

## Distinctive Features of Complex Objects: Their Legal and Philosophical Essence

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### ABSTRACT

**Objective:** The objective of this article is to analyze the concept of complex objects from the perspectives of civil law and philosophy. It aims to deepen the study of the theory of objects in civil law, improve the legal system, and develop new approaches for defining complex objects in national legislation, particularly in Uzbekistan. **Method:** The study examines the distinctive features of complex objects, such as the absence of will, discreteness, and materiality, through an analysis of legal and philosophical perspectives. It also explores the interconnectedness of complex objects with other objects of civil law. Additionally, the research uses the experience of foreign countries to assess the possibilities of regulating complex objects within Uzbekistan's civil legislation. **Result:** The research identifies the common characteristics of complex objects and their distinct features, providing a comprehensive understanding of how these objects relate to other civil law objects. It also highlights the potential for integrating these insights into Uzbekistan's legal system to improve the regulation of complex objects. **Novelty:** The novelty of this article lies in its interdisciplinary approach to the concept of complex objects, combining legal analysis with philosophical perspectives. The study also introduces the idea of applying foreign experiences to improve the regulation of complex objects in Uzbekistan's civil law, offering a new approach to defining and understanding complex objects in national legislation.

## INTRODUCTION

The study of complex objects as objects of civil law is one of the pressing issues today. Modern legal systems face numerous challenges in classifying tangible and intangible objects [1], [2]. In particular, in the context of technological development, determining the legal status of complex systems and objects (e.g., infrastructure complexes, software systems) is of critical importance [3]. Examining the issue of complex objects opens new opportunities for the theoretical development and practical application of civil law.

**The Concept of Complex Objects and Their Legal Significance.** In civil law, complex objects are interpreted as objects consisting of multiple elements that serve a single economic and legal purpose [4]. This concept originates from Roman law, where the legal characteristics of objects and their various classifications were formulated. For example, complex objects were viewed as assemblies of objects integrated to perform a common function (e.g., enterprises, vehicles). In modern civil law, this concept is widely applied in both economic and legal practices. Proper classification and legal regulation of complex objects ensure clarity in property rights, contractual obligations, and management issues [5]. **Purpose and Objectives of the Article.** This article aims to analyze the concept of complex objects, determine their place and characteristics in civil law, and

highlight their similarities and differences with other legal objects. The primary goal of the research is to clearly classify complex objects as objects of civil law, explore their tangible and intangible characteristics, and elucidate their legal regimes [6].

## RESEARCH METHOD

The concept of complex objects holds significant theoretical and practical value in civil law. It refers to a collection of multiple elements considered a single object serving a unified economic and legal purpose [7]. Since Roman law, complex objects have been an integral part of legal systems, and their descriptions have often been adapted to align with the economic and social development of society [8]. In Roman law, complex objects such as enterprises or ships were regarded as integrated entities, consisting of multiple parts but unified to achieve a common economic goal. This approach remains relevant in modern civil law, emphasizing the importance of identifying and regulating complex objects [9].

Studying complex objects is essential to clarify property rights, ownership relations, and contractual obligations. Such research requires not only examining their tangible structure but also analyzing their economic, legal, and philosophical essence.

The necessity of highlighting complex objects in civil law is associated with several reasons:

First, practical significance: Complex objects often serve as the objects of significant economic relations, and the rights and obligations associated with them may cause challenges in the application and enforcement of the law if not clearly defined. For instance, enterprises, vehicles, buildings, and infrastructures consist of multiple components but are considered as a whole.

Second, legal certainty: Classifying complex objects ensures clarity in determining their legal status. This, in turn, prevents legal uncertainties in property rights, obligation law, particularly in contractual relations, and liability matters. For example, when drafting a contract for the sale and purchase of a complex object, it is essential to address the issues of separation or integration of its components [10].

Third, specific regulation: Complex objects usually require a unique legal regime, as they are comprised of multiple objects but participate as a single entity in legal relations. For instance, when an enterprise is sold, all its tangible and intangible components, including intellectual property, contractual, and financial obligations, are transferred together.

Complex objects, as objects of civil law, possess a range of general characteristics that distinguish them from other legal objects. These characteristics play a crucial role in defining the legal essence of complex objects and the rules governing their use [11].

Absence of will is the first general characteristic that complex objects share with other objects of civil law. Generally, before discussing the characteristics of complex objects, philosophers and legal scholars must examine the general concepts of complexity and objects. In any scientific field, the characteristics of specific phenomena are usually

classified into general and specific (or special) traits [12]. Like other objects of civil law, complex objects also possess distinctive features inherent to them. The classification and explanation of these features constitute the subsequent tasks of the study.

In general, this criterion allows distinguishing legal subjects from legal objects [13]. In a classical textbook on Roman law, T. Mareczoll states: “An object (res) is any benefit existing in space but lacking personality.” A similar definition is provided by D.I. Meyer, with some exceptions: “An object is a subject that lacks significance as a legal subject.” Personality is characterized by the presence of will, a feature of the psyche that manifests itself in the ability to achieve goals and realize aspirations.

## RESULTS AND DISCUSSION

### *Results*

Certainly, among individuals, there are those who do not fully possess will (e.g., due to mental or psychological illnesses), but this does not mean they lose their legal characteristics as a person: the interests of individuals with limited or incapacitated legal capacity are protected by their guardians or trustees (Articles 30 and 31 of the Civil Code of the Republic of Uzbekistan) [14]. In more precise terms, legal capacity in such cases is “supplemented”. Modern civil legislation does not provide for complete deprivation of legal capacity. For natural persons, it arises at birth and ends with their death (Article 17, Part 2 of the Civil Code). Only the limitation of legal capacity is permitted in cases and procedures prescribed by law [15].

Typically, the terms “human” and “person” are contrasted when referring to legal objects (not coincidentally, objects today are defined as material entities outside a human being). A human (as the only being possessing will) is not recognized as an object of civil law or an object. This can be seen as a legal outcome of the humanitarian idea of human dignity. However, this principle is relatively recent [16]. In 1807, the United Kingdom enacted the “the Abolition of Slave Trade Act,” officially banning the slave trade; in the United States, slavery was abolished in 1865 through the Thirteenth Amendment to the Constitution. As we know, in Roman law, the concepts of “human” and “person” were distinguished: a slave was considered an object, i.e., an *instrumentum vocale* (a speaking tool). Even at that time, groups of people such as legions, choirs, or actor troupes were regarded as objects.

It should be noted that the “animate-inanimate” dichotomy is irrelevant for this characteristic [18]. An object may be animate but lack will, i.e., it does not possess the qualities of personality (e.g., animals are regarded as property under Article 93 of the Civil Code).

Discreteness is the second common characteristic that complex objects share with other objects of civil law. In modern civil law studies, the most comprehensive description of discreteness has been provided by V.A. Lapach, and this undoubtedly represents one of the most effective results of his scholarly work [19]. According to his

definition, the discreteness of an object is: "Its qualitative, physical, or accounting distinguishability and separability from all other objects."

This characteristic is considered a universal feature of all objects of civil law. Discreteness in objects (from the Latin *discretus* – separated, interrupted) is primarily expressed through spatial delimitation. The world, in its fundamental essence, is manifested not as an ordinary multiplicity but as a singular entity reminiscent of an "indivisible and inseparable unity" by its characteristics [20]. Spatial limitation is a necessary condition for separating the object from its environment (subject and background).

The environment (background) is infinite, which distinguishes it, as a material-spatial continuum, from an object as an entity of civil law. The boundary serves as the area of separation through which the object is distinguished from the environment, defined while preserving its material nature [21]. As the object possesses a boundary, it is finite; finiteness, as a quality, signifies the definiteness of the object as something integral and whole. If objects lack boundaries, they are indistinguishable from one another. In this regard, the dialogue between Homunculus and Mephistopheles in Goethe's *Faust* comes to mind: "...It's in the very nature of the thing: For the natural the world has barely space: What's artificial commands a narrow place..."

The uniqueness of an object begins precisely where its definiteness is established. For this, the object must be distinguished from its interactions with other objects and the surrounding material environment; it must be perceived "as it is".

Philosophers emphasize that the material world observed in practice is structured in a discrete manner. In the world of objects, everything changes. That is, the qualitative transformation of objects in the material environment occurs regularly [22]. The dialectical-legal mutability of an object lies in the fact that, in one situation, it may appear as an independent item of value, while in another, it may become part of a broader object, and in a third case, it may fragment into many small elements – some of which may be valuable (individual exhibits in a collection) or, conversely, insignificant (scraps of fabric). As K. Prutkov aptly put it: "There is no great benefit that cannot be surpassed by a greater one; there is no small benefit that cannot fit into something even smaller."

Several independent objects may be combined into a new structure – ultimately existing as a single entity and becoming the subject of unified rights as a complex object. For instance, in civil transactions, the glass screen of a phone can be classified not only as an individual item (product or commodity) but also as an essential component of the phone. The phone's glass screen, therefore, is not only an independent component but also an integral part of the touchscreen [23]. Similarly, other parts such as the camera module, battery, or processor, though individual components, are indispensable to the full functionality of the phone. Thus, ascending hierarchically: the touchscreen is part of the phone, and the phone, in turn, is part of a property complex viewed as a corporate asset.

The Roman jurist Julius Paulus once explained this continuity as follows: "...If a pot is included in the inventory, then the jugs used to pour water into the pot are also classified under the same category, and so on, ad infinitum, with each subsequent item connected to the preceding one."

Real objects often manifest themselves as containing other objects related to them. They are destroyed and recreated, and their economic and cultural value experiences fluctuations over time. The legal world of objects is a realm of their perception and, consequently, the constant changes of legal regulation.

Discreteness is crucial for ownership of an object because ownership is not about continuously sensing the object but about understanding the possibility of exercising personal (absolute) *de facto* power, i.e., dominion, over it. K.P. Pobedonostsev once stated that "it is necessary to have a clear idea of the material boundaries of ownership in accordance with the law." Thus, property rights over an object cannot achieve full clarity until "the external line where 'my property' ends and 'yours' begins is clearly defined."

Often, there are situations where certain items can be sensed or seen from a close distance, for instance, water in a canal. However, if they cannot be clearly delimited, separated from other items, isolated from the external world, and individualized, it is illogical to recognize them as objects. Conversely, natural gas stored in a tank or water in a cistern are considered individual, discrete objects and qualify as objects in the legal sense.

D.I. Meyer asserted that only a bird that has been killed or caged can be an object of ownership, i.e., an object in the civil-law sense. According to G.F. Dormidontov, ownership rights over a wild animal arise as soon as it is caught in a net set for it; a beehive or a tree only becomes the object of ownership once it is placed in a hive or harvested. On the contrary, wild animals, such as marine bioresources in their natural habitat, are not considered anyone's property under international law unless they are separated from it.

Complex objects, as objects of civil law, possess several distinctive characteristics that are essential for determining their legal regulation. Among these, the differences between tangible and intangible objects hold a special place. While complex objects share general characteristics with other objects of civil law, they also have unique distinguishing features.

Materiality is the first common feature that distinguishes complex objects from other objects. Here, we focus on the common characteristics of complex objects in relation to other objects, which allow us to differentiate objects as subjects of civil law. Objects are typically understood as material items. However, in civil law, this concept is approached more broadly: not only material, i.e., physically perceivable items, but also intangible objects are recognized.

The characteristic of materiality also has philosophical roots. Aristotle and ancient Greek philosophers viewed the world as a unity of matter and form, interpreting material

objects as primary goods that meet human daily needs. These philosophical perspectives were reinforced in Roman law through legal principles. In Roman law, the term “res” (object) was used in two meanings. It referred to material items as well as legal relations and property rights. Gaius provided the following definition: “Some objects are material (corporeal), while others are intangible (incorporeal). Material objects are those that can be perceived by the senses, such as a piece of land, a person (slave), gold, silver, and many other goods. Intangible objects are those that cannot be perceived by the senses; for example, objects embodied in rights: inheritance, usufruct, obligations, and so on.”

### *Discussion*

Cicero, following his Greek mentors, distinguished between existing objects (*res quae sunt*) and perceivable objects (*res quae intelleguntur*). This duality shaped the structure of institutions (persons – objects – claims), in which the term “objects” encompassed both physically bounded, legally independent material goods and any object (including intangible ones) of private law or civil procedure, as well as an entire property complex. According to K.P. Pobedonostsev, in Roman law, intangible objects did not possess the properties of physical existence but were economically real and existed solely on the basis of legal perception.

Today, such an interpretation is widespread in foreign countries, especially in countries with an Anglo-Saxon legal system. The logic of reasoning resembles classical Roman views: if a right can be alienated, it is also considered a specific type of object (chose in action – a claimable object). U. Mattei attributes this to the lesser attention given to typological research in the legal science of common law countries.

Article 85 of the Japanese Civil Code defines the term “things” as material goods. Article 202 of the Portuguese Civil Code (Decree-Law of November 25, 1966) states: “A thing is defined as anything that can be the object of legal relations.”

Similarly, the concept of “intangible objects” is used in the civil codes of France, Italy, and Canada’s Quebec province, encompassing all property rights other than ownership rights. A similar approach is observed in Article 841 of the Latvian Civil Code: “Objects are tangible or intangible. Intangible objects include various personal, property, and obligation-related rights, insofar as they constitute components of property.”

Other states, mainly those with a continental legal system, have followed a different path. In their civil law, objects are understood solely as material items. For instance, paragraph 90 of the German Civil Code explicitly states: “Concept of the thing. Only corporeal objects are things as defined by law.”

Similar provisions are found in the civil legislation of Russia, Switzerland, the Netherlands, Azerbaijan, Moldova, Ukraine, Estonia, and other countries.

Proponents of the concept of material objects argue that only tangible items, i.e., perceptible goods, should be recognized as objects. The arguments supporting this position are based on several theses. However, in our view, these arguments are insufficient to justify the introduction of the category of “intangible things” in national

legal systems. Before analyzing these arguments, it is necessary to clarify what is meant by the term “material.”

As expected, the term “material” encounters multiple interpretations. Indeed, the term “material” is understood, in the first sense, as referring to objects, i.e., physical entities that exist independently of the mind (e.g., in the expression “material things”). In the second sense, it refers to “property-related or financial” aspects (e.g., in the expression “material interests”).

The selected characteristic of “materiality” may raise questions. The term “material” in this context requires clarification of the concept of “object,” which involves circular reasoning: the defined term is explained through the defining term. Regarding another characteristic – physicality – it can be noted that, in physics, not only matter but also a vacuum, which cannot be legally interpreted as an object, is recognized as a form of matter. Finally, the phrase “existing independently of the mind” has a philosophical (epistemological) nature and may be deemed inappropriate for forming a legal concept.

Nevertheless, this definition, despite its ambiguity, is widely used in practice and is compelling due to its conceptual clarity. Y.A. Sukhanov explains materiality through the ability to perceive an object physically, successfully combining the components of the aforementioned definition: perception – as the sensation arising when the skin comes into contact with something (one of the five external senses) – is vividly described. At this point, one cannot help but recall the famous treatise *De Rerum Natura* (On the Nature of Things) by the ancient Greek philosopher Lucretius Carus: “Though all of corpor'al nature must consist, since they the senses strike; for know, bodies Alone can bodies touch, or touched be.”

Perceptibility does not exclude the materiality of certain assets that cannot be physically sensed through other sensory organs – such as electricity, electromagnetic fields, radio waves, and so on. V.A. Lapach argues that the future development of the system of objects of civil law will lead to the inclusion of such “material but imperceptible objects” in the category of property, classifying these objects as an intermediate category (between things and property rights). Although these objects are material, their imperceptibility makes them exceptions rather than the rule, and it is difficult to include them in the category of things.

## CONCLUSION

**Fundamental Finding:** The fundamental finding of this study is that complex objects occupy a unique position in legal theory and practice due to their key characteristics: absence of will, discreteness, and materiality. These features distinguish them from other legal objects and influence their legal status and regulation. The study also highlights the challenges in classifying complex objects, especially those that fall between material and intangible categories, such as energy and electromagnetic fields, which possess economic and legal value but are imperceptible. **Implication:** The implication of this finding is that the regulation of complex objects in civil law requires a

more nuanced approach. The differences between how Anglo-Saxon and continental legal systems treat property, particularly in recognizing intangible objects, suggest that legislative frameworks may need to evolve to accommodate these intermediate categories. For Uzbekistan's legal system, this highlights the need for deeper analysis and potentially broader legal definitions to address the growing importance of complex objects in modern economic and legal contexts. **Limitation:** A limitation of this study is that it primarily compares foreign legal systems with Uzbekistan's, without offering detailed case studies or empirical data on the implementation of complex object regulations in practice. Additionally, the challenges in defining and classifying complex objects are discussed conceptually but may require more specific legislative examples to fully understand their legal implications. **Future Research:** Future research should focus on further analyzing the practical implementation of complex object regulations, both in Uzbekistan and in other jurisdictions. This could involve studying case law, judicial decisions, and the practical application of legal concepts in dealing with objects like energy and electromagnetic fields. Research could also explore the development of a unified framework for classifying and regulating both material and intangible objects, considering the growing economic and legal importance of such objects in a digital and technologically advanced society.

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