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LEXICOGRAPHIC STUDY OF TERMS RELATED TO PROCEEDINGS

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Features of legal terminology, 2nd course of master degree in the department of foreign languages, Jizzakh state pedagogical university

Abstract

In our article, a lexicographic study of terms related to judicial proceedings is considered. Legal terms as units of the language of the law also have several characteristic features that distinguish them from terms of other subject areas.

Keywords: legal term, lawyers, legal theory, emphasizes, legal concept.

Legal terminology is a system of lexical units that reflects the connections between complex, multidimensional and specific concepts that jurisprudence operates with. Legal terminology, on the one hand, is a reflection of the consistency of law, and on the other hand, it has its consistency as a proper language education. When translating, the place of the term in the terminological series of the original language should correspond to the place of the term in the translation text [1].

In the legal encyclopedic dictionary, the "Legal term" is interpreted as "a verbal designation of state-legal concepts, with the help of which the content of the normative legal prescriptions of the state is expressed and fixed". Lawyers also define a legal term as "a word (or a word-combination), which is used in legislation, is a generalized name of a legal concept that has an exact and definite meaning and is distinguished by semantic unambiguity, functional stability" [2]. Both definitions must indicate that the term denotes a specific legal or state-legal concept; while the second definition indicates the signs of the term (but as we said earlier about terms in general, these signs are not mandatory), and the first focuses on the content. The second definition narrows the legal context to the texts of laws, although, as already noted, the legal discourse is not limited to such texts. Therefore, under the legal term in the present work, we will understand a word or phrase denoting a specific legal concept.

Speaking about the allocation and boundaries of the legal term, S.P. Khizhnyak refers to the fundamental provision developed by lawyers on the structure of the legal norm and the linguistic allocation of the topic. He argues that the norm ideally consists of three parts: hypotheses, dispositions, and sanctions, and can be expressed by the linguistic formula "if ... then... The researcher assumes that the keywords or



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phrases expressing the basis of the hypothesis, dispositions, and sanctions are terms, even if they are used in the law in a meaning that seems to be general at first glance. Khizhniak also points out such a feature of legal terms as the frequent lack of definition, which is compensated by the operation of dictation, consisting of two components: themes and rhymes. In the articles of the laws, the hypothesis is the topic of the statement, and the disposition and/or sanction is the rema. The Rhema, being the core of the utterance, essentially defines the topic, therefore the meaning of the term, which is the keyword (phrase) of the hypothesis, becomes clear to the recipient [3]. This approach is of great interest, however, it also limits the range of legal texts suitable for extracting terminology to only texts of laws. In this paper, we will assume that the term in the legal text is a lexical unit denoting a specific concept, in our particular case, the concept of family law.

M. Temple draws attention to the fact that the translation of legal terminology is mainly associated with abstract terms firmly and deeply rooted in the culture and academic tradition of a particular state. However, according to some researchers, an important feature of legal terminology lies in the fact that even if it arises based on the native language, it is inevitably supplemented by borrowings from other languages [4]. In other words, the legal system that arose and developed in isolation in a State often uses borrowed words to denote its own, not borrowed concepts.

S.P. Khizhnyak agrees that legal terms are culturally marked because the law is conditioned by the culture and ideology of the country. According to the researcher, this is especially evident in the presence of a large number of partially equivalent and non-equivalent terms. He also emphasizes the role of extra-linguistic factors, saying that new concepts arise as a result of a change in the social system and the emergence of new management institutions [3].

The specifics of legal translation and equivalence in legal translation.

According to J. Of course, legal translation is an even more complex and complex area, since it is at the intersection of legal theory, language theory, and translation theory. The researcher also emphasizes that the complexity and uniqueness of legal translation lie in the fact that it is associated with the comparison of two different legal systems and their basic principles. This point of view is shared by I.A. Barinova. Translation of legal texts, in her opinion, is not only a transition from one language to another but also at the same time a transition from one legal system to another [6]. According to M.V. Umerova, since the language of each nation is



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characterized by its legal terms, the linguistic equivalence of legal concepts is often difficult to achieve [7].

Foreign researchers agree with domestic researchers. According to M. Harvey, there is no universal, common knowledge base in law. This is a distinctive fusion of various legal systems that arose and developed separately and was limited by state and language borders. Therefore, the task of finding equivalent concepts is very difficult. Given the strengthening of international contacts in the field of international law, it can be assumed that in the future the terminology of law will be more harmonized [8].

In this situation, researchers are again forced to ask themselves how to translate a legal text. F. Schleiermacher wrote that when translating a legal text there are two ways: to bring the reader closer to the author of the text (i.e., to operate with borrowed concepts alien to this culture to preserve the original meaning) or, on the contrary, to bring the author to the reader, i.e. to adapt the concepts of the original text in some way, replacing them with similar ones inherent in this culture, while sacrificing the meaning of the original text somewhat, but avoiding possible misunderstanding on the part of the reader).

According to V. Koller, a complete adaptation of the text is unacceptable, since it inevitably leads to a distortion of the meaning. Outstanding linguist Yu. Naida proposes a theory of formal equivalence, insisting on the need for a translation as close as possible to the original. In this case, the solution to the problem of misunderstanding the text by the reader may be to make footnotes explaining certain foreign concepts. Another method proposed by him was called dynamic equivalence, and vice versa focuses on the approximation of the translation text to local realities. M. Tomashek believes that legal translation should combine methods of both legal and linguistic comparison. For modern translation studies, there is a tendency towards convergence of two approaches: linguistic and cultural [6]. This is the approach we use in this paper, comparing the concepts of two different legal systems and offering pairs of equivalents, taking into account the differences between these concepts, taking into account the influence of extra-linguistic factors. Thus, we have identified the main features of legal discourse, legal terminology, as well as equivalence in legal translation. The most significant of them is the conditionality of extra linguistic factors at all levels, as well as the interdisciplinary nature of the subject area, which leads to the existence of a large number of interdisciplinary and intersectoral terms.



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