
THE TEXT OF THE CRIMINAL CODE AS A LEGISLATIVE GENRE AND A UNIT OF LEGAL DISCOURSE: A COMPARATIVE STUDY OF ENGLISH AND UZBEK LEGAL LANGUAGE**Rakhmatova Bahora Ibodulla kizi**

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Abstract. This article examines the text of the Criminal Code as a distinctive legislative genre and a central unit of legal discourse through a comparative analysis of English and Uzbek legal language. The study argues that the Criminal Code should be understood not merely as a codified legal document but as a complex communicative instrument through which the state formulates prohibitions, defines criminal liability, and regulates social conduct. The research focuses on the structural, lexical, semantic, and pragmalinguistic features of criminal legislation, with particular attention to modality, legal terminology, syntactic compression, and interpretive precision. A comparative approach demonstrates that despite belonging to different legal traditions, English and Uzbek criminal law texts share core discursive functions while differing in drafting conventions and linguistic realization. The article applies descriptive, comparative, discourse-analytic, and pragmalinguistic methods. The findings confirm that the Criminal Code operates simultaneously as a normative text, an institutional speech act, and a mechanism of legal communication. The paper contributes to contemporary legal linguistics by proposing an integrated model for analyzing criminal legislation as discourse rather than solely as doctrine.

Keywords: legal discourse, Criminal Code, legislative genre, legal language, pragmalinguistics, comparative law and language, legal terminology, Uzbek legal texts, English legal texts.

Introduction. The relationship between language and law has long attracted the attention of scholars in linguistics, jurisprudence, discourse studies, and semiotics. Law does not exist outside language: it is drafted, interpreted, institutionalized, contested, and enforced through linguistic forms. For that reason, legal texts are not passive repositories of rules but active instruments of governance and social regulation. Among all legislative texts, the Criminal Code occupies a particularly significant position because it codifies the boundaries of lawful and unlawful conduct, determines sanctions, and articulates the coercive authority of the state.[1]

Modern legal linguistics increasingly treats legal texts as components of legal discourse rather than isolated written artifacts. Legal discourse includes the production, circulation, interpretation, and application of legal meaning across institutions such as parliaments, courts, investigative bodies, and administrative agencies.[2] Within this communicative system, the Criminal Code functions as a foundational reference text from which judicial decisions, prosecutorial arguments, legal education, and public understandings of criminality are derived.

The relevance of the present study lies in the need to move beyond purely doctrinal approaches to criminal legislation. While lawyers often focus on validity, hierarchy, and interpretation of norms, linguists are concerned with textual architecture, lexical choice, modality, performativity, genre conventions, and communicative effect. This interdisciplinary perspective is especially important in multilingual legal contexts such as Uzbekistan, where legal modernization, translation practices, and comparative legal scholarship continue to evolve.

The purpose of this article is to analyze the text of the Criminal Code as a legislative genre and a unit of legal discourse through a comparative examination of English and Uzbek legal language. The article seeks to identify the principal linguistic and pragmatic features of criminal legislation and to demonstrate how legal meaning is constructed through textual form.

Materials and Methods. The corpus of the study includes selected provisions from the Criminal Code of the Republic of Uzbekistan, statutory criminal law texts used in English-

speaking jurisdictions, and scholarly works in legal linguistics, discourse analysis, and legislative drafting. Since criminal law terminology varies across jurisdictions, the comparison is functional rather than purely terminological: the emphasis is placed on equivalent communicative purposes rather than identical lexical forms.

The methodological framework combines descriptive analysis, comparative textual analysis, discourse analysis, and pragmalinguistic interpretation. Descriptive analysis is used to identify recurrent structural and lexical features of criminal legislation. Comparative analysis is applied to reveal similarities and differences between English and Uzbek legal drafting conventions. Discourse analysis is employed to situate the Criminal Code within broader institutional communication. Pragmalinguistic analysis is used to examine how norms perform directive, declarative, and regulatory functions through language.[3]

The theoretical basis of the article draws on genre analysis, critical discourse studies, speech act theory, and legal linguistics. Swales's concept of genre as a socially recognized communicative event is particularly relevant because legislative texts follow stable formal patterns while serving specific institutional purposes.[4] Austin's and Searle's theories of performative language help explain how legal provisions do not merely describe conduct but create legal consequences.[5]

Results. The Criminal Code as a Legislative Genre. A genre is generally defined as a conventionalized form of communication shaped by recurrent purposes, audiences, and institutional expectations. The Criminal Code clearly satisfies these criteria. It possesses a standardized macrostructure, formalized terminology, internal referencing systems, and a highly controlled style designed to minimize ambiguity while preserving general applicability.

In Uzbek legislative drafting, provisions often employ formulaic structures such as: O'g'rilik, ya'ni o'zganing mol-mulkini yashirin ravishda talon-toroj qilish... This construction first names the offense and then provides a legal definition. A similar tendency exists in English criminal legislation, where offenses may be defined through a naming clause followed by elements of liability, for example: A person commits theft if he dishonestly appropriates property belonging to another... Although the syntactic patterns differ, both texts perform the same genre function: they classify prohibited conduct through definitional precision.

The Criminal Code also demonstrates internal codification logic. Articles, chapters, parts, notes, and cross-references create a self-contained interpretive system. Such textual organization is not merely technical formatting; it reflects the epistemology of codified law, where legal meaning is distributed across interconnected provisions rather than isolated sentences.

The Criminal Code as a Unit of Legal Discourse. If legal discourse is understood as institutional communication through which legal norms are produced and applied, the Criminal Code is one of its central discursive nodes. It is continuously cited, interpreted, contested, translated, taught, and operationalized in legal practice. A criminal judgment, for instance, often derives its authority by linking facts to a specific article of the Code. Thus, the Code functions intertextually: its provisions acquire practical force through their reuse in procedural and judicial discourse.

This dynamic is visible in both English and Uzbek legal settings. In Uzbek legal practice, references such as JKning 169-moddasi bo'yicha ("under Article 169 of the Criminal Code") integrate statutory text into courtroom and procedural communication. In English legal discourse, expressions such as contrary to section... or within the meaning of the Act serve a comparable intertextual function. The statutory text therefore has a dual existence: it is stable as written law and dynamic as applied discourse.

Lexical and Semantic Features. One of the most salient characteristics of criminal legislation is terminological density. Terms such as intent, negligence, liability, accomplice, attempt, and sanction carry technical meanings that differ from everyday usage. Their Uzbek counterparts-qasd, ehtiyotsizlik, javobgarlik, sheriklik, suiqasd/urinish, jazo-likewise operate

within specialized doctrinal frameworks. The semantic precision of such terms is necessary because legal consequences depend on their interpretation.

Another key feature is semantic condensation. A relatively short legal phrase may encode complex doctrinal tests developed through case law, commentary, or judicial interpretation. For example, the phrase dishonestly appropriates in English law carries interpretive content that extends beyond ordinary dictionary meaning. Similarly, terms like *ijtimoiy xavfli qilmish* in Uzbek law encapsulate normative evaluations grounded in legal theory.

Modality and Prescriptive Force. Criminal legislation is strongly modal. It expresses prohibition, obligation, authorization, and sanction, even where modal verbs are absent. In ordinary language, modality may be marked by forms such as *must*, *may*, or *should*. In legal language, prescriptive force is often embedded in institutional formulae such as *shall be liable*, *is punishable by*, *jazolanadi*, or *javobgarlikka tortiladi*. These expressions do not merely predict consequences; they establish binding normative relations.[7]

The modality of criminal law differs from conversational modality because it is backed by institutional coercion. A sentence in the Criminal Code is therefore not simply a proposition but an enforceable directive encoded in legislative form.

Syntactic Features. The syntax of criminal legislation tends toward complexity, compression, and hierarchy. Long sentences with embedded conditions are common because lawmakers must specify elements, exceptions, aggravating circumstances, and sanctions within a limited textual space. At the same time, repetition of formulaic structures supports consistency and interpretive predictability.

English legislative drafting often relies on nested subordinate clauses and carefully segmented provisions. Uzbek legislative drafting, while also formal and technical, frequently combines definitional and sanctioning elements in compact article structures. In both traditions, syntactic design is functional: it seeks to balance precision, economy, and applicability.

Discussion. The findings demonstrate that the Criminal Code cannot be adequately understood as a mere collection of legal commands. It is a sophisticated discursive artifact in which language performs regulatory, classificatory, and ideological functions. Through naming offenses, defining liability, and prescribing sanctions, the text constructs a normative map of socially unacceptable behavior.

From a discourse perspective, criminal legislation also reflects relations of institutional power. Fairclough has argued that institutional texts help reproduce authority by presenting contingent social choices as objective norms.[6] This observation is particularly relevant to criminal law, where legislative language transforms policy judgments into binding legal categories. The distinction between crime and non-crime, punishment and excuse, intent and negligence is stabilized through textual formulation.

The comparative dimension of the study reveals both convergence and divergence. English and Uzbek criminal law texts share core functions: they prohibit conduct, define offenses, allocate responsibility, and authorize sanctions. However, they differ in drafting traditions, lexical resources, and interpretive cultures. English legal language, especially in common law contexts, often develops meaning through interaction between statute and precedent. Uzbek criminal legislation, operating within a codified civil law framework, places stronger emphasis on systematic statutory articulation.[8] These differences are important for translation and comparative scholarship. Literal translation of legal terms may distort meaning when doctrinal structures are not equivalent. Accordingly, comparative legal linguistics must attend not only to vocabulary but also to institutional context, genre conventions, and pragmatic effect.

Conclusion. The Criminal Code should be regarded simultaneously as a legislative genre, a normative instrument, and a central unit of legal discourse. Its linguistic form is inseparable from its legal function. Through controlled terminology, codified structure, modal force, and syntactic precision, the text regulates conduct and organizes legal meaning within society.

The comparative analysis of English and Uzbek legal language confirms that criminal legislation across different legal systems shares common communicative purposes while reflecting distinct drafting traditions. This demonstrates the value of integrating linguistic and legal methods in the study of criminal law texts.

Future research may extend this approach through corpus-based analysis of criminal statutes, judicial interpretation of legislative language, multilingual legal translation, and the pragmatics of digital legislative communication. Such work would further strengthen the interdisciplinary field of legal linguistics and deepen our understanding of how law operates through language.

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