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MEDIEVAL LEGAL COLLECTION «TÖRE BITIGI» – THE STATE LAW OF THE TURKS

Boshan N.¹, *Nartay A.², Boranbayev S.R.³

^{1, *2,3} South Kazakhstan University named after M.Auezov
Shymkent, Kazakhstan

Abstract. In contemporary linguistics, the study of legal texts, legal discourse, and the linguistics of legislation remains a highly relevant field. Analyzing the sources of national legal terminology based on historical written monuments reveals the relationship between legal language and legal norms. In this context, examining legal concepts in the medieval Armenian-Kipchak monument *Tore Bitigi* is crucial for understanding the formation of legal consciousness and cognitive frameworks of Turkic peoples.

This study aims to provide a linguistic analysis of legal terms and concepts in *Tore Bitigi*, trace the evolution of legal traditions among Turkic people and their system of national legislative thought, and demonstrate the historical foundations of modern Kazakh legal terminology.

The relevance of the research lies in its ability to uncover historical foundations of national legal linguistics and contribute theoretically and practically to contemporary issues in legal terminology development.

A comprehensive methodology was applied, including selection and analysis of primary materials, formulation of theoretical conclusions based on empirical evidence, and historical-comparative, generalizing, and descriptive methods.

The scientific significance of the study includes several key findings: medieval legal texts in Armenian-Kipchak were comprehensively examined from the perspective of legal linguistics for the first time; features of conveying legal terms and fixed expressions were identified; the continuity of legal traditions among Turkic peoples and the evolution of national legislative thought were demonstrated; and the historical foundations of modern Kazakh legal terminology were established.

The study identified the structure and content of *Tore Bitigi*, semantic characteristics of legal concepts, and the state-legal significance of the term *töre*, tracing its origin to the ancient Turkic era and its semantic connection with *jargy* and *buyryq*. It systematized data on administrative systems, legal relations, and political structures of medieval Turkic societies, highlighting the contemporary relevance of shared legal heritage for national legal linguistics.

Keywords: *Tore Bitigi*, contemporary linguistics, Zheti Zhargy, medieval law, phraseologism, Armenian-Kipchak language, Kassym Khan's Qasqa Zholy, Esim Khan's Eski Zholy, Kipchak language, legal discourse, legal concepts

Introduction

In its formation and historical development, any state relies on certain principles and laws. Law is formed based on the unique legal norms of each state. A legal norm is a universally binding rule that regulates social relations. The set of civil, criminal, administrative, and other legal norms constitutes legislation. The strong foundation of a state directly depends on a fair legislative system. A review of the nation's history shows that the present-day Constitution is a continuation of the steppe legislation established by ancestors. «Kasym Khan's Kaska zholy», «Esim Khan's Eski zholy» and Tauke Khan's «Zheti zhargy» are collections of laws embodying the values of steppe society. These laws, aimed at strengthening national unity and ensuring security, were applied in governance as just legal norms for several centuries.

The collection of customary and legal norms during the khanate period of Kazakh history was called «Kasym Khan's Kaska zholy». This code consisted of five sections: property law, criminal law, military law, diplomatic customs, and public law. Due to their just resolutions, these rules gained the respect of the people. During Esim Khan's reign, they continued to be widely applied.

After Tauke Khan came to power (1680 -1708), two more sections were added to the five sections of Kasym Khan's «Kaska zholy», forming the «Zheti Zhargy». In the «Zheti Zhargy», new rules and principles were added to the longstanding steppe laws. In this way, Tauke Khan systematized the centuries-old Kazakh laws and elevated them to the status of a state legal code.

The significance of this historical document in state governance was considerable. It covered military, economic, criminal, religious, family and marriage issues, widowhood, compensation for harm, and public affairs. This legal system regulated social relations and all aspects of steppe life, serving as the sole state-level document of its time.

Methods and materials

This article applied a comprehensive methodology for the study of legislative language and legal terminology. As the research material, the medieval collection of legislative texts «Töre bitigi» was used. The collected materials were first sorted and grouped, which made it possible to identify the structural and semantic features of legal concepts. During the analysis, theoretical conclusions were drawn based on factual data.

In addition, using the comparative-historical method, the relationship between medieval legal texts and the terminology of the modern legal system and national legislation was examined. This method made it possible to systematically study the evolution of legal concepts, the formation of the legal thinking of Turkic peoples, and the development of legal terms.

Results and discussion

Legislative linguistics is a field of science situated at the intersection of

linguistics and jurisprudence, which studies the structure and linguistic features of legal texts. Its main goal is to ensure the precise, clear, and unambiguous transmission of legal norms. This science analyzes the grammatical, lexical, and semantic composition of laws, normative acts, contracts, court decisions, and other documents, examines the use of linguistic means for proper understanding of legal texts, and contributes to the formation of an official, precise, and specific legal style. Legal texts and legal terms constitute a set of sentences composed of word combinations. Therefore, they become an object of study for the science of language. In contemporary Kazakh linguistics, legislative linguistics is still an insufficiently studied area. The formation of legal terms begins from early times. As evidence of this, one can cite the collection of laws «**Töre bitigi**» in the Kipchak language, written in Armenian script in the 16th – 17th centuries and preserved to the present day. In Turkology, such monuments are called «Armeno-Kipchak» monuments. Studying this collection, we observe the deep roots of legislative vocabulary. Moreover, the linguistic data contained in the written monuments of «Töre bitigi» are of particular importance for determining the history of the formation of national legal consciousness [1]. The collection reflects legislative and legal norms corresponding to the principles of life of its time.

«A complex work in lawmaking is carried out through deep thinking, and the only way to express thought is language. If the language is clear and correct, obeys the laws of stylistics, it teaches proper thinking» [2]. The legal language is the language of official documents, expressing precise thought through special words and terms. In other words, it is one of the stylistic branches of literary language. Depending on the political and social situation of each era, legislative acts and legal terms are formed. For this reason, in the collection of laws «**Töre bitigi**» today, one can encounter terms and concepts that have fallen out of use. Studying «**Töre bitigi**», we note that the process of forming Kazakh legal terms began in ancient times.

«**Töre bitigi**» is a valuable heritage in the Kipchak language, recorded in Armenian script, preserved to the present day. In Turkology, such written monuments are known under the general name of «Armeno-Kipchak» monuments. «**Töre bitigi**» is a collection of laws. Its author, Mkhitar Gosh, wrote this book of laws in Armenian. If we delve into history, we see that even before the Kazakh people formed as an independent ethnic group, there existed collections of laws regulating social relations. One such collection is the «**Töre bitigi**». The «**Töre bitigi**» represents a monument of medieval culture. The lawyer G.Sapargaliev evaluates it as follows: «...In terms of volume, the exceptionally large Töre collection, written in Armenian script between 1519 and 1689, includes a code of record-keeping, charters of professional and public organizations, acts of religious and civil self-governance, and constitutes a group of valuable Kipchak legal monuments» [3, p.17].

However, this collection consists not only of legal codes and documents. It also contains historical chronicles, philological works, literary creations, and sources on culture and customs, providing unique historical information about traditions, which makes it a valuable historical monument.

The collection of legislative texts «**Töre bitigi**» has been examined and studied by such scholars as G.Alishan, J.Deni, E.Tryarsky, V.R. Grigoryan, Ya. R.Dashkevich, E. Schutz, T.I. Grunin, G.Aidarov, A.N. Garkavets, S.Kudasov, and S.Törebeikova, who made scientific conclusions based on it. Scholar S.Kudasov, in the article «Court Records in the Armenian-Kipchak Language of the 16th -17th Centuries», analyzes court documents in the Armenian-Kipchak language in the study of legislative linguistics. Doctor of Law, academician G. Sapargaliev studied this collection and translated it into Kazakh. He notes: «In the 14th - 17th centuries, an ethnic group that settled in the territories of present-day Ukraine, Moldova, and Romania lived in communities, practiced the Armenian-Gregorian religion, and spoke the Kipchak language. In domestic and foreign Turkology, this group is called the «Armenian-Kipchaks», and their monuments, written in Armenian script, are referred to as «Armenian-Kipchak» written monuments» [4].

Furthermore, the so-called «Armenian-Kipchak monuments» - religious treatises, dictionaries, and legal collections - are historical documents that occupy a special place in the history of the Turkic peoples. The written monument «**Töre bitigi**», composed in the Kipchak language, retains its significance to this day

«**Töre bitigi**» is a collection of legal norms necessary for the daily life of the Armenian-Kipchak population. This work serves as one of the primary sources for studying the history of Kazakh law. In addition, examining this medieval legislative norm from a linguistic perspective is of great importance. The main reason is that it constitutes a fundamental source for studying the terminological system of the Kipchak group of languages, which developed over centuries. Studying the Kipchak version of the Armenian collection of laws represents one of the pressing issues in analyzing the formation of the terminological system of the Kazakh language, which evolved over centuries.

In the legislative collection «**Töre Bitigi**», the word «töre» has several meanings: law, court, judge, arbitrator, right. In the first rules of «**Töre Bitigi**»... «*Burungisi, ki pampasel etärlär bizni ki törälärni yoxtur*», «*üçünçi, nişani küçününj barça törälärniñ*» In these sentences, the word «töre» is used in the sense of «law». In the fifth rule... «*besinçi, ki ne nemädir törä, ya kimgä törä bolmaq, ya törälärni kimgä simarlamaq keräk*» the word «töre» is used in the sense of «court», «*altinçi, ki ne türlü tiyär bolmaga*» in the sentence, it is used in the sense of «judge» [5, p.17]. In the Old Turkic Dictionary (OTD), the word «töre» is defined as follows:

-**Törä I** the place of honor «tör» in a traditional Kazakh house

-**Törä II** law, custom, customary law

In contemporary Kazakh *төреші, төрелік айтты (етті, жасады)*,

tөресін берді, төреңе құлдық, төресінен жаңылды that their original meaning clearly lies in the Old Kipchak language. In the book «Dictionary of Archaic Terms in the Kazakh Language». **Төрелігіне көнбеді** – did not stop at his authority. **Төрелік айтты (берді) төресін берді** – gave advice, offered counsel, rendered a decision. **Төрене құлдық** – I am thankful for your power, **Төресінен жаңылды** – deprived of justice [6, p. 82]. *tör* word *почетное место, ценность* which had two different meanings. We conclude that the root of the word «*tөре*» is «*tөр*». In the Old Kipchak dictionary In the Old Turkic dictionary (OTD) *tör* word – 1. *the seat opposite the entrance, the place of honor*; 2. *value and meaning* in the given meaning. The word «*törä*» has two different meanings. **Törä 1.** designated place of honor; **Törä 2.** law, custom; **Törä toqa** – rule, law [7, pp. 615-616].

For the ancient Turks, the term *tör* represented the highest value, which led to the emergence of the word **törä**. The literal meaning of **töre** is «place of honor», while its figurative meanings include concepts such as justice, adjudication, and authority. In the dictionary [7], the following definition of **töre** is provided:

Törä 1.old. The ruling elite in Kazakh society. Descendants of Genghis Khan. 2. Code of permanent, established laws. 3. in a figurative sense. Justice, judgment, ruler. 4.the best of its kind, the cream of the crop.

Төреле. to issue a decision / to make a ruling / to exercise authority.

Төрелік. 1.A characteristic of the Tore family.
2.Decision, verdict, ruling

Төреші. 1.Adjudicating authority, judge, mediator.

2.A person performing officiating functions in sports competitions.

Төрешіл. old. Prone to careerism and the pursuit of authority.

Төрешілдік. Judicial predisposition may influence the impartiality of court rulings [7,p. 818]

In written sources, the word *bitik* «*бітік*» denotes a letter, writing, or book (letter, writing, book). *Bitik törasi* refers to a collection of laws or legislation (book of laws, judicial code) [4, p. 601]. *Bitik-kä* signifies an act, note, or document; *bitikçi* refers to a bibliophile, a lover of books, or a specialist in book writing [5, p. 602].

The term «*jargy*» appears in the legal codex «**Töre Bitigi**». In this codex, the word *jargy* is used to denote the supreme court or a just court. The legal codex states: «The first and most just judge (*jargysh*) is Tengri (God), as proclaimed by the prophet David: «Tengri administers justice for His people» [5, p. 643]. Renowned researchers G.Sapargaliev and A.Gorkovets, who translated and compiled these medieval Kipchak-language documents, note that in these texts, *jargy* primarily referred to judicial decisions and the investigation of all cases, while *bi* «*jargyshy*» denoted a judge (*biy yarguchy*) [5, p. 719]. In the texts, «*jargy*» is also described as the investigation of all affairs: «There are three types of cases depending on the character of people: good, bad, and intermediate. For those who are inherently good and harm no one, «*jargy*» is unnecessary. For

those who are thieves, robbers, or murderers, their cases are hopeless. «*Jargy*» is conducted for intermediate people, who have disputable matters» [5, p. 644]. The sources emphasize that a jargysh must be «literate, wise, and intelligent». He should have a thorough understanding of the power of religious law, know the character of all individuals, and render just decisions [5, p. 644]. In other words, the jargysh must be a mature, prudent, and discerning adult.

«**Töre Bitigi**» is a valuable document that allows for the identification of the historical foundations of legal terminology. In legal linguistics, it is essential that legal terms conform to lexical norms and are aligned with legal regulations. The study of the formation of legal terms and word combinations expressing legal concepts in the written monument «**Töre Bitigi**» is currently one of the issues attracting the attention of linguists. In the text, the word *bittir* means to resolve through court, to achieve one's aim; «*biy yaryçi*» – judge, arbitrator; *бойрұх, бұйрұх* – order, command, decree, edict, requirement, resolution, rule, law; *бұйрұх бер* – to issue an order; *бұйрұқ да төрә* – edict and law; *бұйрұққұ төрәниң* – court decision; *бұйрұққұндан төрәсиниң* – according to the court's decision. The examples demonstrate that words and phrases expressing legal concepts have undergone phonetic changes, yet they have retained their lexical meanings in contemporary Kazakh.

«**Töre Bitigi**» is a valuable legal codex that provides insights into the history, culture, language, and daily life of the Kipchaks. This monument serves as a written source on state law and a code of laws. The «**Töre Bitigi**» contains numerous elements of steppe law. It is well established that the Kazakh people, who lived a nomadic lifestyle for centuries, developed their own legal consciousness and traditions. Although the legal norms of the Kazakh people were not codified in writing at the time, historical sources indicate the existence of specific legal terms grounded in the laws of the steppe. Therefore, it can be argued that the legal history of the Kazakh people has deep roots. In the study of Kazakh legal history, the medieval written monument «**Töre Bitigi**» occupies a significant place. This codex provides a unique opportunity to study the legal concepts of Turkic peoples and to identify the foundations of traditions established in the legal sphere.

The written monument «**Töre Bitigi**» is composed of three parts. The introduction to the legal codex «**Töre Bitigi**» comprises 10 regulations. This section addresses the reasons for compiling the «**Töre Bitigi**», the exceptional authority of all *töres*, who qualifies as *a töre*, who can become a *töre*, as well as issues concerning dausharshy (mediators), witnesses, oaths, and other related matters. The second part of the monument consists of 124 articles, covering khanate positions, the administrative order, slavery, family relations, child-rearing, labor regulations, trade, parental rights, property rights, and labor rights, providing a comprehensive treatment of these matters.

The third part includes a procedural code with 99 articles, along with 25 additional articles addressing the legal peculiarities of Kipchak life. The development of a language passes through various historical stages. Over time, the

vocabulary of a given people expands and evolves. Throughout its development, a language undergoes numerous changes, and new words emerge in accordance with the demands of the era. In studying the patterns of emergence, formation, growth, and development of the modern Kazakh language, it is crucial to delve deeply into the origins of language development. Therefore, it is necessary to examine the language of written monuments from past centuries and establish its continuity with contemporary Kazakh. «**Töre Bitigi**» is a valuable medieval legal codex in the Kipchak language and occupies a significant place in the study of the history of the Kazakh language. «Armenian-Kipchaks in their daily life used royal decrees to conduct their paperwork and legally regulate all matters. One example of such a written monument of the Armenian-Kipchaks is the «**Töre Bitigi**» [9, p.139].

The written monument «**Töre Bitigi**» contains articles regulating civil procedure, economic and labor relations, family values, as well as criminal law. Accordingly, this monument serves as a unique example of medieval administrative and legal practice. The «**Töre Bitigi**» is a valuable source for studying the history of legislative linguistics. The codex presents a collection of words used in legal processes, and the methods of their formation vary. In «**Töre Bitigi**», words expressing legal concepts are formed through roots, phrases, as well as through word-formation patterns. For example: *теpгә* – «investigation»; *ант* – «oath», «vow», «promise»; *айб* – «shame», «disgrace», «accusation», «guilt»; *битик* – «letter», «book», «record», etc. – these words are derived from a root. Words such as *артыхсылық* – «crime», *битикчи* – «specialist in writing books», *бұйрұхчы* – «order-giver/official», *басқарушы* – «administrator/manager» are formed through the addition of derivational affixes to the root. «As in all Turkic languages, in the language of the ancient Kipchak written monuments, methods of word formation using affixes were also established. These include: forming nouns from names; forming nouns from verbs and other parts of speech» [10, p.120].

In addition, legal concepts were also reflected through fixed expressions. Examples of phrases with legal significance include: *тәрәгә бер* – «submit to court»; *тәрәгә тұр* – «present before the court»; *тәрәгә үндә* – «summon to court»; *айб йеткир* – «prove guilt»; *ант ич* – «take an oath»; *бұйрұх тәрәниң* – «court decision»; *джан йарғұчұ* – «spiritual/religious court»; *илгәрги төрә* – «high court (Khan's court)»; *бийик йарғұга* – «supreme court»; *яргұчының мүһүрү* – «judge's seal»; *бий йарғұчы* – «honorable judge»; *төрә битиги* – «collection of laws» etc.

In the «**Töre Bitigi**», Armenian-Kipchak legal texts, legal phraseological units can also be observed. The study of legal phraseologisms from the perspective of legislative linguistics is currently one of the pressing issues in linguistics. For example, the phraseologism expressing the meaning «to cause an obstacle», *ziyan~da keltir*, means «to inflict damage, to cause loss». In the Kazakh language, the fixed expression *азат болды* «became free» corresponds to the expression *бош*

бол. In the phraseological dictionary of the Kazakh language, the fixed expression *азат болды* (*қылды, етті*) conveys meanings such as was freed, gained liberty, obtained equality, freedom, or independence [11, p. 20]. Regarding the fixed expression meaning to inflict damage, to cause loss, the scholar G.Smagulova in *The Dictionary of Synonymous Phraseologisms* classifies it as a phraseologism with the meaning «to create an obstacle» [12, p. 252]. In contemporary Kazakh, the fixed expression *зиян шегу* «to suffer harm» is attested. In the «Dictionary of Abai's Language», *зиян шегу* is defined as «to suffer loss or damage». In Abai Kunanbayev's work: «Қулық, сұмдық, ұрлықпен мал жинамас, Сұм нәпсің үйір болса, тез тыйылмас. Зиян шекпей қалмайсың ондай істен. Мал кетер, маза кетер, ар бұйырмас» the expression *зиян шекпей* «cannot avoid suffering loss» is used [13, p. 242]. In the «**Töre Bitigi**», words denoting legal concepts can also have figurative meanings. For example, *қылыш, семсер бойрұх* – «strict order or decree»; and the term *адам тарбийаты* was used to mean «human nature, character»

At present, among legal terms, there is the expression *supreme court*. In the medieval written monument «**Töre Bitigi**», the concept of the “supreme court” was conveyed through the expressions *илгәрги төрә, бийик йарғұға*. The words *илгәрги* and *бийик* mean «supreme», while *төрә* and *йарғұға* correspond to the concept of «court».

In the written monument «**Töre Bitigi**», we frequently encounter words that are common to the modern Kazakh language, as well as words of a general Turkic nature. Some words in the monument have undergone phonetic changes, yet they have retained their core lexical meanings. In «**Töre Bitigi**», the word *йарғұ* often appears as one of the legal terms. We can observe that, according to word-formation methods, it formed legal terms with various meanings. The primary meaning of «*йарғұ*» denotes the concept of «*law*». In the Armenian-Kipchak written monument «**Töre Bitigi**», the word *йарғұ* appears in the following expressions:

Йарғұ – law; *йарғұсұна көрә* – according to the law; *йарғұ* – the system and body of rights, legal norms, laws, and rules; *йарғұ* – rights, freedoms, benefits *йарғұны, йарғұны айа* – restriction of rights; *йарғұ* – court; institution, instance *йарғұнұң алнына* – before the court; *йарғұ алнына кел* – appearance in court; *йарғұға бар* – to address the court; *йарғұға тұр* – appearance in court; *йарғұ* – fair court, court procedure, conducting court proceedings, court work, court experience; *йарғұларыны ет* – conducting court proceedings; *йарғұнұ тоғрұ ет* – conducting a fair trial; *йарғұ тап* – delivering a court judgment, issuing a court decision; *йарғұ бол* – to go to court; *йарғұ ет* – sentencing; *йарғұнұ тоғрұ ет* – fair sentencing; *йарғұнұң иши* – court case, court service; *йарғұға ұя ет* – delivering a court judgment, issuing a verdict / sentence; *йарғұдан өгүтләнмәх керәк* – subject to punishment through the court; *йарғұны йар* – court proceedings; issuing a court decision, ensuring a fair trial *йарғұға тарт* – “initiating legal proceedings [4, p.726-727]. These words

and phrases in the legal context make it possible to trace the etymological roots of legal concepts.

Йарғу «statute» – a word that developed in our language based on the correspondence of y/j, forming the word statute. The word «*йарғу*» has undergone phonetic changes but has retained its basic form and lexical meaning. During the historical development of the language, individual phonemes naturally undergo с

In the dictionary of «**Töre bitigi**», we observe that the word statute, through affixation and word combinations, expresses several legal concepts. Based on the word-formation system: *йарғучы* – judge; *бийик йарғуға* – high court; *йарғучының мүһүрү* – judge’s seal; *бий йарғучы* – judge, magistrate.

These combinations illustrate the development of legal vocabulary and reflect the judicial structure of the time.

Бұйрұх – a word denoting a legal concept: order, command, decree, edict, directive, regulation, instruction, law. Despite phonetic changes, the word *бұйрұх* has retained its lexical meaning.

«We have already noted that the core vocabulary of the language of the monuments consists of words common to modern Kipchak and other Turkic languages, i.e., words of a common Turkic character. A large group of Turkic words inherited from ancient times has undergone phonetic changes that form the unique systems of modern Turkic languages, yet they have preserved their basic forms and lexical meanings» [14, p. 73].

Moreover, through combinations with other words *бұйрұх* has expanded its legal vocabulary. For example: *бұйрұх бер* – to issue an order, give a command; *бұйрұқ да төрә* – decree and law; *бұйрұққу төрәниң* – court decision; *бұйрұққундан төрәсиниң* – in accordance with a court decision.

These expressions reflect legal concepts related to legislation and judicial practice.

While studying the written monument «**Töre bitigi**», we notice that the medieval Kipchak language was influenced by Armenian, Ukrainian, Polish, and Latin. For example: *venczen* (Pol.) – imprisonment; *akta* – act book (Lat. *act* – an official document with legal force); *vinovat et* (Ukr.) – to accuse; *vrad* (Ukr.) – court; *vank* – monastery; *zakritar* (Pol./Ukr.) – secretary, etc. The monument «**Töre bitigi**» also contains words borrowed from Arabic, e.g., *dißtär* – notebook. “In the language of the monuments, there are words reflecting various phenomena of that era, names of objects, as well as words that convey information about the beliefs and culture of the people; borrowed words appear where there is no equivalent in the Kipchak language. The presence of borrowed words alongside native ones is a phenomenon characteristic of all languages” [14, p. 73]. In modern Kazakh, words are used as follows: *дәулет- довләт дін – дин, дінсіз – динсіз, дұшпан дұшман, жаза– джәза, жан - джан, екі – еки, жақсылық - иги, дұшпандық - дұшманлыx*. Phonetic changes in words during their development are a natural phenomenon.

Language is a historical category that is constantly evolving. In the course of linguistic development, new words continuously undergo changes over time. Word meanings shift depending on various historical and social circumstances, resulting in phenomena such as the spread and expansion of meanings.

The development history of the Kazakh language, which is directly rooted in the Old Kipchak language, has deep historical foundations. In the study of linguistic history, written monuments of high literary and historical value occupy a special place, preserving knowledge from the depths of the past. One of the valuable legacies of our ancestors is the Kipchak monument written in Armenian script – «**Töre bitigi**». «**Töre bitigi**» constitutes a legislative collection encompassing a set of legal norms. These laws clearly reflect the political and social conditions that held significant importance in the life of the Kipchaks at that time. The legal principles regulating the Kipchaks' way of life are systematized in this compilation based on juridical norms. The collection provides information on the people's economic life, family values, political and social conditions, trade and customary practices, religious beliefs, and general lifestyle, while also establishing legal norms regulating societal misconduct. The compilation outlines the fundamental rules for applying punishment to offenders in accordance with legal norms. The study of legislative linguistics examines the origin of legal terms, the basis for their formation and development, and the reasons for their evolution. Legal terms must be formed through the interaction of lexical norms and legal norms.

The clarity of a law's legal content is achieved by precisely defining legal concepts while maintaining lexical norms of the language.

Conclusion

The corpus of legislative acts plays a significant role in the formation of general legal terminology. Terms and fixed word combinations frequently used in the field of law have their own patterns of emergence, development, and neological transformation. Therefore, the linguistic analysis of legal texts and the study of terminology employed in the legislative domain are highly relevant. At present, legal linguistics related to legislative monuments of the ancient and medieval periods remains one of the insufficiently studied yet pressing issues in Kazakh linguistics.

The nomadic Kazakh people possessed their own laws and regulations governing material and spiritual disputes, as well as the resolution of criminal cases. It is well known that disputes arising among the people were predominantly settled by biys (judges). There existed a tradition of unquestioned acceptance of the decisions rendered by biys, who delivered fair judgments in cases concerning land disputes, widow disputes, compensation *qun*, livestock disputes, and matters of honor stemming from social life. Within society, an unwritten system of steppe law functioned, and a distinctive practice of judicial and arbitral authority was formed.

Each state forms its own legal system at different historical stages. In this regard, legal terminology and stable terminological legal expressions emerge. From the perspective of legal norms, legislative texts constitute the field of legislative linguistics. Legislative linguistics begins with the proper formation of legal terms. It should be based on the interaction and coherence between lexical norms and legal norms. Legal terms that arise in accordance with legal norms enrich the lexical resources of the language and form a terminological system. The history of the formation of legal terminology and the genesis of the lexical foundation of national law in the Kazakh language have deep historical roots. It is evident that the origins and fundamental basis of traditional Kazakh customary law lie in medieval legal institutions.

Clarity and precision of the legal content of law are of paramount importance. In this regard, the coherence between legal norms and linguistic regularities, as well as the proper formation of legal terminology, are essential for the language of documents of state significance. The correct development of the terminological dimension of legislative linguistics currently serves as one of the primary foundations for the proper application of the Constitution. Accordingly, the study of legislative texts makes it possible to examine the etymology of words used in legal discourse, their methods of formation, processes of change, and renewal, which is of great significance for both linguistics and legal studies. In the course of linguistic development, it has been established that certain phonemes of words denoting legislative concepts have undergone phonetic changes; legal terms have been formed through root words and derivational affixes; as well as through word combinations and the use of legal phrasemes. These observations were substantiated through an analysis of the legislative compilation «Töre bitigi». Despite the fact that many legal terms have undergone phonetic changes up to the present day, their basic form and lexical meanings have been preserved, as demonstrated and analyzed through concrete examples.

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ОРТАҒАСЫРЛЫҚ «ТӨРЕ БІТІГІ» ЗАҢНАМАЛАР ЖИНАҒЫ -ТҮРКІЛЕРДІҢ МЕМЛЕКЕТТІК ҚҰҚЫҒЫ

Бошан Н.¹, *Нартай А.², Боранбаев С.Р.³

^{1, *2,3} М. Әуезов атындағы Оңтүстік Қазақстан университеті
Шымкент, Қазақстан

Аңдатпа. Қазіргі тіл білімінде заң мәтіндерін, құқықтық дискурсты және заңнама лингвистикасын зерттеу өзекті бағыттардың бірі болып табылады. Ұлттық құқықтық терминологияның қалыптасу көздерін тарихи жазба ескерткіштер негізінде қарастыру – заң тілі мен құқықтық нормалардың өзара байланысын айқындауға мүмкіндік береді. Осы

тұрғыдан алғанда, ортағасырлық армян-қыпшақ жазба ескерткіші «Төре бітігі» тіліндегі заң ұғымдарын талдау түркі халықтарының құқықтық санасы мен ойлау жүйесінің қалыптасуын анықтауда аса маңызды.

Зерттеудің мақсаты – ортағасырлық армян-қыпшақ «Төре бітігі» жазба ескерткіші мәтініндегі құқықтық терминдер мен заң ұғымдарын лингвистикалық тұрғыдан талдау, түркі халықтарының құқықтық дәстүрі мен ұлттық заңнамалық ойлау жүйесінің эволюциясын айқындау және қазіргі қазақ құқықтық терминологиясының тарихи негіздерін көрсету.

Мақаланың өзектілігі ұлттық заңнама лингвистикасының тарихи негіздерін айқындап, қазіргі құқықтық терминжасам мәселелерін зерделеуге теориялық әрі практикалық үлес қосумен өзекті болып табылады.

Зерттеу барысында жиналған материалдарды сұрыптап талдау, фактілер барысында теориялық тұжырымдар жасау, тарихи - салыстырмалы, жинақтау, баяндау әдістері кешенді түрде қолданылды.

Мақаланың ғылыми құндылығы келесі нәтижелермен сипатталады: армян-қыпшақ тіліндегі ортағасырлық заң мәтіндері алғаш рет заңнама лингвистикасы тұрғысынан кешенді зерттелді. «Төре бітігі» ескерткішіндегі құқықтық терминдер мен олардың тұрақты тіркестерде берілу ерекшеліктері айқындалды, түркі халықтарының құқықтық дәстүрі мен ұлттық заңнамалық ойлау жүйесінің сабақтастығы дәлелденді; сонымен қатар қазіргі қазақ құқықтық терминологиясының тарихи негіздері нақты көрсетілді.

Зерттеу нәтижелерінде «Төре бітігі» заңнамасының құрылымы мен мазмұны анықталып, онда қолданылған құқықтық ұғымдарының семантикалық ерекшеліктері айқындалды. «Төре» ұғымының көне түркі дәуірінен бастау алатын мемлекеттік-құқықтық мәні ашылып, оның түркі қоғамындағы алғашқы заң нысандарының бірі болғаны дәлелденді, сондай-ақ «жарғы», «бұйрық» ұғымдарымен мағыналық-семантикалық сабақтастығы айқындалды. Ортағасырлық түркілердің басқару жүйесі, құқықтық қатынастары мен саяси құрылымы туралы құнды деректер жүйеленді.

Зерттеу түркі халықтарына ортақ құқықтық мұраның қазіргі кезеңдегі маңыздылығын айқындап, ұлттық заңнама лингвистикасын дамытуға негіз бола алатын ғылыми нәтижелер ұсынды.

Тірек сөздер: Төре бітігі, қазіргі лингвистика, Жеті жарғы, ортағасырлық құқықтық, фразеологизм, армян-қыпшақ тілі, Қасым ханның қасқа жолы, Есім ханның ескі жолы, қыпшақ тілі, құқықтық дискурс, заң ұғымдары

**СРЕДНЕВЕКОВЫЙ СБОРНИК ЗАКОНОВ «ТӨРЕ БИТИГИ» –
ГОСУДАРСТВЕННОЕ ПРАВО ТЮРКОВ**

Бошан Н.¹, *Нартай А.², Боранбаев С.Р.³

^{1, *2,3} Южно-Казахстанский университет им. М.Ауэзова
Шымкент, Казахстан

Аннотация. В современной лингвистике изучение правовых текстов, юридического дискурса и лингвистики законодательства является одним из актуальных направлений. Изучение источников формирования национальной правовой терминологии на основе исторических письменных памятников позволяет выявить взаимосвязь между юридическим языком и нормами права. Особое значение в этом контексте имеет анализ правовых понятий средневекового армяно-кыпчакского памятника «*Торе битиги*», который способствует пониманию формирования правового сознания и системы мышления тюркских народов.

Цель исследования заключается в лингвистическом анализе правовых терминов и понятий текста «*Торе битиги*», выявлении эволюции правовых традиций тюркских народов и национальной законодательной мысли, а также демонстрации исторических оснований современной казахской правовой терминологии.

Актуальность исследования обусловлена возможностью определить исторические основы национальной лингвистики законодательства и внести теоретический и практический вклад в изучение современных проблем формирования правовой терминологии.

В работе использовались комплексные методы: отбор и анализ материала, формулирование теоретических выводов на основе фактов, а также историко-сравнительный, обобщающий и описательный методы.

Научная ценность исследования проявляется в следующих результатах: средневековые правовые тексты на армяно-кыпчакском языке впервые были комплексно исследованы с точки зрения лингвистики законодательства; выявлены особенности передачи правовых терминов и их устойчивых сочетаний; доказана преемственность правовых традиций тюркских народов и национальной законодательной системы; показаны исторические основания современной казахской правовой терминологии.

Результаты позволили определить структуру и содержание законодательства «*Торе битиги*», выявить семантические особенности правовых понятий, раскрыть государственно-правовое значение термина «*торе*», а также его семантическую связь с понятиями «*жаргы*» и «*бұйрық*». Исследование систематизировало данные о системе управления, правовых отношениях и политическом строе средневековых тюрков, подчеркнув актуальность общего правового наследия тюркских народов для современной национальной лингвистики законодательства.

Ключевые слова: «Төре битиги», современная лингвистика, Жеті жарғы, средневековое право, фразеологизм, армяно-кыпчакский язык, «Қасым ханның қасқа жолы», «Есім ханның ескі жолы», кыпчакский язык, юридический дискурс, правовые понятия

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Information about the authors:

Bochan Nesibeli Bekmurzakzy – doctoral student of the two year of the Faculty of Philology, South Kazakhstan University named after M.Auezov, Shymkent, Kazakhstan, e-mail: Nesibeli. boshan@mail.ru, <https://orcid.org/0009-0001-6374-4723>

Nartay Azhar – doctoral student of the Faculty of Philology, South Kazakhstan University named after M. Auezov, e-mail: azhar.nartai@mail.ru, ORCID: 0000-0002-6230-3651

Boranbayev Sandybai Rejepovich – Doctor of Philology, Professor, South Kazakhstan university named after M. Auezov, Shymkent, Kazakhstan, e-mail: sandybai60@mail.ru, ORCID:0000-0002-5596-737X

Авторлар туралы мәлімет:

Бошан Несібелі Бекмұрзақзы – филология факультетінің 2-ші курс докторанты, М. Әуезов атындағы Оңтүстік Қазақстан университеті, Шымкент, Қазақстан, e-mail: Nesibeli.boshan@mail.ru, <https://orcid.org/0009-0001-6374-4723>

Нартай Ажар – филология факультетінің докторанты, М. Әуезов атындағы Оңтүстік Қазақстан университеті, e-mail: azhar.nartai@mail.ru, ORCID: 0000-0002-6230-3651

Боранбаев Сандыбай Режепұлы – филология ғылымдарының докторы, профессор, М. Әуезов атындағы Оңтүстік Қазақстан университеті, Шымкент, Қазақстан, e-mail: sandybai60@mail.ru , ORCID:0000-0002-5596-737X

Информация об авторах:

Бошан Несибели Бекмурзақызы – докторант 2-курса филологического факультета, Южно-Казахстанский университет им. М. Ауэзова, Шымкент, Қазақстан, e-mail:Nesibeli.boshan@mail.ru, <https://orcid.org/0009-0001-6374-4723>

Нартай Ажар – докторант филологического факультета, Южно-Казахстанский университет им. М. Ауэзова, Шымкент, Казахстан, e-mail:azhar.nartai@mail.ru, ORCID: 0000-0002-6230-3651

Боранбаев Сандыбай Режепович – доктор филологических наук, профессор, Южно-Казахстанский университет им. М. Ауэзова, Шымкент, Казахстан, e-mail:sandybai60@mail.ru, ORCID:0000-0002-5596-737X