

THE EXPRESSION OF ILLOCUTIONARY ACTS IN ENGLISH AND UZBEK LEGAL TEXTS

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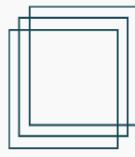
Abstract

This article analyzes the expression of illocutionary acts in English and Uzbek legal texts, with a focus on their communicative-pragmatic functions. Drawing on J. L. Austin's and J. Searle's speech act theory, the study highlights the prevalence of directive and declarative acts in both legal systems, which serve to impose obligations, establish prohibitions, or grant rights. The research demonstrates that in Uzbek legal discourse, illocutionary force is mainly realized through passive verb forms and modal words such as "majburdir," "taqiqlanadi," and "mumkin," whereas in English legal discourse, modal auxiliaries like "shall," "must," and "may" are dominant. Comparative analysis reveals both universal features (e.g., obligation and prohibition as central categories) and language-specific features shaped by grammatical and stylistic norms of each language. The findings contribute to a better understanding of how legal norms are linguistically and pragmatically structured across different legal traditions.

Keywords: Illocutionary act, legal discourse, English legal texts, Uzbek legal texts, speech act theory, directive, declarative.

Introduction

Speech act theory, as first articulated by J.L. Austin in *How to Do Things with Words* (1962), revolutionized the understanding of language as a performative act rather than a mere vehicle of information. Within this framework, illocutionary acts are central because they capture the speaker's intention and the social effect of the utterance. Searle (1969, 1979) expanded the theory by formalizing felicity conditions, among which the sincerity condition ensures that the speaker genuinely intends what is being communicated. However, legal discourse poses a unique challenge to this model. Unlike everyday communication, laws are formulated by institutions rather than individuals. This institutional nature often suspends or redefines the sincerity condition. For instance, when a parliament enacts a statute, its authority derives not from the sincerity of individual lawmakers but from the legitimacy of the institution itself. This makes legal texts an especially rich domain for examining how illocutionary force operates when sincerity is no longer personal but institutionalized.



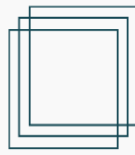
In recent decades, scholars such as Tiersma (1999), Gibbons (2003), and Kurzon (1986) have examined legal language from pragmatic and discourse-analytic perspectives. Yet few studies have focused specifically on how the sincerity condition functions within the illocutionary acts of legal provisions, especially in a cross-linguistic context. This study addresses this gap by comparing English and Uzbek legal texts, thereby highlighting how different legal traditions encode performativity and authority through language.

Methods

This study applies a comparative discourse analysis of English and Uzbek legal texts. The corpus includes several key documents: for English, the UK Criminal Justice Act (1991), the Human Rights Act (1998), and selected United Nations conventions; for Uzbek, the Constitution of the Republic of Uzbekistan (1992), the Criminal Code of the Republic of Uzbekistan (1994), and the Code of Administrative Responsibility. The analysis combines three methodological approaches. First, a pragmatic perspective is adopted to identify the illocutionary force within legal provisions, paying special attention to felicity conditions, particularly the sincerity condition, and how they are realized in legislative discourse. Second, a linguistic perspective is employed to examine the syntactic, morphological, and lexical strategies through which illocutionary acts are expressed. For instance, modal verbs such as “shall” and “must” in English and imperative verb forms in Uzbek are analyzed as markers of institutional authority. Finally, a comparative perspective highlights both the similarities and differences between English and Uzbek legislative traditions in their ways of structuring illocutionary force. Examples are systematically classified according to speech act types, with attention given to the broader legal and cultural frameworks of common-law traditions in England and codified civil-law structures in Uzbekistan.

Results

The analysis reveals several patterns across the two legal systems. In English legal texts, illocutionary force is primarily conveyed through modal auxiliaries such as shall and must, which function as the main carriers of directives. Conditional constructions, most often expressed in if...then... clauses, are frequently employed to structure obligations, exceptions, and procedural contingencies. The language of English statutes is also marked by neutrality and impersonality, which minimizes the role of sincerity as an individual condition and transfers it entirely to institutional authority. For example, the provision “A person who fails to comply with this section shall be liable on summary conviction to a fine” (UK Criminal Justice Act) clearly demonstrates the directive nature of the act by imposing an obligation, while at the same time enacting a declarative act that establishes liability.

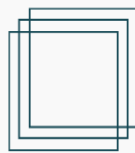


By contrast, Uzbek legal texts rely more heavily on imperative verb forms and explicit lexical repetition to underscore emphasis. Obligations are expressed in a more direct and categorical manner, with less reliance on conditional phrasing. The sincerity condition is fully institutionalized, with the performativity of the norm guaranteed by the authority of the state rather than the speaker's intention. A typical example is found in Article 21 of the Constitution of Uzbekistan: "Har bir fuqaro Konstitutsiyaga va qonunlarga rioya etishi shart" ("Every citizen must comply with the Constitution and the laws"). Here, the directive force is explicit, and the illocutionary act is reinforced by the modal particle *shart*, which unambiguously signals obligation. A comparative examination of the two traditions shows that both English and Uzbek legal systems suspend individual sincerity in favor of institutional authority. Despite these differences, illocutionary acts in both contexts serve the same fundamental functions: they create, regulate, and enforce social reality through legally binding discourse.

Discussion

The comparative findings highlight important tendencies in the realization of illocutionary acts in legal discourse. In both English and Uzbek contexts, the legal text functions as a powerful performative instrument, where utterances do not merely describe obligations or rights but actively establish and enforce them. This confirms J. L. Austin's and J. R. Searle's theoretical claim that certain speech acts constitute actions in themselves rather than statements about reality. In legislative discourse, the illocutionary act achieves its validity not through the sincerity or psychological state of the speaker but through the authority of the legal institution that issues it.

The English legal tradition demonstrates a marked preference for modal verbs as the central linguistic device of illocutionary force. The modal system allows for a graded expression of necessity, possibility, and prohibition, thereby providing legislators with a flexible yet precise tool. The prevalence of formulations such as *shall*, *must*, and *may* creates a framework where obligations and permissions are clearly delimited, while still allowing for interpretative space within judicial practice. In contrast, Uzbek legal discourse reflects the codified nature of civil law systems, favoring explicit imperatives and unambiguous expressions of duty. The frequent use of the word *shart* ("must"/"obligatory") and formulaic passive structures conveys a sense of categorical authority that minimizes interpretative ambiguity. This prescriptive style reflects a legal culture where clarity and universality of rules are prioritized over flexibility. At the same time, Uzbek legal texts also employ repetition and parallel syntactic constructions to reinforce the illocutionary force, a stylistic feature less common in English legal discourse.



The comparison demonstrates that while both systems converge in their institutionalization of illocutionary acts, they diverge in linguistic realization due to underlying legal traditions and cultural expectations. This confirms that the study of legal discourse cannot be reduced to purely linguistic analysis but must also account for the socio-legal frameworks in which texts operate.

Conclusion

The research shows that illocutionary acts form the backbone of legal discourse in both English and Uzbek legislative traditions. Regardless of language, the illocutionary force of legal provisions establishes obligations, confers rights, and enforces prohibitions in a manner that transcends mere description and enters the domain of performative action. While English legal texts rely on modal auxiliaries to express varying degrees of obligation and permission, Uzbek texts prefer direct imperative constructions and categorical markers such as *shart* to convey binding force.

At the same time, both systems reveal universal characteristics of legal discourse: depersonalization of the speaker, institutionalization of sincerity conditions, and reliance on directive and declarative acts as the primary means of constructing social and legal reality. By bringing together linguistic and pragmatic analysis with comparative insights, the study underscores the central role of illocutionary acts in shaping the communicative and normative power of legal texts.

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