary statutory provisions, this paper reveals that ethical abstraction is retained and further stabilized in legal language through interpretative and institutional processes that culminate in the assumption of legal liability. The paper contributes to research on legal linguistics as it shifts attention from comparisons of terminological equivalence to the internal functions of ethical concepts in legal language.

This work, by virtue of context, falls within the scope of the study of legal linguistics and terminologies, conceptualized as a discourse within which ideas about ethics are formalized within the framework of enforceable legal terms. In discussing these terms, the approach will embrace a discourse-based focus, perceiving meaning as something that arises within institutional practices.

Addressing the gap identified above requires an analysis of the structure of statutory language and a detailed examination of how the codification of ethical abstraction into norm-creating provisions and their consequential institutional effects occur within the context of Uzbek legislation. Based on the theoretical and empirical findings, the present study aims to answer the following research questions regarding how abstract ethical principles and ideas become statutory law in Uzbekistan through the legal discourse:

1. How are abstract ethical concepts linguistically embedded in Uzbek statutory provisions, and what legal functions do they perform?
2. What distinct normative functions do these three terms perform in the creation, interpretation, modification, and enforcement of legal obligations?
3. How does Uzbek statutory language stabilise abstract ethical concepts and transform them into legally operative standards?

2. Materials and methods

The analysis is based on purposively selected provisions from the primary sources of Uzbek legislation, accessed via the official database *lex.uz*. The corpus comprises key sections from the Civil Code of the Republic of Uzbekistan (1998, with later amendments), the Criminal Code (1995), the Civil Procedural Code (2018), and the Code of Administrative Responsibility. A total of 28 statutory provisions containing the target terms *halollik*, *vijdoniylik*, and *javobgarlik* (and their derivational forms) were selected for detailed analysis. This represents all occurrences of the target terms identified after a systematic review of relevant chapters on obligations, contracts, judicial procedure, and liability, excluding purely formulaic or repetitive instances where the terms appeared without substantive normative function – for example, in headings, cross-references, or enumerative lists. The approximate size of the examined corpus is around 35,000 tokens. Table 1 provides an overview of the corpus, including the legal sources examined and the distribution of provisions across them.

Legal source	Legal domain	Number of Provisions	Target Terms Present
Civil Code (1996, amended 1998)	Civil law	10	halollik, vijdoniylik
Criminal Code (1995)	Criminal law	6	javobgarlik
Civil Procedural Code (2018)	Civil procedural law	7	javobgarlik
Code of Administrative Responsibility	Administrative law	5	javobgarlik
Total		28	

Table 1. Corpus overview.

Provisions were selected on the basis of criterion (1) the use of abstract ethical terminology in norm-formulation clauses, (2) the use of such terminology as standards for judicial interpretation, and/or (3) the

application of ethical concepts for the justification of the imposition of legal consequences or responsibility. This is deemed to be crucial because it ensures that the selected terms are representative of the functional diversity of the ethical concept of abstraction in the different branches of law (Mouritsen, 2017).

The study adopts a qualitative legal-linguistic methodology consisting of three complementary stages, drawing on approaches commonly used in legal discourse analysis and terminological studies (Bhatia, 2008; Mouritsen, 2017; Tiersma, 1999).

In the first stage, terminological analysis was conducted to examine the semantic status and functional roles of the target terms within legislative provisions. The coding categories used in this stage – evaluative standard, principle of interpretation, and norm-creative tool – are grounded in Tiersma’s (1999) typology of legal language functions and Bhatia’s (2008) framework for analyzing professional legal discourse. Each occurrence was manually identified and annotated according to its primary discursive function using the coding scheme presented in Table 2.

Category	Operational definition	Illustrative functional description
Evaluative standard	The term is used to assess or evaluate the conduct/behavior of legal subjects	Determining whether a party acted with <i>halollik</i>
Principle of interpretation	The term guides the understanding or application of other legal rules or principles	Used in provisions on analogy of law
Norm-creative tool	The term serves as a basis for generating or modifying rights, obligations, or legal consequences	Establishing new obligations where no specific rule exists

Table 2. Coding Scheme for Terminological Analysis

The second stage focused on the syntactic and discursive embedding of the target terms within the normative framework, drawing on Bhatia’s (2008) genre-analytical approach to legislative

texts and Gibbons's (2003) framework for examining how legal language constructs institutional authority. Each occurrence was examined according to three functional categories. First, conditions: instances where the term appears in conditional clauses linking ethical behavior to legal outcomes (e.g., "if ... *halollik* ... then"). Second, guiding principles: instances where the term functions as a general standard informing the interpretation or application of rules, as in analogy-of-law provisions. Third, performative triggers: instances where the term contributes to creating or activating legal effects through authoritative formulation. These categories were identified through close manual reading, paying attention to syntactic position, collocational patterns, and surrounding normative structures.

The third stage examined how the target terms operate within the broader institutional context of law to produce legal effects. The analysis focused on the pragmatic force of the terms – that is, how they function not merely as descriptive labels but as elements that contribute to the creation, modification, or enforcement of legal obligations. Speech-act theory (Austin, 1962) was used to identify performative aspects of legislative language, for example how statements containing *javobgarlik* establish mandatory legal consequences. Institutional pragmatics, understood here in the sense developed by Levinson (1983) and applied to legal settings by Gibbons (2003), helped illuminate how these terms acquire their normative force through their embedding within the authoritative structures and procedural contexts of the legal system.

Throughout the analysis, statutory provisions were interpreted in their immediate legal context – that is, in relation to surrounding articles within the same code and the broader branch of law in which they appear – while maintaining an analytical focus on legislative language itself rather than on subsequent doctrinal or judicial interpretation. To ensure consistency, the same three-stage procedure was applied to every selected provision, with cross-referencing across codes where the same term appeared in different contexts. Borderline cases were discussed and resolved jointly by the authors.

The three-stage procedure was applied consistently to all 28 provisions. Cross-referencing was conducted when the same term appeared in different legal contexts. The initial coding of each provision

was performed independently by one author and subsequently reviewed by the other. Any discrepancies or borderline cases were discussed jointly until consensus was reached, ensuring inter-coder reliability throughout the analytical process. The examples discussed in the Results section were selected as representative illustrations of recurring patterns identified across the dataset. This approach allows for in-depth qualitative insights while maintaining a clear connection between the scale of the material and the claims made.

This research focuses exclusively on legislative texts and does not include judicial decisions or courtroom discourse. While this limitation narrows claims about actual legal application, it enables a precise linguistic examination of how ethical concepts are constructed and institutionalized in statutory discourse.

3. Results

The analysis is based on 28 purposively selected statutory provisions drawn from four legal sources: the Civil Code (10 provisions), the Civil Procedural Code (7 provisions), the Criminal Code (6 provisions), and the Code of Administrative Responsibility (5 provisions). *Halollik* and *viydonylik* occur predominantly in the Civil Code, while *javobgarlik* appears across all four sources, reflecting its broader institutional reach. The examples discussed below were selected as representative illustrations of recurring linguistic and discursive patterns identified across the dataset. Table 3 summarizes the distribution of provisions by source, target term, and functional category.

Legal source	No. of provisions	Approx. tokens	Target terms	Functional category
Civil Code (1996, amended 1998)	10	12,500	<i>halollik</i> , <i>viydonylik</i>	Evaluative standard; Principle of interpretation; Norm-creative tool

Criminal Code (1995)	6	7,500	<i>javobgarlik</i>	Performative trigger; Axiomatic principle
Civil Procedural Code (2018)	7	8,750	<i>javobgarlik</i>	Performative trigger; Procedural control
Code of Administrative Responsibility	5	6,250	<i>javobgarlik</i>	Performative trigger; Institutional sanction
Total	28	35,000		

Table 3. Distribution of Provisions by Source, Term, and Functional Category

1. Linguistic Functioning of Philosophically Abstract Ethical Concepts in Uzbek Legal Discourse

A central finding is that philosophical and ethical abstractions are not merely inserted into legal texts but are strategically embedded in specific syntactic structures that enable them to perform concrete legal work. *Halollik* (honesty/good faith) is most commonly positioned within conditional constructions that link ethical conduct to legal consequences. One prominent example comes from the regulation of lease relations in the Civil Code:

“Agar ijaraga beruvchi ijaraga oluvchining bunday yaxshilashga qilgan xarajatlari ijaraga olingan mol-mulkning qiymatini uning sifati va (yoki) undan foydalanish xususiyatlarini yaxshilashga qaraganda beqiyos darajada oshirib yuborganligini yoki bunday yaxshilashni amalga oshirish vaqtida halollik va oqilonalik tamoyillari buzilganligini isbotlasa, sud uni bunday yaxshilash haqini ijaraga oluvchiga to‘lash majburiyatidan ozod qilishi mumkin”
translated as “If the lessor proves that the lessee’s expenses for such improvements have incomparably increased the value of the leased property compared to the improvement of its quality and (or) its usability, or that the principles of honesty and reasonableness were violated when making such improvements, the court may exempt him from the obligation to pay the lessee

for such improvements.” (Civil Code of the Republic of Uzbekistan, 1996, Art. 537).¹

According to the article, if the lessor establishes that the lessee’s expenditures on improving the leased assets were grossly disproportionate to improving these assets or if these expenditures contradicted the principles of *halollik* (honesty/good faith) and *oqilonalik* (reasonableness), then the court has the right to exempt the lessor from repaying the expenditure incurred by the lessee on improving these assets. In the regulation above, *halollik* remains undefined.

This example demonstrates how *halollik* shifts from a broad moral concept to a legally operative criterion. By placing the term within a conditional clause tied to proof (*isbotlasi*) and judicial discretion, the legislator transforms an abstract ethical ideal into a concrete mechanism for adjusting contractual obligations. The coupling with *oqilonalik* (reasonableness) further narrows its interpretive scope, showing how ethical terms are semantically stabilized through co-occurrence with related legal standards.

The following analysis turns to *vijdoniylik*, which performs a more auxiliary but equally important linguistic function within the same legislative context. *Javobgarlik*, by contrast, operates at the stage of institutional enforcement and appears across multiple branches of law – civil procedural, administrative, and criminal – reflecting its broader normative reach. A preliminary illustration of its declarative linguistic functioning is provided at the end of this section, while its full normative role is elaborated in RQ2.

Vijdoniylik (conscientiousness) appears predominantly in evaluative subordinate clauses. This can be seen as illustrated in the following excerpt:

“...vaziyatning o‘zgarishini keltirib chiqargan sabablarni, ular paydo bo‘lganidan keyin manfaatdor taraf shartnomaning xususiyatiga va muomala shartlariga ko‘ra o‘zidan talab qilinadigan darajada vijdoniylik va ehtiyotkorlik qilgan bo‘lishiga qaramay, bu sabablarni yenga olmagan bo‘lsa, ...” translated as “... the reasons that caused the change in the situation, if the interested party,

¹ All statutory quotations are reproduced in the original language with an English translation provided by the author.

after their occurrence, was unable to overcome these reasons, despite having exercised conscientiousness and care required of him in accordance with the nature of the contract and the terms of the transaction...” (Civil Code of the Republic of Uzbekistan, 2018, Art. 367-368).

In this example, conscientiousness does not create or cancel obligations, but is used as a criterion for assessing the level of action of a party. The court determines whether a party has failed to overcome the situation precisely by whether he acted conscientiously. In this way, the moral quality is integrated into the system of legal reasoning.

Structurally, it shows that it is a conditional evaluation construction rather than a prescriptive norm. The evaluation of the conduct of the interested party, as opposed to the existence of changed circumstances, is the relevant factor. The use of the phrase “despite having exercised conscientiousness and care required of him in accordance with the nature of the contract and the terms of the transaction” places *vijdoniylilik* (conscientiousness) in a subordinate position to failure, since it is a condition that must be proven. Furthermore, the syntax indicates that conscientiousness is not a separate legal requirement but rather a factor that must be considered by the judge when determining whether the interested party had reasonable cause to overcome the reasons for nonperformance.

At the linguistic level, *javobgarlik* operates declaratively rather than conditionally. The Criminal Code presents it as a foundational axiom:

“Jinoyat kodeksi qonuniylik, fuqarolarning qonun oldida tengligi, demokratizm, insonparvarlik, odillik, ayb uchun javobgarlik, javobgarlikning muqarrarligi prinsiplariga asoslanadi” translated as “The Criminal Code is based on the principles of legality, equality of citizens before the law, democracy, humanity, justice, responsibility for guilt, and the inevitability of liability.” (Criminal Code of the Republic of Uzbekistan, 1995, Art. 3).

Unlike *halollik* and *vijdoniylilik*, which are embedded in conditional and subordinate clauses that preserve a degree of interpretive flexibility, *javobgarlik* appears here in a declarative nominal construction – the Criminal Code is based on – rather than in a conditional or evaluative clause. This syntactic positioning is significant because it does not link *javobgarlik* to a specific factual condition or behavioral assessment, but rather establishes it as a

presupposed normative foundation from which all other legal rules derive their authority. The pairing of *ayb uchun javobgarlik* (responsibility for guilt) with *javobgarlikning muqarrarlighi* (inevitability of liability) further reinforces this declarative force, and responsibility is presented not as a possible outcome to be evaluated but as an irrevocable institutional axiom. This distinguishes *javobgarlik* linguistically from the other two terms: where *halollik* and *vijdoniylik* require proof and judicial assessment, *javobgarlik* requires neither, and it is asserted as a self-evident principle of the legal system itself.

2. Differentiated Normative Roles of *Halollik*, *Vijdoniylik*, and *Javobgarlik*

The three concepts exhibit distinct normative functions across different stages of the legal process.

Halollik demonstrates notable versatility, operating both as a conditional evaluative standard that can modify existing obligations and as a norm-creative principle that fills legislative gaps. This dual capacity – modifying existing norms and creating new ones – distinguishes *halollik* as the most functionally flexible of the three terms. This is illustrated by the example of the lease provision of the Civil Code of the Republic of Uzbekistan (1996).

“Ko‘rsatib o‘tilgan hollarda qonun o‘xshashligidan foydalanish mumkin bo‘lmasa, taraflarning huquq va burchlari fuqarolik qonunchiligining umumiy negizlari va mazmuniga (huquq o‘xshashligiga) hamda halollik, oqillik va adolat talablariga amal qilgan holda belgilanadi” that is, “In the cases indicated, if it is not possible to use the analogy of law, the rights and obligations of the parties are determined in accordance with the general principles and content of civil legislation (analogy of law) and the requirements of honesty, reasonableness, and justice” (Civil Code of the Republic of Uzbekistan, 1996, Art. 5).

Vijdoniylik consistently plays a more restricted, auxiliary role. As demonstrated in the changed circumstances provision (Art. 367–368), it functions as a behavioral qualifier that supports judicial assessment of a party’s conduct without independently generating or extinguishing legal rights and duties. Unlike *halollik*, *vijdoniylik* does not shift between functional roles across different provisions – it remains an interpretive support mechanism throughout.

Javobgarlik functions as the culminating and most powerful mechanism. In civil procedural law, for example:

“Sudyalarning odil sudlovni amalga oshirish borasidagi faoliyatiga biron-bir tarzda aralashishga yo‘l qo‘yilmaydi va bunday aralashuv qonunga muvofiq javobgarlikka sabab bo‘ladi. Xususiy ajrim bilan sud tegishli organdan yoki mansabdor shaxsdan qonunchilik hujjatlarining buzilishida aybdor bo‘lgan shaxslarni javobgarlikka tortish to‘g‘risidagi masalani o‘zlarining vakolatiga muvofiq ko‘rib chiqishni talab qilishi mumkin.”

“Any interference in the activities of judges in the administration of justice is not allowed and such interference shall entail liability in accordance with the law. By a special ruling, the court may require the relevant body or official to consider, within their competence, the issue of bringing to justice persons guilty of violating legislative acts.” (*Civil Procedural Code of the Republic of Uzbekistan, 2018, Art. 9).*

This direct cause-effect construction eliminates moral ambiguity and establishes liability as an automatic legal consequence.

The key distinction among the three terms lies in their position within the normative cycle. Analysis shows that the concept of *javobgarlik* (responsibility) serves as the final stage in legal discourse, practically stabilizing moral abstractions. If concepts such as *halollik* (honesty) and *vijdoniylik* (conscientiousness) are used in the formation or interpretation of rights and obligations, *javobgarlik* (responsibility) operates at the stage of normative closure and institutional enforcement. It represents not an assessment, but a sanction; it determines consequences, not a principle. The progression from flexible ethical evaluation to irrevocable institutional enforcement constitutes the structural logic of Uzbek statutory discourse and is summarized in Table 4.

3. Mechanisms through which Uzbek Legal Language Achieves Stability of Ethical Concepts and Links them to Legal Obligation

Uzbek legislative discourse achieves semantic stabilization of ethical concepts and their transformation into binding legal obligations through two interrelated mechanisms: institutional embedding and pragmatic recoding.

Institutional embedding operates through the strategic positioning of ethical terms within authoritative syntactic structures. In the case of *halollik*, this is achieved through conditional clauses tied to judicial decision-making – “if the lessor proves that the principles of honesty and reasonableness were violated... the court may exempt” (Art. 537). The term does not acquire legal force through definition but through its placement within a norm-generating structure that links ethical conduct to concrete legal consequences. This is precisely what Luhmann (2004) describes as the legal system’s capacity to recode external moral inputs into internally operative legal distinctions: *halollik* enters the legal system not as a moral ideal but as a functionally redefined standard whose meaning is determined by its position within the conditional structure. Similarly, *vijdoniylik* achieves institutional embedding through concessive constructions – “despite having exercised conscientiousness” (Art. 367–368) – which position it as a judicially assessable criterion rather than a subjective moral quality.

Pragmatic recoding, by contrast, operates at the level of normative force rather than syntactic structure. This mechanism is most clearly visible in the functioning of *javobgarlik*. When Art. 9 of the Civil Procedural Code states that “any interference... shall entail liability” the term is not describing a possible consequence but performatively establishing one. In Austin’s (1962) terms, this is an institutionally authorized speech act that creates the legal reality it names. The Criminal Code takes this further: by declaring *javobgarlik* as one of its foundational principles (Art. 3), the legislator recodes what began as a moral concept of answerability into an axiomatic legal mechanism that operates independently of individual moral assessment. As Teubner (1998) observes, moral concepts introduced into legal systems lose their original moral content through precisely this kind of recoding – they become legally operative distinctions rather than ethical evaluations.

The progression from institutional embedding (*halollik*, *vijdoniylik*) to pragmatic recoding (*javobgarlik*) constitutes the core mechanism through which Uzbek legal language converts philosophical abstraction into stable, enforceable legal obligation. Rather than eliminating vagueness entirely, the legal system

strategically channels it, retaining interpretive flexibility at the evaluative stage while eliminating it entirely at the enforcement stage.

Term	Legal source	Primary position	Linguistic role	Normative function
<i>Halollik</i> Honesty	Civil Code (lease relations)	Conditional / normative clause	Evaluative + norm creative	Modifies and generates obligation
<i>Vijdoniylik</i> Conscientiousness	Civil Code (contractual performance)	Behavioral qualifier	Interpretive auxiliary standard	Supports judicial assessment
<i>Javobgarlik</i> Responsibility	Administrative, Civil Procedural, and Criminal Code	Consequence / Declarative	Sanction marker + Axiomatic principle	Ensures enforceability and systemic stability

Table 4. Functional Distribution of Ethical and Responsibility-Based Terms in Uzbek Legal Discourse

4. Discussion

The findings of this study address all three research questions and demonstrate that abstract ethical concepts in Uzbek statutory discourse are not merely rhetorical residues of moral philosophy but function as linguistically structured, institutionally embedded mechanisms of norm creation, interpretation, and enforcement.

The analysis shows that *halollik* (honesty/good faith), *vijdoniylik* (conscientiousness), and *javobgarlik* (responsibility/liability) each perform distinct and identifiable linguistic roles in Uzbek legislative texts. Rather than appearing as undefined moral appeals, these terms are embedded in conditional clauses, normative frameworks, and consequence-triggering constructions that assign them determinate legal functions. This finding is broadly

consistent with the position in legal linguistics that meaning in legal language is shaped not by semantic definition but by institutional context and pragmatic function (Austin, 1962; Tiersma, 1999; Gibbons, 2003). However, the Uzbek material adds specificity to this general claim: it shows that within a single jurisdiction, the same ethical term – *halollik* – can perform functionally distinct roles depending on the statutory context in which it appears. In the lease provision, *halollik* operates as a conditional evaluative standard that modifies an existing obligation; in the analogy of law clause, it functions as a norm-generating principle that enables obligation formation in the absence of a specific rule. This dual functioning suggests that the relationship between ethical abstraction and legal normativity is not uniform even within one legal system, a nuance that broader theoretical accounts have not always foregrounded.

The three terms occupy distinct positions within what Table 4 describes as the normative progression from ethical abstraction to legal liability. *Halollik* and *viddoniylik* operate primarily at the interpretive and obligation-shaping stages of this cycle, while *javobgarlik* functions at the stage of normative closure and institutional enforcement. This differentiation refines Dworkin's (1977) rules-versus-principles distinction in an instructive way. Dworkin's framework accounts for principles that guide rather than determine legal outcomes, and *halollik* in the lease context fits this description well. However, *halollik* in the analogy of law provision goes further: it does not merely guide the application of an existing rule but actively generates a new normative standard in the absence of applicable legislation. This suggests that, at least in the Uzbek codified context, ethical principles can operate not only as interpretive guides but also as primary norm-creating mechanisms – a function that sits somewhat uneasily within Dworkin's original formulation and may warrant further theoretical elaboration.

Linguistically, the implications of this finding support Tiersma's (1999) argument that legal language purposely leaves some of its semantic meaning vague in order to promote adaptability and flexibility. The absence of explicit definition allows courts to define it according to their individual contexts, thereby fully supporting Bhatia et al.'s (2008) premise that legal ideas may have semantic vagueness yet still provide functional precision. Additionally, Bhatia et al. (2008)

identified that this is particularly true within the framework of civil law systems, where the inherent structure of codification promotes abstraction of thoughts and ideas.

Vijdoniylik presents a different case. The textual analysis shows that it consistently appears as a behavioral qualifier rather than an independent norm-creator: it is used to assess the reasonableness of a party's conduct in circumstances of contractual difficulty, but it does not by itself establish or extinguish obligations. This is consistent with Luhmann's (2004) account of law as a self-referential system that recodes external moral inputs into internal legal communication. Once established, ethical concepts no longer function as moral judgments but rather become pieces of legal communication systems (Aalto-Heinilä, 2016). The specific contribution of this finding is that *vijdoniylik* illustrates how an ethical concept can be incorporated into legal discourse in a supporting, interpretive role without acquiring the independent norm-generating force that *halollik* demonstrably possesses. The two terms are therefore not interchangeable ethical standards but serve differentiated functions within the normative architecture of the Civil Code.

The examination of *javobgarlik* (responsibility) demonstrates that legal linguistics operate in an essentially unique manner. Unlike the categories of *halollik* (honesty/good faith) and *vijdoniylik* which operate on an interpretive level and an institutional norm-generating level, *javobgarlik* (responsibility) occupies a role of stabilization through the provision of normative closure. Its application within administrative, procedural, and criminal legal systems confirms Austin's (1962) observation that legal utterances are performative in nature – the assertion that something “will lead to liability” does not indicate the existence of a consequence, but rather is the act that brings about that consequence. *Javobgarlik*, therefore, marks the end point of the normative discourse by providing enforceable outcomes for the abstract reasoning of ethical considerations (Glogar, 2023). This pattern – whereby abstract evaluative concepts operate at the interpretive stage while institutional enforcement bears the burden of sanction – has been identified across both civil and common law jurisdictions (Hart, 1961; Solan & Tiersma, 2012).

Taken together, these findings support the view that legal certainty and philosophical abstraction are not opposed but functionally interdependent. Uzbek law demonstrates that abstraction is not a deficiency in legislative drafting but a productive resource that enables flexible interpretation while preserving institutional enforceability – a point broadly consistent with legal semiotics (Greimas, 1987; Jackson, 1988) and with Biel's (2014) work on controlled vagueness in supranational legal language. However, some caution is warranted in extending these conclusions comparatively. The claim that the Uzbek case fills a theoretical gap regarding Islamic-formulated legal systems requires qualification: the present study is based on a qualitative analysis of selected statutory provisions and does not include judicial interpretation or courtroom discourse. Its findings are therefore claims about legislative language specifically, not about the legal system's operation more broadly. Whether the normative progression identified in Table 4 is distinctive to the Uzbek context, or reflects patterns common to post-Soviet civil law systems more generally, remains an open question that cross-jurisdictional research would be needed to address.

What the present analysis does demonstrate, on the basis of the textual evidence examined, is that the functional differentiation of *halollik*, *vijdoniylik*, and *javobgarlik* is not incidental but structurally consistent across the provisions analyzed. This suggests a coherent discursive strategy in Uzbek statutory drafting whereby ethical abstraction is retained at the interpretive stage and progressively institutionalized as it moves toward legally enforceable consequence. This finding contributes to legal linguistics by shifting the analytical focus from the question of what abstract legal terms mean definitionally to the question of what they do functionally within the legislative text.

5. Conclusions

This study examined how abstract ethical concepts are linguistically constructed and functionally differentiated in Uzbek statutory discourse, with the aim of explaining how philosophical abstraction

becomes legally binding obligation within a codified legal system. Drawing on qualitative analysis of selected provisions from the Civil Code, the Civil Procedural Code, the Criminal Code, and the Code of Administrative Responsibility of the Republic of Uzbekistan, the study finds that *halollik* (honesty/good faith), *vijdoniylik* (conscientiousness), and *javobgarlik* (responsibility/liability) are not deployed as vague moral appeals but function as structurally distinct mechanisms within a coherent normative progression.

More specifically, the analysis shows that *halollik* performs a dual normative role: in conditional provisions governing contractual relations, it operates as an evaluative standard that modifies or limits existing obligations; in the analogy of law clause, it functions as a norm-generating principle that enables courts to establish obligations in the absence of specific statutory regulation. *Vijdoniylik* operates differently – not as an independent norm-creator but as a behavioral qualifier that mediates judicial assessment of a party's conduct in circumstances of contractual difficulty. *Javobgarlik*, across administrative, civil procedural, and criminal law contexts, functions as the mechanism of normative closure: through cause-and-effect constructions, preventive warning structures, and foundational declarations, it converts the interpretive and evaluative work performed by the preceding terms into irrevocable, institutionally enforceable consequences. Together, these three terms constitute a discursive continuum moving from ethical orientation through interpretive regulation to legal enforcement.

These findings carry several implications for the study of legal language. First, they provide empirical support for a functional rather than definitional understanding of legal terminology. The stability of meaning achieved by *halollik*, *vijdoniylik*, and *javobgarlik* in Uzbek law does not derive from explicit statutory definitions of the terms themselves, but from their consistent discursive positioning within norm-creating, obligation-modifying, and consequence-triggering structures across the provisions examined. This supports the view that terminological precision in law is a property of use and institutional context rather than of lexical content alone, and suggests that legal terminology research would benefit from paying closer attention to the syntactic environments and discursive functions of abstract evaluative

terms, not only to their cross-linguistic equivalents or translation challenges.

Second, the findings demonstrate that the relationship between ethical abstraction and legal normativity is neither uniform nor linear, even within a single jurisdiction. The fact that *halollik* can simultaneously operate as a conditional interpretive standard and as a primary norm-creating mechanism indicates that the same term can occupy functionally distinct positions depending on the statutory context in which it appears. Statutory discourse analysis would therefore benefit from a more granular, context-sensitive analytical framework – one that examines how individual terms are positioned relative to conditional structures, institutional agents, and normative consequences across different branches of law.

Third, and more broadly, this study contributes to legal linguistics by demonstrating that post-Soviet civil law systems operating within specific cultural and linguistic contexts offer productive material for examining the mechanisms of normative construction in statutory language. The Uzbek case shows that the productive coexistence of philosophical abstraction and legal enforceability, which legal semiotics and comparative legal linguistics have identified as a general feature of law, operates through specific and identifiable linguistic mechanisms that can be traced at the level of statutory text.

This study is limited to statutory texts and does not include judicial interpretation or courtroom discourse. Its findings are therefore claims about legislative language specifically: they describe how the three terms are constructed normatively in statutory provisions, not how they are interpreted or applied in legal practice. This distinction is analytically important, and the scope of the conclusions should be understood accordingly. Future research could extend this analysis by examining how *halollik*, *vijdoniylık*, and *javobgarlik* are interpreted by Uzbek courts in judicial decisions, which would allow the statutory construction identified here to be compared with actual interpretive practice. Cross-jurisdictional comparison with other post-Soviet civil law systems – for example, those of Kazakhstan or Kyrgyzstan, which share elements of the same legal heritage – could also help determine whether the normative progression identified in this study reflects

patterns specific to Uzbek statutory drafting or tendencies characteristic of the broader legal family. Such extensions would further develop the contribution this study makes to the functional and discourse-based analysis of legal language.

Conflict of interest

The author declares that there is no conflict of interest

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AI was not used in the paper

Statement of Contributions

The authors contributed equally to the preparation of the manuscript

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