

COMMUNICATIVE-PRAGMATIC STRATEGIES OF THE LINGUISTIC SUBJECT IN
UZBEK LEGAL DISCOURSE

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Abstract: This article examines the communicative-pragmatic strategies employed by the linguistic subject in Uzbek legal discourse. The study explores the linguistic tools used to convey directives, obligations, prohibitions, and permissions within legal texts, including court decisions and notarial documents. The analysis demonstrates how these strategies reflect institutional authority, normative constraints, and hierarchical relations among legal actors. The findings contribute to a deeper understanding of pragmatic mechanisms in Uzbek legal communication and the role of linguistic form in ensuring legal efficacy and formal clarity.

Keywords: Legal discourse, linguistic subject, communicative strategy, pragmatic tool, speech culture, legal text, social communication, language and interaction, juridical speech.

Introduction

In modern linguistics, the study of legal discourse from a pragmalinguistic perspective represents a significant research direction. Analyzing the communicative-pragmatic strategies of the linguistic subject in legal speech enables researchers to identify the structural, normative, and institutional mechanisms underlying legal texts.

Foundational work by J. Austin and J. Searle in speech act theory elucidated the communicative essence of performative acts such as commands, obligations, permissions, and prohibitions. ¹This theoretical framework has been subsequently applied to legal discourse, highlighting the performative and obligatory character of legal language.

The concept of the "linguistic subject," developed in Russian linguistics by V.I. Karasik, serves as an essential methodological tool in legal discourse studies. Karasik defines the linguistic subject as a unit of speech activity determined by social role and communicative intent, providing a framework for comparative analysis of judges, lawyers, notaries, and citizens.² Pragmatic features of legal discourse have also been investigated by E.I. Golovanova, L.M. Alekseyeva, and O.S. Issers, particularly regarding the role of normative constructions, imperative forms, modal verbs, and passive participles in enforcing compliance within legal texts.³

In Uzbek linguistics, scholars such as A. Nurmonov, B. Yo‘ldoshev, M. Jo‘rayev, and Sh. Safarov have examined official-style language and linguistic characteristics of legal texts.⁴

¹ J. Austin & J. Searle, *Speech Act Theor*

² V.I. Karasik, *Linguistic Subject in Discourse Studies*

³ E.I. Golovanova, L.M. Alekseyeva, O.S. Issers, *Pragmatic Features of Legal Discourse*

⁴ A. Nurmonov, B. Yo‘ldoshev, M. Jo‘rayev, Sh. Safarov, *Official Style and Legal Linguistics*



However, a systematic analysis of communicative-pragmatic strategies across legal documents remains underdeveloped. This study addresses this gap, analyzing how linguistic subjects in Uzbek legal discourse employ language to express commands, obligations, prohibitions, and permissions, while maintaining normative and formal registers. The analysis also examines how institutional hierarchy and authority are linguistically encoded in the discourse of courts, legislators, and lawyers.

1. Legal Discourse and Communicative-Pragmatic Strategies

1.1. Court Decisions as a Model

Court decisions serve as prototypical documents reflecting the communicative-pragmatic strategies of institutional linguistic subjects. Within such texts, commands, obligations, prohibitions, and permissions are systematically encoded to maintain normative authority and institutional constraints.

Imperative and obligatory content in court rulings is primarily expressed in the "Decision" section, using verbs such as "*found guilty*," "*impose*," "*apply*," "*annul*," or "*assign*." These forms reflect the restricted but high-level authority of the judiciary and function as normative directives rather than suggestions or recommendations.

Prohibitions are often encoded indirectly through the description of unlawful actions. For instance, carrying a cold weapon in public is framed as a violation of legal norms, thereby conceptualizing prohibited conduct without issuing a direct imperative.

Permissions appear through constructions indicating conditional rights, e.g., "*may file an appeal*," reflecting legally sanctioned but constrained discretionary power. Imperative forms in court rulings are typically directed at third parties, generating a command strategy without direct address. Modal constructions such as "*deemed necessary*" or "*based on the evidence*" emphasize legal necessity rather than personal desire, reinforcing the rule-governed nature of judicial decisions. Passive participles (e.g., "*established*," "*proven*," "*qualified*") shift focus from the actor to the action and its legal consequence, promoting objectivity and neutrality.

Normativity and formal register are further reinforced through standardized formulas and templates, including terms such as "*the court found*," "*therefore*," "*based on*," and "*in accordance with*." Sentences are syntactically complex, logically sequenced, and devoid of emotional expressiveness, ensuring formal clarity and legal precision.

1.2. Institutional Hierarchy

In court rulings, the judicial linguistic subject embodies the highest institutional authority. Judicial speech is monologic and normative, prioritizing final and mandatory conclusions. The speech of lawyers or defendants is limited to factual exposition or commentary, without overriding the court's authority. This hierarchy illustrates the linguistic manifestation of institutional power within the legal discourse.

2. Notarial Discourse



2.1. Wills as a Model

Notarial texts, such as wills, exemplify legal discourse involving both citizens and institutional subjects (notaries). Unlike court discourse, the tone is less imperative and focuses on formalizing legal will through pragmatic strategies. Commands, obligations, prohibitions, and permissions are expressed indirectly through the declarative will of the testator.

Imperative tones are rare; instead, constructions like *“I bequeath,” “I assign the following task”* encode legally binding consequences while maintaining linguistic first-person perspective. Prohibitions and limitations are referenced via pertinent Civil Code provisions, e.g., on amending or annulling a will or mandatory inheritance shares. Permissions appear as the right to dispose of property freely.

Passive participles (*“explained,” “reviewed,” “recorded”*) maintain objectivity and emphasize the legal act rather than the actor, while modal constructions (*“understood,” “correctly executed”*) affirm conscious, voluntary, and legally grounded intentions of the testator. Standardized legal formulas, inclusion of dates, locations, and identification details reinforce normative clarity and formal legitimacy.

2.2. Institutional Authority

The testator provides the substantive center of the will, but the notary, as an institutional linguistic subject, ensures legal validity, procedural accuracy, and compliance with formal rules. The notary’s speech relies on confirmation and supervision strategies rather than directive tone, reflecting soft institutional authority consistent with legal procedures.

This demonstrates that, in notarial discourse, obligations and commands are linguistically mediated through normative and volitional constructions rather than explicit imperatives. Passive forms, modal units, and standard formulas ensure formal register and legal reliability, rendering the notarial linguistic subject communicatively and pragmatically powerful yet distinct from judicial authority.

Conclusion

The analysis demonstrates that in Uzbek legal discourse:

1. Court rulings encode commands, obligations, prohibitions, and permissions predominantly through imperative and passive constructions, ensuring normative authority, formal clarity, and institutional power.
2. Notarial texts encode similar content through volitional and normative constructions, emphasizing legal compliance while maintaining a less authoritative tone.
3. Modal verbs, passive participles, and standardized formulas function as pragmatic tools to maintain objectivity, formality, and legal legitimacy.
4. The communicative-pragmatic strategies of linguistic subjects are closely tied to their institutional role and hierarchical position, reflecting both authority and procedural constraints.



These findings contribute to understanding how linguistic strategies operate within Uzbek legal discourse to convey power, enforce compliance, and structure institutional interaction.

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