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Article

Zh.A. Kabakbay, G.K. Kortabaeva*Al-Farabi Kazakh National University**Almaty, Kazakhstan**(E-mail: *kabakbaeva.z@mail.ru)***Legal Terminology as a Means of Developing Legal Competence
(Based on Kazakh, English, and Turkish Languages)**

Abstract. Mastering the language of law is not limited to memorizing terminology, also it requires an understanding of the legal system, historical development, and cultural foundations underlying these terms. In the context of multilingual education, this issue becomes particularly relevant, as legal concepts in different languages do not always fully correspond to one another. This study aims to reveal the underlying nature of these differences through a comparative analysis of legal terminology in Kazakh, English, and Turkish.

The results of the analysis show that terms which appear similar on the surface may carry different legal meanings in each language, while some concepts may lack equivalents altogether, demonstrating that they are specific to particular legal systems. This phenomenon is referred to as terminological asymmetry and is shaped not only by linguistic factors but also by legal and cultural contexts. Accordingly, mechanical memorization of terminology is insufficient; it is necessary to understand the context of use and the legal function of each term.

The study substantiates the need for a new approach to teaching legal terminology. Through comparative analysis, learners not only identify differences between legal systems but also develop the ability to critically understand legal concepts. Mastering terminology within its legal and cultural context enhances analytical thinking and enables effective participation in multilingual professional environments.

Keywords: cultural context, legal system, comparative analysis, conceptual differences, multilingual education

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Introduction

In the modern context of globalization, the effectiveness of professional communication in the field of law is closely linked to multilingual terminological competence. The development of international legal relations, the strengthening of legal cooperation between states, and the integration of national legal systems into international standards require legal professionals not only to possess knowledge of legal norms but also to have a deep understanding of legal terminology in different languages. In this regard, legal terminology should be viewed not merely as a lexical system, but as a reflection of legal thinking and culture.

Materials and methods

In scientific literature, terminology is described as a system that reflects the cognitive and cultural structure of a particular professional field. Begimova defines terminology as “not only a linguistic representation of professional knowledge but also a system that reflects a specific cultural and cognitive experience” (Begimova, 2018, p. 45). This definition demonstrates that

legal terms are not merely linguistic units but elements that form the conceptual foundation of a legal system. In this context, legal competence is not limited to knowledge of legal norms; it also includes the ability to understand, interpret, and apply legal terminology within different legal systems.

Results and Discussion

The concept of legal competence is examined from various perspectives in scientific literature; however, in general, it refers to the ability of an individual not only to acquire legal knowledge but also to apply it in real professional situations. This competence consists of cognitive, operational, and cultural components. Tiersma, describing the features of legal language, emphasizes that it is based on precision and context dependence, meaning that the correct use of legal terminology is a key indicator of legal competence (Tiersma, 1999, p. 58). Thus, legal competence cannot be fully developed without terminological knowledge.

Legal terminology constitutes the core of the lexical system of law and ensures the precise, systematic, and unambiguous expression of legal concepts. Crystal defines a term as “a linguistic unit with a precise meaning used in a specific field” (Crystal, 2003, p. 452). In the field of law, these requirements are particularly important, as incorrect use of a term may lead to legal errors or misunderstandings. Moreover, legal terminology reflects the specific features of each legal system; therefore, comparing legal terms across languages makes it possible to identify not only linguistic differences but also the characteristics of the legal systems themselves.

In this context, intercultural competence acquires special significance. Intercultural competence refers to the ability to understand differences between cultural and legal systems and to take them into account in communication. Furstenberg considers intercultural competence to be one of the main goals of language learning, as language is not merely a set of grammatical structures but is closely connected with culture (Furstenberg, 2010, p. 330). In the legal field, this connection is even more complex, as legal terms are the result of specific legal traditions.

One of the most important phenomena identified in the comparative analysis of legal terminology is terminological asymmetry. This phenomenon is characterized by the lack of full correspondence between legal concepts in different languages. Kussainova and Omarova note that terminological inconsistencies in multilingual legal texts may lead to legal uncertainty (Kussainova & Omarova, 2025, p. 30). Terminological asymmetry is often associated with historical and structural differences between legal systems.

For example, the English term “*equity*” has a specific meaning within the legal system. Mellinkoff describes it as a set of legal principles applied when strict legal rules fail to produce a fair outcome (Mellinkoff, 1963, p. 87). In Kazakh, this term is often translated as “әділеттілік” (justice), while in Turkish the term “*hakkaniyet*” is used. However, these translations do not fully convey its legal meaning, as in both Kazakh and Turkish contexts it is understood more as a moral category rather than a legal institution.

A similar situation can be observed with the term “*tort*.” In the English legal system, it refers to an independent branch of law dealing with civil wrongs outside contractual obligations. In Kazakh, it is translated as “делікт” or “зиян келтіру,” while in Turkish the term “*haksız fiil*” is used. However, these equivalents do not provide full semantic correspondence.

Another important example is the term “*common law*.” In the English legal system, it refers to a system of law based on judicial precedents. In Kazakh, it is translated as “прецеденттік құқық,” while in Turkish the term “*iċtihat hukuku*” is used. However, these translations do not fully convey the meaning of the concept.

In addition, the use of the term “*law*” also requires special attention. In English, this term may refer both to the legal system as a whole and to specific laws. In Kazakh, the concepts

“құқық” and “заң” are distinguished, while in Turkish the terms “hukuk” and “kanun” are used.

The conducted analysis demonstrates that the comparative study of legal terminology is not limited to identifying linguistic differences; it also helps students understand how different legal systems function and what historical and cultural foundations underlie them. For example, the absence of a full equivalent for the concept of *equity* in Kazakh and Turkish is not a limitation of language but a result of the absence of this legal institution in those systems.

Furthermore, many legal terms do not fully correspond across languages but are only partially or functionally equivalent. Therefore, students must understand not only the translation of a term but also the context in which it is used and the legal system to which it belongs.

An effective approach to teaching legal terminology in multilingual education is the use of comparative and intercultural methods. Each term should be explained in terms of its name, legal meaning, and system-specific characteristics.

At the same time, the use of digital resources can significantly enhance the effectiveness of teaching legal terminology. Multilingual legal databases and terminological platforms enable students to work with authentic legal texts and contribute to the development of their professional competence (Zhanzhigitov, 2024).

Conclusion

In conclusion, legal terminology is one of the key tools in the development of legal competence. The phenomenon of terminological asymmetry increases the importance of intercultural competence in legal communication. Comparative study of legal terminology in Kazakh, English, and Turkish contributes to the development of legal thinking and enables students to operate effectively in an international legal environment. Research in this field also contributes to the integration of national legal systems into the global legal space (Kussainova & Omarova, 2025, p. 41).

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Заң терминологиясы құқықтық құзыреттілікті дамыту құралы ретінде (қазақ, ағылшын және түрік тілдері негізінде)

Аңдатпа. Құқық тілін меңгеру тек терминологияны жаттаумен шектелмейді, сонымен қатар бұл терминдердің негізінде жатқан құқықтық жүйені, тарихи дамуды және мәдени негіздерді түсінуді талап етеді. Көптілді білім беру жағдайында бұл мәселе ерекше өзекті болады, өйткені әртүрлі тілдердегі құқықтық ұғымдар бір-бірімен әрдайым толық сәйкес келе бермейді. Бұл зерттеу қазақ, ағылшын және түрік тілдеріндегі заң терминологиясын салыстырмалы талдау арқылы осы айырмашылықтардың түпкі табиғатын ашуды мақсат етеді. Талдау нәтижелері сыртқы тұрғыдан ұқсас көрінетін терминдердің әрбір тілде өзгеше құқықтық мағынаға ие болуы мүмкін екенін, ал кейбір ұғымдардың мүлдем баламасы болмауы мүмкін екенін көрсетеді, бұл олардың белгілі бір құқықтық жүйеге тән екенін дәлелдейді. Бұл құбылыс терминологиялық асимметрия деп аталады және ол тек тілдік факторлармен ғана емес, сонымен қатар құқықтық және мәдени контекстермен де қалыптасады. Соған сәйкес, терминологияны механикалық түрде жаттау жеткіліксіз; әр терминнің қолданылу контексін және құқықтық қызметін түсіну қажет. Зерттеу заң терминологиясын оқытудың жаңа тәсіліне қажеттілікті негіздейді. Салыстырмалы талдау арқылы білім алушылар тек құқықтық жүйелер арасындағы айырмашылықтарды анықтап қоймайды, сонымен қатар құқықтық ұғымдарды сыни тұрғыдан түсіну қабілетін дамытады. Терминологияны оның құқықтық және мәдени контексінде меңгеру аналитикалық ойлауды күшейтеді және көптілді кәсіби ортада тиімді қатысуға мүмкіндік береді.

Түйін сөздер: мәдени контекст, құқықтық жүйе, салыстырмалы талдау, концептуалдық айырмашылықтар, көптілді білім беру.

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Юридическая терминология как средство развития правовой компетентности (на материале казахского, английского и турецкого языков)

Аннотация. Освоение языка права не ограничивается заучиванием терминологии, оно также требует понимания правовой системы, исторического развития и культурных основ, лежащих в основе данных терминов. В условиях многоязычного образования данный вопрос становится особенно актуальным, поскольку правовые понятия в разных языках не всегда полностью соответствуют друг другу. Целью настоящего исследования является раскрытие сущности этих различий посредством сопоставительного анализа юридической терминологии казахского, английского и турецкого языков. Результаты анализа показывают, что термины, кажущиеся внешне схожими, могут нести разное юридическое значение в каждом из языков, а некоторые понятия могут вовсе не иметь эквивалентов, что демонстрирует их специфичность для конкретной правовой системы. Данное явление обозначается как терминологическая асимметрия и обусловлено

не только лингвистическими факторами, но и правовым и культурным контекстом. Соответственно, механическое запоминание терминологии оказывается недостаточным; необходимо понимание контекста использования и юридической функции каждого термина. Исследование обосновывает необходимость нового подхода к обучению юридической терминологии. Посредством сопоставительного анализа обучающиеся не только выявляют различия между правовыми системами, но и развивают способность критически осмысливать правовые понятия. Освоение терминологии в её правовом и культурном контексте способствует развитию аналитического мышления и обеспечивает эффективное участие в многоязычной профессиональной среде.

Ключевые слова: культурный контекст, правовая система, сопоставительный анализ, концептуальные различия, многоязычное образование

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