Article

Concept of Defamation, A Mechanism To Protect Personal Reputation, Honor, and Value

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Abstract: This article explores the concept of defamation as a mechanism to safeguard personal reputation, honor, and dignity. It examines defamation through its key elements—harmful communication, publication, falsity, identifiability, and injury—while highlighting its significance within legal, cultural, and psychological contexts. The article differentiates between libel and slander, discussing their manifestations in written and oral communication. Furthermore, it delves into the cultural and societal nuances of defamation, emphasizing the importance of documenting and analyzing offensive language in dictionaries as valuable resources for linguists, sociologists, psychologists, and cultural researchers. By addressing the balance between protecting reputations and preserving freedom of expression, the study underscores the role of responsible language use in fostering ethical communication and societal harmony.

1.   Introduction

Language represents the culture, history and outlook of each nation. Insults are a special layer of the language, and through their scientific study, it is possible to better understand the linguistic and social characteristics of society. Cursing and insulting words are called "vulgarisms" in scientific literature. In order to create an explanatory dictionary of insulting words, their origin, field of application and semantic meanings should be carefully analyzed. Such a dictionary can be a valuable source of information for linguists and cultural scientists, as well as for psychologists and sociologists.

Profanity often conveys a strong emotional expression and is mostly colloquial; authors use such words to increase the expressiveness of their works. Such words are often used in works of art to individualize the language of the characters and thereby increase the impact of the speech. This is the unique art of every writer. Vulgarisms express a strong negative attitude, contempt and insult, in which the meanings are openly displayed. These words are mainly used in speech through connotative rather than nominative meanings. The concept of defamation involves the act of communicating false or harmful statements about an individual, organization, or entity, resulting in damage to their reputation or standing. Defamation is recognized as a violation that can lead to legal consequences, and its primary purpose is to protect individuals from unjust harm to their reputation caused by others' statements.

2. Materials and Methods

There has been a noticeable rise in complaints involving insults during court proceedings. The growing use of language that undermines an individual's dignity, self-esteem, and reputation has highlighted the need to distinguish between various levels of insults. But what constitutes an insult? According to linguist V.I. Jelvis, certain insults can, in some contexts, carry opposing meanings or even convey friendly intentions, and this nuance must be acknowledged.

Article 140 of the Criminal Code of the Republic of Uzbekistan defines an insult as "expressing disdain for another person's honor and dignity in an inappropriate manner." Similarly, the Explanatory Dictionary of the Uzbek Language describes the term as encompassing concepts such as baseness, disgrace, humiliation, and meanness—words that diminish a person's character and sense of honor.

Vulgar expressions, commonly categorized as insults, are semantically classified based on their impact—whether positive or negative—on an individual's or organization's reputation and dignity. From a linguistic perspective, these words provide valuable insights into resolving complex issues within the judicial system.

Professor B. Orinboyev divides insult words into three groups based on their meaning:
a. Vulgar words that express weaknesses in character or behavior: ezma, juvonboz, xumpar, buzuq, mug'ombir, latta.
b. Words indicating external flaws.

Words such as mechkay, ko'ppak, maymoq, ilonbosh, simyog'och, qovoqbosh, ayronbosh, gumbaz, bordonday, qo'ng'iz, mo'ylov, kal, do'rdog', and qiyshiq are categorized as insults.

Further, vulgar terms expressing reprimand or scorn include: bachchag'ar, yaramas, ablah, xumpar, nomard, badbaxt, nonko'r, gumroh, gistalog, ahmoq, sintalog, xotin-taloq, galvars, kasofat, naxs, ko'ppak, og'moq (madness), og'zi katta (arrogant), nazarga ilmaydi (disrespectful) [4.32].

According to linguist T.S. Shahmatova, the concept of "insult" in modern communication involves the following strategies [3.270]:
- Defamation: Spreading defamatory information about someone publicly;
- Verbal degradation: Expressing racial, national, or material superiority in speech;
- Verbal discreditation: Damaging someone's reputation or undermining trust in their worth
- Verbal insinuation: Conveying a negative perception of someone's social image [3.270].
- Insults are always targeted at specific individuals. Offensive words or actions not directed at a specific person may instead be regarded as unruly behavior
- Lexemes associated with insult can be classified as follows:
- Profanities: iflos, qo'tir, ahmoq, bezbet;
- Socially condemned terms: o'g'ri (thief), fohisha (prostitute), tovlamachi (blackmailer), firibgar (fraudster), poraxo'r (briber), kolxoz (collectivist), haromi (bastard), lo'li (gypsy)
- Historically negative terms: millatchi (nationalist), qoni (traitor).
- Profession-Related Insults: Labeling a doctor as an "executioner" or a butcher as "qassob.
- Animal-Based Metaphors: cow, donkey, dog, animal, pig.
- Negative Verbs: to deceive, to trap, to exploit.
- Behavioral Insults: villain, scoundrel, pest, rag, clumsy, confused, dog-like, mad.

The deliberate use of insulting words refers to addressing a specific individual with inappropriate expressions that damage their dignity and social standing in a public setting. For instance, if an employee is told, "Can't you arrive on time, you fool?" the situation might warrant administrative or legal action.

The practical purpose of this approach was to describe and classify the languages of unwritten peoples. In their work since the second half of the 20th century, Anthropolinguistics, ethnolinguistics, sociolinguistics, psycholinguistics and other terms appeared. So, D. Hymes called his research on language anthropological linguistics and called it research on language in an anthropological context describes. Hymes School Today "Communicative Ethnography" is known as, and its purpose is linguistics, ethnology, the results of research in the field of psychology and sociology is to combine. From the beginning of the 20th century, ethnolinguistics spread to Europe started Linguist, anthropologist and ethnographer B. Malinovsky made a great contribution to this. If American ethnolinguists theoretical ideas, mainly in the material of the American Indian language developed and focused on the language and culture of African peoples

3. Results

Defamation refers to a form of communication that damages a third party's reputation and results in an injury that may be addressed through legal action. The specific legal definition of defamation varies across countries. It is not strictly limited to making provable false statements but can also encompass broader notions such as dignity and honor. In English-speaking countries, defamation law typically differentiates between libel (written, printed, online, or published in mass media) and slander (spoken words). It may be considered a civil wrong (tort or delict), a criminal offence, or both, depending on the jurisdiction.

There are some elements of defamation like harmful communication, publication, falsity, identifibiality, injury and several illegal actions. Harmful Communication is the statement must negatively affect the subject's reputation, causing others to think less of them. Publication is the defamatory statement must be communicated to someone other than the person it concerns.

The next is generally, the statement must be false; truth is often a defense against defamation claims. Identifiability is the individual or entity targeted must be identifiable to others.

Last but not least is injury, The communication must result in actual harm, such as damage to reputation, financial loss, or emotional distress.

Moreover, two types of defamation is seen in linguistics, libel (in a permanent form, such as written, printed, broadcasted, or posted online as well as slander (expressed in a transient form, such as spoken words or gestures)

Defamation laws vary by jurisdiction but often treat it as a civil wrong (tort) or, in some cases, a criminal offense and remedies for defamation include monetary compensation for damages, retraction of the statement, or other corrective measures. Defamation can extend beyond factual assertions to include subjective notions like dignity and honor. Laws aim to strike a balance between protecting individuals from harm and safeguarding freedom of expression.

Profanity depends on the cultural context, and the same words can have different effects in different cultures. For example, some Uzbek insults are considered neutral or humorous in other languages. In addition to words, some actions have different meanings in each nation. For example, the word "patience" used in Arab countries means an insult in Uzbek culture. Therefore, when creating a dictionary, it is necessary to show how each word is perceived in the cultural context. From the psychological point of view, offensive words are related to people's inner feelings and instinct of self-defense. The main purpose of the dictionary is to reflect the social, cultural and psychological impact of offensive words and to analyze them scientifically. Such a dictionary, taking into account linguistic, psychological and cultural factors, serves as a valuable resource for sociologists, psychologists and cultural scientists as well as linguists. It is necessary for all people to understand that using offensive words is against the culture of speech because language is the greatest asset of a person.

In particular, in Russians, *собака* is associated with negative views through the association of loyalty, faithfulness, satisfaction binds and this *собачья верность, собачья преданность, собачья жизнь* and other phraseology found; In Belarus, this animal often has negative symptoms explains - *ушыща у сабачыо скуру* ("naughty, lazy person in the sense of "to become", *сабакам падшыты* ("naughty man"); In most Turkic peoples, dog is an insulting word, in terms of meaning, it is similar to the Russian pig.

Without including in the lexicon of the literary language rude words and phrases, insulting words are vulgarisms.

Cacophemisms - these have different meanings, lib, bad, coarse hair. Cacophemisms in the language of works of art its use leads to violations of the literary norm.

4. Conclusion

Defamation, as a legal and linguistic concept, plays a crucial role in balancing the protection of personal reputation, honor, and dignity with the principles of freedom of expression. By analyzing defamation through its elements—such as harmful communication, publication, falsity, identifiability, and injury—this study underscores its significance in legal and cultural contexts. The distinction between libel and slander further emphasizes the diverse manifestations of defamation in both written and oral forms.

The cultural and psychological dimensions of defamation reveal its varying impact across different societies, influenced by linguistic and societal norms. The importance of documenting and analyzing offensive language in dictionaries extends beyond linguistics to provide valuable insights for sociologists, psychologists, and cultural scholars. Such comprehensive resources can help address the social, cultural, and psychological ramifications of defamatory language while promoting a deeper understanding of its usage and effects.

Ultimately, the study of defamation reinforces the idea that language is a powerful tool capable of both harm and expression. A responsible approach to its use is essential to uphold ethical communication standards and foster a respectful and just society.

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