



## PRACTICAL AND LEGAL ASPECTS OF LINGUISTIC EXPERTISE

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**Abstract:** This article analyzes the practical and legal aspects of linguistic expertise based on a systematic approach. In particular, the linguistic assessment of language units found in correspondence on social networks, anonymous letters, and forensic materials, their legal interpretation and role in the formation of an expert opinion are covered on a scientific and theoretical basis. The article considers the main methods used in the process of linguistic expertise, as well as the legal norms for using correspondence as evidence.

**Keywords:** linguistic expertise, correspondence analysis, legal assessment, social networks, forensic linguistics, pragmatic analysis, interdisciplinary approach.

In recent years, the development of digital communication, the deep penetration of the Internet and social networks into our lives, have significantly increased the need for linguistic expertise in legal practice. In particular, various correspondence (including chats, posts, comments on social networks) play an important role as evidence of various types of crimes. In such situations, the linguistic assessment of written speech, its validity as evidence with legal force, as well as the compliance of this process with ethical standards, remains a pressing issue.

Linguistic expertise has today emerged as one of the independent and important types of forensic expertise, allowing for the scientific analysis of evidence collected before and during the investigation, its legal justification and evaluation. In particular, the increasing number of evidence in the form of written speech (letters, social network correspondence, chats, posts) emphasizes the relevance of this area. Linguistic analysis conducted on the basis of such texts allows the expert to deeply analyze the content of the evidence in semantic, pragmatic and stylistic terms.

"In recent years, the term "linguistic expertise" has been widely used. The main focus of this expertise is on the lexical and methodological study of written speech." [1] However, the increase in the volume of text-based communications and their increasing participation as evidence in court cases requires this analysis to go beyond its simple stylistic form and develop into a complex and comprehensive type of expertise. Many aspects of the manner of expression in correspondence, authorship, intention, connotational meaning, social context, etc. require an individual approach in each case.

Therefore, linguistic expertise is now becoming not only an integral part of the criminal procedural system, but also an interdisciplinary field that operates at the intersection of legal and ethical norms, requiring a responsible and comprehensive approach. In this process, the expert must be not only a linguist, but also be aware of the areas of law, information security, psycholinguistics, and communicative culture.

"Linguistic expertise is determined in advance by the court as an optional expertise. In the aspect of linguistics, linguistic expertise is a type of study of circumstances that determine

whether it is possible/impossible to identify the author of statements characterizing the truth/falsehood of an object." [1]

From the above considerations, linguistic expertise serves to shed light on conflicting situations related to speech in the judicial system, especially in investigation and pre-investigation processes, through scientifically based analysis. In this process, linguistic knowledge is used to identify the connotative meaning of the text, its expressive intent, communicative strategy, as well as signs of a threat or insult to the honor of a person. Therefore, linguistic expertise can be considered not only a philological analysis, but also one of the important areas of linguistic and legal activity that offers practical solutions to legal and conflictological problems.

The legislation of the Republic of Uzbekistan stipulates that actions that harm the honor, dignity and reputation of a person, including insults, slander or defamation, entail serious legal liability. In such cases, even in the absence of an official conclusion from a linguistic expert, if it is determined that the content is offensive or defamatory, administrative or criminal measures will be taken on the basis of current legislation. This indicates that linguistic expressions also have direct legal significance in protecting personal freedom and honor.

"Administrative punishment is a measure of accountability, which is used to educate a person who has committed an administrative offense in the spirit of respect and compliance with the law, as well as to prevent the commission of new offenses by the offender himself or by other persons." [2] "Administrative punishment measures are also applied when an administrative offense is committed in the form of insult or defamation." [2] There is a folk saying in the Uzbek language that says "Prevention is better than cure." This expression is relevant from the point of view of preventing offenses, in particular, legal conflicts based on speech, such as insult, discrimination, slander or defamation. That is, it is appropriate not only to regulate such negative situations with punitive measures, but also to widely explain their essence, legal and moral consequences on a scientific basis, and to strengthen the preventive approach by increasing the linguistic literacy of the population.

In accordance with Article 41 of the Code of the Republic of Uzbekistan on Administrative Responsibility, insult, that is, intentional humiliation of the honor and dignity of a person, entails the imposition of a fine in the amount of twenty to forty times the basic calculation amount. This norm serves to protect the honor and social reputation of citizens. This is becoming even more relevant against the background of constant psychological pressure and discrimination observed on social networks.

If such an offense is committed repeatedly within a year after the previous application of an administrative penalty to a person, this situation is assessed on the basis of Article 140 of the Criminal Code of the Republic of Uzbekistan. According to this article, intentional insult to the honor and dignity of a person with indecency, provided that an administrative penalty has previously been imposed for such an act, is punishable by a fine of up to two hundred times the basic calculation amount, or up to two hundred and forty hours of compulsory community service, or up to one year of correctional labor.

The most noteworthy aspect: if such insulting or insulting expressions are published in the media, telecommunications networks, in particular on the Internet (including Facebook, Telegram and other platforms), the penalties established for the crime are significantly aggravated. In such a case, the offender may be sentenced to a fine of two hundred to four



hundred times the basic calculation amount, or up to three hundred hours of compulsory community service, or up to two years of correctional labor.

The practical application of these norms will serve as an important precedent in preventing such cases of defamation, insult, and damage to reputation occurring on social networks. Linguistic expertise provides law enforcement agencies with a scientifically based conclusion by determining whether an expression is an insult or slander, analyzing whether it can be understood in another communicative context.

Article 94 of the Criminal Procedure Code of the Republic of Uzbekistan states that written evidence, including records on electronic media, chats, audio and video materials, can be recognized as evidence. However, when accepting these correspondences as evidence, their source of origin, authenticity, contextual analysis and accuracy of language elements are important.

In the process of linguistic expertise, the following aspects of the correspondence are deeply analyzed: syntactic structure, lexical-semantic features, pragmatic connotation, intention of the speaker, communicative strategies and tactics. For example, the content of a threat or insult may be expressed through hidden sarcasm, metaphor or ironic expressions. In such cases, linguistic analysis serves to understand the content in context and evaluate it in accordance with legal norms.

The following criteria are of primary importance in the legal assessment of correspondence:

1. Accuracy - clear confirmation of the author of the correspondence and the platform on which it occurred;
2. Time and place - the time the message was sent and the presence of other evidence related to it;
3. Conversational consistency - the logical consistency of the correspondence and the meaning determined by it;
4. Legal assessment of linguistic means - the presence of threats, slander, insults and other signs of crime expressed through linguistic units.

In some cases, correspondence may not be sufficient evidence on its own, but a linguistic expert opinion, together with other evidence, serves to prove it. For example, comparison with the author's previous correspondence, methodological analysis, and identification of similarities in lexical units are important legal tools.

When examining correspondence, their level of privacy, whether or not they contain confidential information, and the degree of voluntariness of communication are taken into account. In this process, ethical aspects should not be ignored. In particular:

- Unauthorized analysis of personal correspondence violates the right to personal integrity;
- Public distribution of correspondence in closed groups on Telegram or other platforms is an ethical, normative, and sometimes legal violation;
- Only correspondence obtained in a lawful manner in criminal proceedings can be accepted as evidence.

When using personal correspondence as evidence in court proceedings, the issues of the inviolability of private life, personal and family secrets, and the right to protection of one's

honor and dignity must be seriously assessed on the basis of Article 26 of the Constitution of the Republic of Uzbekistan [3].

Given these circumstances, the expert should evaluate his conclusion not only on the basis of the text, but also in conjunction with the context, social and psychological background in which the text is located.

The linguistic expert performs the tasks of identifying the authorship signs of the correspondence texts, determining the possibility of moral harm from the expression in the text, and revealing the connotational threat or irony. In particular, the following aspects are analyzed:

1. Whether the text contains a threat (for example: "you see, now", "it's your turn");
2. Whether offensive words ("idiot", "animal", "scoundrel") are used;
3. Whether there are expressions that offend the person's honor;
4. Are there elements that incite social, national, religious hatred;
5. Is there evidence that the post or comment is directed at a general audience (level of publicness).

Also, in the process of proving evidence, the linguistic expert:

1. Determines authorship by comparing the text with other texts;
2. Indicates the point of assessment of the content of the expression through semantic analysis;
3. "Determines the connection between the text and the context based on a discursive approach." [4]

Linguistic expertise is an important tool in analyzing correspondence as legal evidence. However, in this process, the legal basis, ethical criteria, scientific-linguistic approaches, the context of the text, and communicative features must be taken into account together. Only then will the expert opinion based on the correspondence have legal force as evidence.

In addition, specialists conducting linguistic expertise should be not only linguists, but also people with socio-psychological thinking, knowledgeable in the field of information security and cultural communication. After all, many situations arise through correspondence that affect a person's honor, dignity, and reputation in society.

In recent years, cases of spreading false and untrue messages, thereby damaging the honor, dignity, and business reputation of citizens, have become frequent.

Some internet users deliberately spread false information about a person through various articles, videos, or posts on social networks in order to gain personal enmity or rating. This is a situation that gives rise to liability not only morally, but also legally. In particular, unfounded messages about famous people, civil servants, and entrepreneurs create a negative attitude in the public mind and seriously damage their reputation.

The Code of Administrative Responsibility of the Republic of Uzbekistan (CAR) clearly defines the mechanisms for taking administrative measures in such cases. In particular, Article 40 of the CAR states:

"A person who disseminates defamatory, untrue, or knowingly false information in the media or social networks shall be subject to a fine of 20 to 60 times the base calculation amount," [5] — [6].

A number of practical cases were conducted in 2023–2024 based on this norm. For example, a blogger in the Fergana region who spread a false message on his Telegram channel



about a local government official who “took a bribe” was fined 50 times the base calculation amount. In another case, a user in Tashkent who posted a false message on Instagram about a famous artist who “committed a crime” was prosecuted and involved in community service.

If the information disseminated has caused serious harm to a citizen, then this situation is assessed on the basis of Article 139 of the Criminal Code of the Republic of Uzbekistan (“Defamation”). According to this article, a person who knowingly disseminates false or defamatory information is subject to financial penalties, corrective labor, or imprisonment.

Research is also being conducted on the language of false information and its linguistic features. Within the framework of the direction of media linguistics, it is noted that these messages are rich in manipulative language tools, and their content is often aimed at exerting emotional and psychological pressure. Linguistic expertise also plays an important role in identifying such cases. Expertise serves as the basis for investigation and legal proceedings by identifying the presence of discrimination, slander, and negative connotations in the text.

Cases of defamation or discrediting a person through the dissemination of false information on social networks have a negative impact on the moral environment of society and information security. These cases should be studied in detail not only from a legal, but also from a linguistic and social point of view. It is necessary to combat such actions at the level of state policy, increase the legal literacy of citizens, as well as form a sense of responsibility along with freedom of speech on social networks.

#### List of references:

- 1.Galyashina E.I. Appointment, production and evaluation of the conclusion of a judicial linguistic examination. (Methodical recommendations) - M., 2002. - 80.
- 2.Code of the Republic of Uzbekistan on Administrative Responsibility. 22.09.1994. <https://lex.uz/ru/docs/-97664>
- 3.Constitution of the Republic of Uzbekistan. [Text] Official publication. — Tashkent: "Uzbekistan" publishing house. 2023. - 64
- 4.Brown, G., & Yule, G. (1983). Discourse Analysis. – Cambridge University Press. - 288.
- 5.<https://lex.uz/acts/-97664>

