

## FORMATION OF LEGAL TERMINOLOGY IN BASHKIR AND TURKISH LANGUAGES

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**Abstract:** *The relevance of the study is due to the growth of intercultural ties, the role of the language of law in the modern communicative space, as well as insufficient knowledge of the legal terminology of the Turkish and Bashkir languages in a comparative aspect. Being a unique material for study, the ratio of related languages in the terminological system of legal discourse remains a poorly studied subject area in modern Turkology. The purpose of this paper is to reveal the main problems of formation, evolution, and lexical-thematic classification, word-building of legal terminology on the material of modern Turkish and Bashkir languages. The leading approaches to this issue are: descriptive-analytical – for processing the selected lexical material of the study; comparative – for comparing and identifying general and specific features of the functioning of legal terms in the analysed languages. The legal terms of the Turkish and Bashkir languages represent a type of institutional discourse related to the sphere of regulating social relations. Such terms have a precise and definite meaning, which has a rigid organisation, semantic uniqueness, accuracy, and hierarchical structure. Legal terminology, both in terms of expression and in terms of content, represents well-organised systems of language that have a basis for comparison. The similarity of the two systems of legal terminology is manifested in the methods of word-building, the differences relate only to the structural and semantic characteristics. The significance of the study lies in the fact that it makes a certain contribution to the development of the theory of legal terminology in a comparative aspect. The paper describes the layer of terminological vocabulary of the sublanguage of law in the Bashkir and Turkish languages, defines its patterns of formation and development. The data presented in the paper can be used in the development of educational courses on terminology, the theory of professional communication, special courses on translation practice and legal discourse.*

**Keywords:** legal discourse, terminological vocabulary, word-building, Turkic languages, ethnos.

The issue of learning the language and its specialised areas in the form of a system of professional vocabulary, professional discourse has attracted the attention of linguists for a long time. Due to the intensification of integration processes, the active growth of interethnic, economic, financial, educational and other contacts, the languages of the world are actively developing a terminological vocabulary that reflects the changing realities of the modern world. Revealing the entire complex of terminology characteristic of a particular field of scientific activity, defining the nomenclature, improving the terminological system of each specific industry and science are the most

important areas of research in recent decades<sup>1</sup>. Through languages there is an introduction to national and cultural values, to the achievements of world science and culture. This is the most important factor in the harmonisation of national relations, the formation of tolerance in the 21st century. In recent years, due to the growth of intercultural ties, the role of the language of law in the modern communicative process, interest in legal discourse has increased. Legal discourse as a language of law, as in any other society, plays an important role in the life of society and the state. Therefore, the study of the peculiarities of the language of law, its linguistic unit – the terminological system is one of the most important tasks of modern linguistics<sup>2</sup>.

The legal terminology of the Turkic languages has developed over many centuries. One of the characteristic features of the terms and concepts of legal terminology in the Turkic languages is that in many languages they do not differ much from each other from a phonetic and semantic perspective<sup>3</sup>. In this regard, the authors have chosen the Bashkir and Turkish languages to analyse this term system. Both languages belong to the Turkic language family. Comparative study makes it possible to find out the common genetic roots of the lexical composition of the two languages, going back to the Proto-Turkic language. The legal terminology of the Bashkir and Turkish languages is not a self-sufficient formation, but represents a lexical layer of primordially Turkic and borrowed terminological units. As noted by N.V. Baskakov, this "vocabulary, basically Kipchak, contains a significant number of elements of linguistic contacts of the Proto-Turkic language, due to which a lot of related terms were formed"<sup>4</sup>. Admittedly, even in the most ancient monuments of Turkic language are legal documents, for example, the researcher S.E. Malov, studying the language of the runic, Uyghur, and Arab monuments, notes the first legal terms in them: "al" – people, "mal" – property, etc.<sup>5</sup>.

Indeed, in the modern Bashkir and Turkish languages, in the process of a long historical development, the lexical-semantic layer of legal terms has undergone significant changes. However, today, it is possible to find common lexical parallels rooted in the ancient language of the Turks<sup>6</sup>. The legal

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<sup>1</sup> S.E. Malov, *The language of the Orkhon-Yenisei monuments*, Nauka, Moscow, 1978.

<sup>2</sup> V.Y. Turanin., E.E. Tonkov, I.A. Kuprieva, L.A. Pozharova, N.A. Turanina, "Legal terminology phenomenon in the context of modern legal system evolution", in *Humanities and Social Sciences Reviews*, 2019, vol. 7, no 4, p. 1291-1295.

<sup>3</sup> A.N. Baskakov, "Modern Turkish legal terminology and its lexicographic design", in *Turkic lexicology and lexicography*, Nauka, Moscow, 1971, p. 241-242.

<sup>4</sup> L.F. Ayupova, G.R. Abdullina, "Lexical-thematic groups of legal terms in the Bashkir and Turkish languages", in *Bashkir spiritual life in a multicultural space: past, present and future*, Bashkir State University, Ufa, 2020, p. 40-42.

<sup>5</sup> G.G. Kagarmanov, *Lexicon and terminology of the Bashkir language*, Stavropol State Pedagogical Institute, Sterlitamak, 2002.

<sup>6</sup> F.R. Ilyasova, G.R. Abdullina, "About the peculiarities of legal terms in the Bashkir language", in *Innovation and Science*, 2016, vol. 8, p. 116-120.

discourse in the analysed languages developed depending on the historical development, socio-political and cultural contacts of ethnic groups. With the dynamics of historical eras and spiritual requirements, with the formation of various institutions of power and law, with the development of human society, not only the terminology of jurisprudence changed, but also the entire lexical composition of the Bashkir and Turkish languages<sup>7</sup>. The theoretical basis of this paper was the works of researchers of the Bashkir and Turkish languages. Bashkir legal terminology is reflected in the terminological dictionaries of R.G. Aznagulov<sup>8</sup>, M.M. Mukhametdinov<sup>9</sup>, G.Z. Khasanov<sup>10</sup> and others. However, from a linguistic standpoint, the vocabulary and terminology of jurisprudence in the Bashkir language did not receive due attention and was not an object of special multidimensional studies. Although certain aspects of this terminology were reflected in the thesis papers by G.R. Abdullina, L.F. Ayupova<sup>11</sup> and F.R. Ilyasova<sup>12</sup>; in collections of research and practical conferences; issues of the theory of the term – in the papers by K.G. Kagarmanov<sup>13</sup>, G.R. Abdullina<sup>14</sup>, L.B. Abdullina<sup>15</sup>, I.G. Zubairova<sup>16</sup> and others. Nevertheless, most of the

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<sup>7</sup> T. Ansay, “American-Turkish private international law”, in *American Journal of International Law*, 1966, vol. 62, no. 1, p. 237-238.

<sup>8</sup> R.G. Aznagulov, *Russian-Bashkir Law Dictionary*, Kitap, Ufa, 2006.

<sup>9</sup> F. Matulewska, “Socially induced changes in legal terminology”, in *Studies in Logic, Grammar and Rhetoric*, 2017, vol. 49, no. 1, p. 153-173.

<sup>10</sup> N.I. Khabibulina, *Legal technique and the language of law*, Publishing House of St. Petersburg University of the Ministry of Internal Affairs of Russia, St. Petersburg, 2000.

<sup>11</sup> L.F. Ayupova, G.R. Abdullina, “Lexical-thematic groups of legal terms in the Bashkir and Turkish languages”, in *Bashkir spiritual life in a multicultural space: past, present and future*, Bashkir State University, Ufa, 2020, p. 40-42.

<sup>12</sup> I.G. Zubairova, G.R. Abdullina, R.K. Ilisheva, M.I. Karabaev, E.R. Nikolaev, “Formation and development of literary terms in Turkic languages (study background)”, in *Indian Journal of Science and Technology*, 2016, vol. 9, no. 27, p. 1-8.

<sup>13</sup> G.G. Kagarmanov, *Lexicon and terminology of the Bashkir language*, Stavropol State Pedagogical Institute, Sterlitamak, 2002; G.G. Kagarmanov, *Bashkir Terminology: Experience of Historical and Linguistic Description*, Gilem, Ufa, 2002.

<sup>14</sup> G.R. Abdullina, L.B. Abdullina, I.R. Akhmadullina, G.D. Valieva, G.Z. Gabbasova, “Comparative study loanwords into languages with different structural features (based on the examples of terms in Bashkir, Russian, and Chinese languages)”, in *ASTRA Salvensis*, 2020, vol. 1, p. 451-461; G.R. Abdullina, A.T. Shamigulova, M.I. Karabaev, Z.K. Ishkildina, “Vocabulary of clothes and jewelry in studies of Turkic languages (from the history of the study of the issue)”, in *Mediterranean Journal of Social Sciences*, 2015, vol. 6, no. 5, p. 194-200.

<sup>15</sup> L.B. Abdullina, G.R. Abdullina, N. Gadzhiakhmedov, R.R. Sanyarova, E.F. Rakhimova, “To the problem of transfer of terms and “right” introduction of them in language turnover (based on the philosophical terminology of the Bashkir language)”, in *The Turkish Online Journal of Design, Art and Communication*, 2018, vol. 10, no. 4, p. 1892-1899; L.B. Abdullina, G.R. Abdullina, *A comparative study of the terminological field and professional discourse in multi-structural languages*, Editorial and Publishing Center of Bashkir State University, Ufa, 2019.

<sup>16</sup> I.G. Zubairova, G.R. Abdullina, R.K. Ilisheva, M.I. Karabaev, E.R. Nikolaev, “Formation and development of literary terms in Turkic languages (study background)”, in *Indian Journal of Science and Technology*, 2016, vol. 9, no. 27, p. 1-8.

existing studies, as a rule, are fragmentary and do not give a holistic view of this layer of terminology in the general system of the Bashkir language. Also in Turkish linguistics there is a number of scientific works of Turkish linguists and legal experts who were engaged in scientific research in this area. Among them are papers by Sava Ayar<sup>17</sup> and Esin Örüçü<sup>18</sup>, T. Ansay<sup>19</sup> and others.

Legal terms are verbal designations of legal concepts, with the help of which the content of the state's regulatory and legal requirements is expressed and consolidated. Terms used in legal texts are monosemantic, they have strict and precise meanings, provided with unambiguously interpretable definitions in specialised dictionaries, as well as lengthy, exhaustive interpretations in specialised reference books, texts of laws, etc.<sup>20</sup>. Language experts, exploring the language of law, its vocabulary and terminology, divide legal terms into three types: common, special technical and special<sup>21</sup>. As noted by N.I. Khabibulina, "common terms are widespread words used in belles-letters and scientific literature, everyday speech, in business documents and in legislation. They are simple and straightforward. Their use in the law is possible only in the meaning that they have in the literary language. Special technical are terms taken from various fields of science, technology and art. Special legal terms are used only in jurisprudence"<sup>22</sup>. The theoretical aspects of legal terms have also been considered by foreign linguists such as E. N. Burduşel<sup>23</sup>, A. Matulewska<sup>24</sup>, M.C. Chromá<sup>25</sup>, V.Y. Turanin<sup>26</sup>, T. Fajfar<sup>27</sup> and others.

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<sup>17</sup> S. Ayar, *Hukuk Matinleri Çevirisi*, 2010. Retrieved from: <https://pdfslide.net/documents/hukuk-metinleri-cevirisi.html>.

<sup>18</sup> E. Orucu, "Alegal system based on translation: The Turkish experience", in *Journal of Civil Law Studies*, 2013, vol. 6, no. 2, p. 113-154.

<sup>19</sup> L.F. Ayupova, G.R. Abdullina, "Lexical-thematic groups of legal terms in the Bashkir and Turkish languages", in *Bashkir spiritual life in a multicultural space: past, present and future*, Bashkir State University, Ufa, 2020, p. 40-42.

<sup>20</sup> A.M. Pyzh, "Functional and pragmatic features of the use of legal terminology in a legal document", in *Evolution and transformation of discourses: linguistic and sociocultural aspects*, Samara University, Samara, 2015, p. 114-120.

<sup>21</sup> N.I. Khabibulina, *Legal technique and the language of law*, Publishing House of St. Petersburg University of the Ministry of Internal Affairs of Russia, St. Petersburg, 2000.

<sup>22</sup> *Ibidem*.

<sup>23</sup> E.N. Burduşel, "A cultural approach to legal translation: Contemporary perspectives and challenges", in *Revista Transilvania*, 2019, vol. 11/12, p. 82-86.

<sup>24</sup> M.M. Mukhametdinov, Z.Z. Absalyamov, *Russian-Bashkir, Bashkir-Russian dictionary of legal terms*, Bashkir Book Publishing House, Ufa, 1980.

<sup>25</sup> T. Fajfar, M.J. Tomazin, M.Z. Karer, "Slovenian legal terminology and its presentation in the dictionary of legal terminology", in *Jeziškoslovni Zapiski*, 2019, vol. 25, no. 1, p. 53-66.

<sup>26</sup> N.I. Khabibulina, *Legal technique and the language of law*, Publishing House of St. Petersburg University of the Ministry of Internal Affairs of Russia, St. Petersburg, 2000.

<sup>27</sup> G.Z. Khasanov, G.K. Kunašina, T.D. Ishkina, *Russian-Bashkir explanatory legal dictionary, Bashkortostan*, Ufa, 2003.

The research material was: 1) special dictionaries and encyclopedias; 2) various kinds of textbooks and teaching aids; 3) scientific papers on legal discourse, terminology, monographs and thesis papers. In accordance with the goal and objectives, the following methods were used in this study: descriptive-analytical method – to process the selected lexical material; comparative method – to compare and identify general and specific features of the functioning of legal terms in the languages under consideration.

### **Features of the formation of judicial terminology in Turkish and Bashkir languages**

In the Bashkir and Turkish languages, in the process of a long historical development, the lexical-semantic layer of legal terms has undergone significant changes, however, today there are common lexical parallels rooted in the ancient language of the Turks. Words related to the field of this terminology in the Turkish and Bashkir languages, according to their meanings, are conditionally subdivided into the following lexical-semantic groups<sup>28</sup>.

1. Names of professions, positions and other legal definitions of persons related to legal activity: 1) avukat (Turkish) – "a lawyer defending an accused at trial"; 2) yargıç (Turkish) "an official of the state who is the bearer of judicial power"; 3) sorguyargıcı (Turkish) – "investigator", etc. As the analysis of the most common terms for the names of persons in the legal process in the Bashkir and Turkish languages shows, there are significant differences in names in etymology. The Bashkir language in this lexico-semantic group of legal terms is significantly influenced by the Russian and Arabic-Persian languages.

2. The following lexico-semantic group of legal terms in the Bashkir and Turkish languages is formed by the names of the legal process: 1) tutuklama (Turkish) – "arrest – taking the accused under arrest"; 2) adli muamele (Turkish) – judicial procedure; 3) kararı (Turkish), the court of Garara (Bashk.) Adli kararı (Turkish) – a court sentence. 4) ceza (Turkish) – punishment or a enforcement action on behalf of the state against the person who committed a crime, misconduct; 4) hapis, hapsetme – deprivation of liberty, a type of punishment that places a criminal in custody and places of isolation of the criminal; 5) başvurmak (Turkish) – to petition the court about something. The study of the terms in this group shows the related roots of the names of the legal process in the Bashkir and Turkish languages. For example, the terms karar, hokom (sentence, Bashk.) – kararı (Turkish), yaza (Bashk.) – ceza (Turkish) etymologically refer to the common Turkic vocabulary.

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<sup>28</sup> L.F. Ayupova, G.R. Abdullina, "Lexical-thematic groups of legal terms in the Bashkir and Turkish languages", in *Bashkir spiritual life in a multicultural space: past, present and future*, Bashkir State University, Ufa, 2020, p. 40-42.

3. Legal terms defining the participants in the procedural action: 1) mahkeme tanık (Turkish) – "witness, eyewitness"; 2) sanık (Turkish) – the accused, i.e. the person charged with a criminal offence; 3) mağdu (Turkish) – the injured, i.e. a person who has suffered in the course of any legal violations. Important sources for the formation of the terminology of any language are the original vocabulary of the model, as well as the "own" word-building means of this language. As for the legal terminology of the languages under consideration, the original vocabulary in it today constitutes a limited group of Turkisms. For example, the Turkish language has such a legal term as "fayda" – "benefit". Its functionality in a legal context can be reproduced in the following example: "Each accused looks after personal benefit. Her sanık kendi faydasına dikkat eder". But it is also surprising that the lexical unit "fayda" itself in other cases of use reflects a completely different meaning, completely different from the previous interpretation. In the Bashkir language, there is a similar term "fayda" – Each accused seeks personal benefit – her geyepleneuse uz fayazyn ezley. The legal term "benefit" is also polysemantic, which is typical for a number of native Turkic words. The ambiguity is inherent in another common Turkic word bahis – behes: 1) dispute, bet; 2) the subject of discussion in court.

But some terms have only legal meaning, for example: kararı – karar (sentence), a court sentence – sud kararı – adli kararı. According to the statistics of the Bashkir and Turkish languages, a third of legal terminology is represented by borrowings from Arabic and Persian. In the Bashkir and Turkish languages, there is a number of borrowed vocabulary of Arab-Persian origin: âdabı muaşeret – norms of behavior – ezip normalary, adlı hata – miscarriage of justice – sud hatagy, aile hukuku – family law – haile hokuktary. However, some legal terms in related languages, borrowed from the Arab-Persian languages, have unequal meanings, for example, bağışlama = hibe in Turkish is a gift, donation, donation, in a legal context – a donation agreement, deed. In the Bashkir language, the word "bagyshlama" is translated as "initiation", thus, in legal practice is not used<sup>29</sup>.

The formation of legal terminology in Turkish can be conditionally divided into 3 periods. The first period is a period of active interaction with the Islamic world. From the very beginning of its formation, Turkish law was greatly influenced by Islamic law. During this period, terms and concepts were borrowed without any changes from the Arabic and Persian languages. This phenomenon was traced not only in the legal field, it also affected other areas. In addition to the borrowed legal terms themselves, there are various affixes, endings and particles from Arabic and Persian in Turkish. Let us list some of them:

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<sup>29</sup> M.C. Chroma, "Synonymy and polysemy in legal terminology and their applications to bilingual and bijural translation", in *Research in Language*, 2011. vol. 9, no. 1, p. 31-50.

1) the particle *bilâ* was borrowed from Arabic with the meaning of negation, for example, *bilâ ikmal* (not completed);

2) the ending *-ât* was borrowed from Arabic with the meaning of the set, for example, *ihtarât* (*uyarlar* /warnings);

3) the ending *- a* was borrowed from Arabic with a feminine meaning, for example, *mağdure* (deceived);

4) the particle *hem-* was borrowed from Persian with the meaning "that / the same", for example, *hem-nâm* (namesake).

The second period gradually begins with the beginning of the reform of Turkish society in the 18th-19th centuries. This period is characterised by an introduction to the European science, culture, economy, and architecture, adaptation to the norms of Western European life. However, after the modernisation reforms of the Tanzimat era, Turkish law falls under the influence of European culture, and changes in Turkish legal thinking begin. At the same time, new concepts and terms for Turkish law begin to penetrate from European law. In addition to borrowings from Arabic and Persian, there are also borrowed legal terms from European languages. Some examples of recent borrowings from European languages are: *avukat* (lawyer), *koordinatör* (coordinator), *prensip* (principle), *sistem* (system), *teori* (theory), *rapor* (report), *baro* (bar association), *ekspertiz* (expertise), *otopsi* (autopsy), *prosedür* (procedure), *stajyer* (trainee). Based on this, it can be asserted that the process of penetration of legal terms from European languages into Turkish continues to this day.

The third period begins in the 1920s, in connection with the establishment of the Turkish Republic. The period is characterised by the beginning of the movement to cleanse the language from borrowings, primarily from the Arabic and Persian languages, which acquired the character of extreme purism. With the beginning of Atatürk's reforms in Turkish law, the Turkisation of legal terms and concepts began. For example, in 1934, legal terms and concepts of foreign origin were replaced by approximately 160 new Turkish terms and concepts. For example, *kaide – kural* (rule), *dahili harp – iç savaş* (civil war), *istiklal – bağımsızlık* (independence), etc. This process of revising borrowed words continues to this day. However, not all borrowed words were replaced with new Turkish equivalents, for example, the following Arabic and Persian terms are actively used to this day: *vasi*, *veli*, *fiil*, *fail*, *ihlal*, *matuf*, *istismar*, *velayet*, *tensip*, *tashiḥ*, *şerh*, *tebligat*, *ikmal*, *infaz*, *mülakat*, *nafaka*, *tazminat*, *müdafaname*, *müessese*, *mütalaa*, *lafz*, *tebliğ*, *iddet müddeti*, *ikale*, *temyiz*, *cebir*, *müşteki*, *müsadere*, *müdafî*, *ihhame*, *infaz*, etc.

In recent years, it has been planned to replace them with the creation and introduction into circulation of new Turkish terms, for example, *davacı* (plaintiff), *davalı* (defendant), *savunma* (defense), *sanık* (defendant), *eylem* (case), *aykırılık* (inconsistency). Attempts to simplify the understanding of legal terms were made during the reform period of the Tanzimat era. However, they

did not bring any significant benefit in terms of simplifying the understanding of legal terms. Only with the beginning of the reforms of the republican period, with the beginning of the introduction of new and the revision of legal terms, the understanding of legal texts by ordinary citizens increased in comparison with past centuries, since in the old days, in order to understand legal terms, people had to have knowledge in Arabic and Persian. However, this does not mean that modern legal texts have become easier, in order to understand them, one must have a certain amount of knowledge in the field of jurisprudence. It should also be noted that the legal discourse of the Turkish language has its own special language. The peculiarity of the language of law is that it is full of terms unusual for an ordinary language, as well as those that have their own specific construction of sentences.

Let us list some features of legal discourse in Turkish:

1) the legal style and language of Turkish law is neutral (impersonal), the passive voice is used, for example: instead of *çözdü* (decided) – *çözüldü* (it was decided);

2) there are constructions in Turkish legal discourse that contradict the syntax of the Turkish language, for example, instead of 1. madde (1st article), *madde 1* is used (article 1);

3) unlike other styles, in the legal style, words ending in *-mxş* are never used, instead of it in everyday life, words ending in *-mxştxr*, for example, instead of *açıklanmış* in legal texts will be *açıklanmıştır* (was interpreted);

4) the wide use of verbal nouns ending in *-DIK* and *-mA*. For example, *teslim ettiği* (proposed), *sözleşme* (agreement);

5) instead of using constructions with the ending *-Ip*, the construction using the passive voice has become widespread. For example, *okundu* (was read), *anlaşıldı* (was found out);

6) in legal texts, the present-future tense (*geniş zaman*) is usually used. For example, *Türkiye bir Cumhuriyettir* (Turkey is a republic).

In legal discourse, the terms of abbreviations play an important role. Using them allows to save language resources, avoid repetition, and at the same time makes the text highly specialised, designed for a reader familiar with these abbreviations. There are a lot of abbreviations in the Turkish language, for example: *CMUK* (*Ceza Muhakemeleri Usulü Kanunu*) – Code of Criminal Procedure; *HMUK* (*Hukuk Muhakemeleri Usulü Kanunu*) – Code of Civil Procedure; *JKS* (*Jandarma Genel Komutanlığı*) – General Directorate of Gendarmerie; *MGK* (*Milli Güvenlik Kurulu*) – State Security Council; *TBB* (*Türkiye Barolar Birliği*) – Turkish Bar Association; *T BMM* (*Türkiye Büyük Millet Meclisi*) – The Grand National Assembly of Turkey (*VNCT*); *TİB* (*Türkiye İhracatçılar Birliği*) – Turkish Exporters Union. Thus, the legal terms in the Turkish language were examined from the standpoint of their lexical roots, and also special attention has been paid to the history of legal terms and some features of the language of the Turkish legal discourse.

As for the legal terminology of the Bashkir language, the overwhelming majority was borrowed from foreign languages, as evidenced by the dictionaries. Admittedly, before adding concepts to the dictionary in separate words or terms, they must be given correct, clear and concise explanations (definitions). In cases when there is no equivalent of any concept, term in the national language, then in order to translate it from other languages, great skill is required. In this regard, the role of the Russian language in the emergence and formation of the Bashkir terminology is invaluable. The lexical composition of the Bashkir language is enriched and improved with new concepts and terms, mainly under its influence.

### **Characteristics of borrowed vocabulary in the legal terminology of the Turkish and Bashkir languages**

The ways of forming terms borrowed from the Russian language, and through it from other foreign languages, are very peculiar and interesting from the lexical-semantic and morphological perspective. The correct solution of these problems is of both theoretical and practical importance. In the history of some languages, "there are two main ways of forming terms", notes Professor E.F. Ishberdin. "Firstly, borrowing ready-made terms without modifications; secondly, calquing of existing foreign terms, that is, the transmission of a foreign language term using the linguistic means of their language, relying on the meaning of the term and the method of its formation. In the modern Bashkir language, the first method is mainly used, that is, in the Bashkir language, terms from foreign languages are borrowed without changes, in addition, they are taken not from the language in which they were formed, but mainly from the Russian language"<sup>30</sup>. A striking confirmation of this is legal terms and concepts.

Until the beginning of the 20th century, in the Bashkir legal discourse, as in Turkish, mainly Arab and Persian borrowings prevailed, for example: geyep (guilt, misconduct), gezellek (justice), gonah (sin, guilt), gumer (life, century), zarar (harm), zyyan (harm, loss), kanun, seriget (law), mehafzat (storage), mehkeme (court), mezzet (term), mezzette huzyu (delay), mekellef bulmausylyk, mekellef (legal insanity), tefsir iteu (interpretation), hakim, kaziy, ture (judge), hokuk, seriget (judge), heber (denunciation), shahit (witness), shehsiet (individual), shebhele (suspect), sheriget, hokom (court, law), etc. Sharp political, social, economic changes in the country, the period of collectivisation, the rapid development of science in the 1920-30s have left their mark on the language. As a result of the intensive growth of industry,

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<sup>30</sup> E.F. Ishberdin, *Terms of agriculture in the Bashkir language*, Editorial and Publishing Center of Bashkir State University, Ufa, 2002.

economy, various technologies, numerous new borrowed names, terms penetrated into the Bashkir language from the Russian language, and through it from other foreign languages. Proceeding from the political views in the country, the native Bashkir, Arabic, and Persian words that prevailed before are being replaced by Russian and international words borrowed through the Russian language. For example, instead of Arabic "rishuet" a borrowed Russian word "bribe" is used, instead of Arabic "teglimet" – Russian "theory", instead of Arabic "iktisad" – "economics", etc.

However, some Arabic and Persian words were successfully mastered by the lexico-semantic, morphological and phonetic systems of the Bashkir language. The following are some examples of lexemes expressing the fundamental concepts of legal terms at the present stage: belig bulmagan (minor), vazifa (duty), vekelet (powers), vekil (representative), geyep (guilt), gazaplau (torture), gemel (action), degue (claim), delil (proof), zarar (harm), zyyan (damage), iktisadi (economic), izhtimagi (public), karar (decision), kanun (law), matdi (material), meglumet (information), menfeget (interest), melket (property), rishuet (bribe), temin iteu (provision), hakimiet (power), hokuk (right), hokom (sentence), shahit (witness), eneyet yauaplylygy (responsibility), yafalau (torment), shikayet (complaint).

The first Russian words began to be borrowed by the Bashkir language in ancient times. Their number significantly increased after the 16th century, when the Bashkirs joined the Russian Empire. At the initial stage, Russian words penetrated into the Bashkir language as a result of live communication with Russians, mainly through oral speech, and therefore underwent significant phonetic changes, for example: danus (denunciation), kupiya (copy), daprus alyusy (interrogator), yshtyraf (fine), sut (court), daprus (interrogation), zadatky (deposition), naluk (tax), dakhut (income), bankrut (bankrupt), zaklat (mortgage), etc. After the October Revolution, the borrowings began to penetrate the vocabulary of the Bashkir language through the written language, they were assimilated in the same meanings as in the source language, without changes in phonetic appearance. The numerous penetration of Russian and international words into the Bashkir vocabulary, in turn, was especially strongly influenced by the transition in 1940 from Latin graphics to Cyrillic. The new alphabet also contributed to the penetration of the Russian language into the Bashkir vocabulary of internationalisms and sovietisms.

In modern conditions, in connection with the democratic reforms in the Russian Federation, various official documents began to be published in two state languages, translation work in all areas has reached a large scale. At the moment, in the legal discourse of the Bashkir language, the following terms and components of multicomponent terms, borrowed from Russian and through it from Western European languages, function: arrest, auditor, affect, bankrupt, currency, genocide, hypothesis, declaration, demonstration, deportation, saboteur, document, immunity, disaster, code, colony,

commission, comment, license, brand, motive, drug addiction, drug, norm, notary, authority, relapse, referendum, sanction, hospital, subject, court, judge, substance abuse, blackmail, espionage, stamp, fine, expert, etc. As for the methods of legal term formation in the Bashkir language, many terms are formed in a morphological (affix) way, for example:

1) with the affix -lyk / -lek: vehshi + lek (vandalism), desertir + lyk (desertion), yulbasar + lyk (robbery), karak + lyk (theft), anhyz + lyk (insanity), hakhyz + lyk (geyeple + lek (guilt), bandit + lyk (banditism), hooligan + lyk (hooliganism), shpion + lyk (espionage), etc.;

2) with the affix -ma / -me: anlat + ma (notation), kurhet + me (order), belesh + me (help), etc.;

3) with the affix -sy / -se: yallau + sy (mercenary); zakaz + sy (customer), eneyet + se (criminal), terror + sy (terrorist), etc.

The syntactic method is also considered one of the most productive. In this way, complex two-, three-, multicomponent legal terms are formed. For example, zakondy bozou (violation of the law), milekte haklau (protection of property), terbi-hezmet koloniyahy (young offender institution), administrativ-territorial beremek (administrative-territorial unit), eneyetselekke karshy koresh (fight against crime) maktauly isemden mahrum iteu (deprivation of the honorary title), eneyet eshe baryshynda eshte tuktatyu (termination of the case in criminal proceedings), etc.

In the process of studying the basic concepts of the jurisprudence of the Bashkir language, the authors have identified an insignificant number of terms formed lexically and grammatically, or by conversion. The most common is substantivisation, i.e. the transition of words from other parts of speech to the category of nouns. For example, geyeple (guilty) is a substantive adjective; oyoshtorousy (organiser), bashkaryusy (executor), kotkaryusy (instigator), tikshereuse (investigator), katnashyusy (accomplice), yaklausy (defender), zyyan kureuse (victim), geyepleneuse (the accused), belig bulmagan (minor), hokom ittelgen (convicted) – substantive past participles. Conversion to the category of nouns is also observed among verb forms, especially action names. For example, koleu (to rape) – koslo (rape); geyepleu (to accuse) – yepleu (accusation), zararlau (to damage) – zararlau (damage), talau (to rob) – talau (robbery), urlau (to steal) – urlau (theft), ultereu (to kill) – ultereu (murder).

Also in the Bashkir language, a small number of abbreviations have been identified: BR Konstitutsiyahy (Bashkortostan Republikahy Konstitutsiyahy) – the Constitution of the Republic of Bashkortostan, EEM (Eske eshter ministrlygy) – Ministry of Internal Affairs; EEB (Eske eshter bulege) – Department of Internal Affairs, BMO (Berleshken milletter oyoshmahy) – UN (United Nations Organisation), etc. The analysis of the part-of-speech and structural characteristics of legal terms showed that the legal terminology in the studied languages contains words of different parts of speech: noun, verb,

adjective, adverb. They differ only in the degree of productivity. The terms expressed by the phrase in the legal terminology of the Turkish and Bashkir languages make up the majority of the total number of terms. In Turkish legal terminology, there is a fairly high percentage of monosyllabic words – 30%. A small number of simple terms in the legal terminology of the Bashkir language have been identified. Derivative terms make up the second largest group in the Turkish and Bashkir legal terminology. Compound words in the studied languages constituted an insignificant number of the general terms of law. The study showed that with the help of abbreviation, a little of the entire volume of legal vocabulary in the Turkish language was formed, in the Bashkir language there are much more such terms.

The legal terminology of the Turkish and Bashkir languages is a unique object of study, as it is characterised by a wide variety of fields of application. Carrying out a study of systems of legal terms and concepts is a rather difficult task, since it involves not so much the terms themselves, but different legal systems, despite the fact that both languages belong to the Turkic language family. Dictionary correspondence often does not give a correct idea of the lexical unit, since behind similar terms in two languages there are different concepts or a different volume of meaning. At the same time, the legal terminology in the Turkish and Bashkir languages was formed on the basis of the same source – the Turkic vocabulary, the Arab-Persian legal terminology. Comparative study of the two terminological systems is of great interest for Turkology.

In the legal discourse of the Bashkir and Turkish languages, there are:

- 1) Arabisms, the appearance of which in two languages is associated with the belonging of the Bashkir and Turkish peoples to the Muslim super-ethnos;
- 2) in the Turkish language: numerous borrowings from the Greek and Italian languages, in the Bashkir language: Western European borrowings and slavicisms;
- 3) Persian borrowings.

Such heterogeneity of legal terminology shows that, firstly, it is necessary to establish a general body of legal terminology, starting from the most ancient sources. Secondly, it is necessary to substantiate the presence of certain borrowed or original terms. Thirdly, the characteristics of new word-terms that have appeared on the turn of a century in the Turkish and Bashkir languages, since it was typologically noted that "the improvement of legal terminology is largely due to the replacement of many Arabic terms (nouns and verbs) with equivalents from the number of ordinary words, or borrowings included in the main vocabulary fund"<sup>31</sup>.

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<sup>31</sup> T. Ansay, "American-Turkish private international law", in *American Journal of International Law*, 1966, vol. 62, no. 1, p. 237-238.

## **Conclusions**

The formation of the legal terminology of the Bashkir and Turkish languages is characterised by its own historical and linguistic features. Due to the socio-cultural and historical conditions for the development of the Bashkir literary language, the absolute majority of the law terms of Bashkir language are the borrowings from different languages, which is traditional for all language systems, as well as structural-semantic calquing in the process of translating Russian legal literature into Bashkir language. Bashkir legal terms, borrowed from the Russian language, were created on the basis of the system of Russian legal terms. Turkish terminology is a vocabulary with a very complex historical development, which defines the Arab-Persian Ottoman layer and the modern legal vocabulary of Western European languages. At the same time, the common Turkic layer of the legal terminology of the Turkish language remains a little-studied issue. Despite the differences, the legal terminology of the two languages is close in its etymological roots – many of the terms are based on Arab-Persian borrowings, common Turkic vocabulary, and Western European legal language.

Thus, the terminology of the legal discourse of the Bashkir and Turkish languages is a fully formed system that is highly responsive to any changes taking place in society. It is open and constantly changing due to the continuous process of updating and replenishing the terminology of legal discourse. It is the simplicity and accessibility of legal terms that are the key to creating a competent regulatory and legal framework.