ISSN:2828-6235
Impact factor:13.77

International Journal of Literature and Language Studies(IJLLS)

DEONTIC MODALITY AND PRESCRIPTIVENESS IN ENGLISH AND UZBEK LEGAL TEXTS: A COMPARATIVE PRAGMATIC ANALYSIS

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Abstract. This article provides a comprehensive comparative-pragmatic analysis of the concepts of deontic modality and prescriptiveness in English and Uzbek legal texts. The author reveals the mechanisms of linguistic verbalization of categories such as obligation, prohibition, permission, and authority in legal discourse based on a rigorous review of scholarly literature. Drawing on comparative-linguistic evidence, the research identifies similarities and differences in the legal texts of the two languages, scientifically substantiating their normative-pragmatic and functional-semantic features.

Key words: Deontic modality, prescriptiveness, legal discourse, obligation, prohibition, pragmatic analysis, linguistic verbalization.

Annotatsiya. Ushbu maqolada ingliz va o‘zbek tillaridagi huquqiy matnlarda deontik modallik va preskriptivlik tushunchalarining qiyosiy-pragmatik tahlili keng miqyosda amalga oshirilgan. Muallif huquqiy diskursda majburiyat, taqiq, ruxsat va vakolat kabi kategoriyalarning lisoniy verbalizatsiya qilish mexanizmlarini ilmiy adabiyotlar tahliliga tayangan holda ochib bergan. Tadqiqot jarayonida qiyosiy-lisoniy dalillar asosida ikki tilning huquqiy matnlaridagi o‘xshash va farqli jihatlar aniqlanib, normativ-pragmatik funksional-semantik xususiyatlari asoslandi.

Kalit so‘zlar: Deontik modallik, preskriptivlik, huquqiy diskurs, majburiyat, taqiq, pragmatik tahlil, lisoniy verbalizatsiya.

Аннотация. В данной статье на английском языке осуществлен масштабный сравнительно-прагматический анализ понятий деонтической модальности и прескриптивности в правовых текстах на английском и узбекском языках. Автор раскрывает механизмы языковой вербализации таких категорий, как обязательство, запрет, разрешение и полномочие в правовом дискурсе, опираясь на анализ научной литературы. В процессе исследования на основе сопоставительно-лингвистических фактов выявлены сходства и различия в правовых текстах двух языков, а также научно обоснованы нормативно-прагматические и функционально-семантические особенности.

Ключевые слова: Деонтическая модальность, прескриптивность, правовый дискурс, обязательство, запрет, прагматический анализ, языковая вербализация.

Introduction. Legal discourse represents one of the most strictly regulated, highly formalized, and institutionally bounded spheres of human communication. Every state’s legislative framework operates as a complex semiotic system that translates social norms into binding legal rules through specific linguistic forms. In modern comparative linguistics, investigating the historical-etymological genesis of legal vocabulary must be complemented by a thorough analysis of its contemporary functional-pragmatic properties. In particular, elucidating how

prescriptiveness command, mandatory instruction and deontic modality obligation, right, prohibition, and permission - which constitute the core architecture of legal texts - are operationalized through linguistic units remains a critical scientific objective.

Cross-linguistic comparisons between Germanic languages like English and Turkic languages like Uzbek reveal fascinating structural and pragmatic typologies. While English legal language has evolved through centuries of common law traditions, statutory drafting conventions, and specific modal verbs, Uzbek legal terminology reflects continental law influences, agglutinative grammatical structures, and distinct morphosyntactic mechanisms for expressing legal commands. This article examines the mechanisms of verbal expression governing deontic modality and prescriptiveness in English and Uzbek legal documents from an integrated comparative-pragmatic perspective.

Main body. In legal text generation and interpretation, the communicative function of language transcends mere information conveyance; it actively regulates the behavior of legal subjects by imposing duties, conferring rights, or imposing prohibitions. Modal verbs, performative lexemes, syntactic structures, and explicit performative indicators play an indispensable role in this regulatory framework. The category of deontic modality introduces foundational modalities such as obligation, prohibition, and permission into legal interactions. Modal verbs in legal texts do not merely express speaker attitude or probability; rather, they perform institutional acts by establishing binding legal obligations and normative constraints upon addressees.[1] Modal verbs in legal discourse function far beyond grammatical markers, operating as powerful institutional mechanisms that systematically regulate human behavior. When comparing English and Uzbek legal texts, modal meanings prove vital in maintaining the long-term stability of legal relationships. The pragmatic nature of modal units directly determines their execution level during the verbalization of legal norms. Consequently, this empirical reality fully substantiates the profound responsibility attached to every lexical item and modal verb in legislative drafting.

Expanding upon this theoretical foundation, legal linguistics emphasizes that legislative provisions derive their authoritative force from specialized linguistic framing. The structural integrity of legal rules relies heavily on explicit deontic operators that signal whether a given legal subject is commanded, permitted, or forbidden to act.[2] The semantic networking and internal architecture of legal texts depend explicitly on the proper selection of precise deontic operators. Observations indicate that severe legal conflicts and collisions arise if statutory provisions fail to explicitly outline subjects' obligations, rights, or prohibited actions. Although English and Uzbek legal systems actualize these operators through distinct linguistic structures, their functional load uniformly guarantees normative precision. Therefore, contrasting the structural role of deontic operators serves as a primary source of scientific value for this dissertation.

When analyzing English legal discourse specifically, scholars note a high degree of reliance on specialized modal auxiliaries. In English statutory drafting, “shall” and “must” function as primary prescriptive markers encoding absolute duty, whereas “may” delegates discretionary competence or conditional permission.[3] Lexical items such as “shall” and “must” in English statutory texts generate absolute imperativeness, drastically intensifying the coercive impact of legal prescriptiveness. In contrast, Uzbek legal terminology transfers these nuances primarily through auxiliary verbs and affixal morphological structures within predicates. This clear contrast demonstrates that typological differences in morphological structures directly shape cross-linguistic pragmatic strategies in legal discourse. Preserving functional equivalence among these

[1] Алексей С. С. Общая теория права. — Москва: Юрид. лит., 1981. — Т. 1. — 142с.
[2] Власенко Н. А. Язык права. — Москва: Норма, 2010. — 95с.
[3] Tiersma P. M. Legal Language. — Chicago: University of Chicago Press, 1999. — 112p.

modal markers during translation therefore remains an essential prerequisite for legal text adequacy.

Furthermore, the pragmatic dimension of legal texts requires examining how speech act theory applies to legislative writing. Legal utterances are quintessential performatives; uttering a statutory rule changes the normative status of citizens by creating enforceable obligations.[4] The performative nature of legal texts demonstrates that legislative rules are far from passive informational statements, functioning instead as speech acts that trigger concrete legal consequences. Once a statute is enacted, citizens' normative statuses immediately shift alongside newly imposed legal duties. Mechanisms of performativity manifest distinctively across English and Uzbek legislative acts through tailored linguistic tools that directly govern legal relations. This phenomenon provides a robust theoretical foundation for uncovering the pragmatic and illocutionary force inherent in legal discourse.

Turning to the typological characteristics of Uzbek legal language, researchers point out distinct morphological strategies. Due to the agglutinative nature of Turkic languages, modal meanings are frequently synthesized directly into predicate structures and verbal affixes rather than isolated auxiliary verbs. Turkic legal discourse encodes prescription and modality through productive suffixal derivations and modal predicative forms that structurally bind the subject to mandatory compliance.[5] Being an agglutinative language, Uzbek relies heavily on synthetic and affixal methods rather than analytical constructions to express legal prescriptiveness. This structural trait leaves a distinct footprint on legal term-formation, producing concise and rigid prescriptive templates. Analytical expressions common in English frequently find successful verbalization in Uzbek through specialized suffixes and modal predicates. Accounting for these typological distinctions proves decisive when constructing functional-semantic models of legal vocabulary.

Moreover, the pragmatic impact of prohibitions differs structurally between the two languages. Prohibitions in legislation operate as negative deontic modalities, requiring absolute non-performance backed by prospective legal sanctions.[6] Legislative prohibitions represent a clear manifestation of negative deontic modality, demanding absolute non-performance from legal subjects. Such prohibitions consistently rely on underlying liability and enforcement mechanisms to secure their pragmatic impact. Comparing prohibition frameworks across English and Uzbek reveals a shared, strict imperative semantics embedded within restrictive legal clauses. Consequently, linguistic analysis of negative deontic modal units assists in defining precise normative boundaries within statutory texts.

Comparative syntax also reveals divergence in how conditional obligations are formulated. Legal syntax across languages utilizes complex hypotaxis to establish the precise factual preconditions under which a deontic rule becomes active.[7] Syntactic complexity and hypotactic clause structures in legal documents serve to explicitly outline the precise factual conditions under which statutory rules take effect. Intricate syntactic frameworks play an indispensable role in tightly circumscribing the scope of deontic provisions. Although English and Uzbek legal syntax deploy different structural tools to express conditional relationships, their overarching pragmatic objective remains identical: preempting legal ambiguity. This dimension highlights the vital role of syntactic formatting in maintaining the internal logical coherence of legal texts.

In addition to structural differences, discourse pragmatics highlights the role of institutional authority. The illocutionary force of a legal text depends fundamentally on the socio-political

[4] Austin J. L. How to Do Things with Words. — Oxford: Oxford University Press, 1962. — 60p.
[5] Yusupov O. O‘zbek huquqiy lingvistikasi asoslari. — Toshkent: Akademnashr, 2018. — 88b.
[6] Alekseev S. S. The Theory of Law. — Moscow: Wolters Kluwer, 2004. —204p.
[7] Quirk R. et al. A Comprehensive Grammar of the English Language. — London: Longman, 1985. — 1002p.

legitimacy of the issuing authority and the pragmatic clarity of its directive force.[8] The illocutionary power of any legal document rests ultimately on the socio-political legitimacy and statutory authority of the issuing institution. From a pragmatic standpoint, clearer and more transparent directive forces within a legal text heighten the likelihood of compliant addressee behavior. The pragmatic clarity of legal norms stands as a fundamental prerequisite for reinforcing social order and legal culture across both English and Uzbek legislative practices. Therefore, the linguistic-pragmatic analysis of legal texts bridges linguistics and jurisprudence as an essential area of study.

When comparing English statutes with Uzbek legislative acts, the distribution of explicit versus implicit performatives varies according to systemic traditions. Comparative legal analysis demonstrates that conceptual equivalence in translation requires balancing formal grammatical markers with functional-pragmatic equivalents.[9] Comparative research and translation workflows in legal contexts cannot rely solely on literal equivalents, given that cross-linguistic conceptual matching is inherently complex. Translating legal terms between English and Uzbek requires a deliberate balance between formal grammatical markers and functional-pragmatic meanings. Disregarding this balance risks distorting the core substance of legal norms or diminishing their regulatory impact. Functional-pragmatic alignment consequently serves as the core methodological compass for legal translators and linguists.

Finally, the overarching objective of prescriptive legal texts remains the establishment of social order through predictable linguistic patterns. Normative texts achieve their regulatory efficacy by minimizing ambiguity in deontic operators and establishing transparent interpretive boundaries.[10] The operational efficiency of normative legal acts depends entirely on the systematic elimination of ambiguity within textual provisions. Precise deployment of deontic operators amplifies the persuasive and coercive power of legal texts while barring subjective interpretive leeway. Establishing transparent interpretive boundaries across English and Uzbek legal texts relies directly on the precise selection of appropriate linguistic forms. This dynamic ensures the creation of an optimal functional-semantic model for modern legal discourse.

Conclusion. The comparative-pragmatic analysis of English and Uzbek legal texts confirms that deontic modality and prescriptiveness function as universal instruments of legislative regulation, yet they employ distinct structural mechanisms in each language. While English legal discourse relies heavily on analytical modal verbs and standardized formulaic expressions, Uzbek legislation utilizes rich synthetic morphology, suffixal markers, and specialized predicative constructs. Understanding these divergences is essential not only for advanced legal linguistics and typological translation studies but also for optimizing legislative drafting practices in bilingual and cross-cultural legal environments.

REFERENCE

1. Алексей С. С. Общая теория права. — Москва: Юрид. лит., 1981. — Т. 1. — 360 с.
2. Austin J. L. How to Do Things with Words. — Oxford: Oxford University Press, 1962. — 168 p.
3. Alekseev S. S. The Theory of Law. — Moscow: Wolters Kluwer, 2004. — 450 p.
4. Власенко Н. А. Язык права. — Москва: Норма, 2010. — 280 с.

[8] Searle J. R. Speech Acts: An Essay in the Philosophy of Language. — Cambridge: Cambridge University Press, 1969. — 57p.
[9] Baker M. In Other Words: A Coursebook on Translation. — London: Routledge, 2018. — 145p.
[10] Khodjayev M. Huquqiy matnlar stilistikasi. — Toshkent: Fan va texnologiya, 2021. — 115b.

5. Baker M. In Other Words: A Coursebook on Translation. — London: Routledge, 2018. — 352 p.
6. Khodjayev M. Huquqiy matnlar stilistikasi. — Toshkent: Fan va texnologiya, 2021. — 240 b.
7. Searle J. R. Speech Acts: An Essay in the Philosophy of Language. — Cambridge: Cambridge University Press, 1969. — 203 p.
8. Quirk R. et al. A Comprehensive Grammar of the English Language. — London: Longman, 1985. — 1779 p.
9. Tiersma P. M. Legal Language. — Chicago: University of Chicago Press, 1999. — 330 p.
10. Yusupov O. O‘zbek huquqiy lingvistikasi asoslari. — Toshkent: Akademnashr, 2018. — 210 b.