



Philosophical Problems of Eradicating Legal Nihilism Among Youth in the Context of Civil Society Development

Tursunov Lochin Erkinovich

Department of "Social sciences and Information Technology"
Doctor of Philosophy (Ph.D.), Associate Professor
luchanno7777@gmail.com

ABSTRACT

This article analyses the concepts of "legal idealism" and "legal nihilism". Their cultural and historical basis is considered. The answer to the question of how to limit these socio-legal phenomena in modern conditions is sought. The author concludes that overcoming legal nihilism is a very long and complex process. The main ways to overcome legal nihilism are popularization of legal awareness; increasing the level of public culture (not only general, but also legal); improvement of existing legislation; prevention of offences; legal education; mass legal education; strengthening state discipline, law norms and legality; ensuring freedoms and human rights; respect for personality; legal reforms; training of highly qualified lawyers, etc.

Keywords:

State, society, individual, law, legal culture, social phenomenon, legal consciousness, legal idealism, legal nihilism.

This article aims to provide a comprehensive, systemic, theoretical analysis of the concepts of "legal idealism" and "legal nihilism" as negative psychological social phenomena, including their interdependence. In particular, its other purpose is to suggest possible ways of overcoming these phenomena.

The purpose of this study is defined by the following tasks:

- To define the concept of "legal nihilism" and consider the existing approaches to its interpretation in the literature and science;
- to identify the sources of legal nihilism, to cover the event on a historical basis;
- to reveal the essence and most important features of legal nihilism;
- to study the forms of expression of legal nihilism in modern society;
- Defining the structure of legal nihilism as a social phenomenon;
- to consider the concept of "legal idealism" as an antipode of legal nihilism and to study its essence;

- Analysis of the sources of such phenomena as "legal idealism" in the society of Uzbekistan;

- to study the relationship between legal nihilism and idealism;

- to suggest ways to eliminate the considered negative socio-legal phenomena.

The methodological basis of the work consists of logical, comparative-legal, and formal legal analysis methods. In the process of work, a general philosophical, historical and dialectical method of cognition is also used, which corresponds to the tasks set.

The scientific novelty of the research is that the author has comprehensively studied the problems of legal idealism and legal nihilism, including their interrelationships, and their relationship to the current living conditions of the state and society. The research develops ideas about the phenomena under consideration that exist in the scientific community.

The practical significance of the research is that the rules and conclusions drawn by the author can be applied in practice in the process of combating the adverse events considered.

The problems of legal idealism and legal nihilism, which currently exist in civil society as invariants of legal consciousness, are one of the most pressing problems in philosophical science. It is worth noting that this problem applies to everyone the same, although many do not pay attention to it. We can see that these negative socio-legal phenomena are widespread in modern practice, public and state activities, lawmaking, politics, the environment of legal scholars, culture, and public consciousness [7. 196]. The main reason for this is legal ignorance, ie the shallowness of the knowledge of the people and government officials about the law, the low level of legislation (manifested in non-compliance and non-implementation of laws), intuitive, unconscious action to circumvent, ignore, or violate legal norms and norms [1.65].

The Constitution of the Republic of Uzbekistan declares that Uzbekistan is a sovereign democratic republic. In such a state, respect for the law, order, rights, and freedoms, is recognized as the highest social value, and human rights are given priority. The state must protect and guarantee human and civil liberties and rights. However, the implementation of these and other humanistic ideas proclaimed by the Constitution in the life of society is hampered by various negative factors and phenomena, including legal idealism and nihilism. The impact of these catastrophic events eventually led to the prevention of democratic reforms [3.24].

The word "nihilism" is derived from the Latin word nihil, which means "nothing". Legal nihilism is a negative attitude towards the law, legal and legal forms of organization of socio-legal relations [4.145]. The level of legal nihilism serves as a specific indicator of the health of the state and society. It should be noted that legal nihilism is not only a legal category but also a socio-psychological phenomenon that occurs as a result of the assessment of law and its norms by individuals, social groups or society, turning into various actions or inactions. Strengthening the relationship of social passivity to forms of

expression of legal nihilism; development of social diseases, drug and alcohol abuse; increase in crime; moral decline; is determined by an increase in the number of suicides [1.67].

N. As M. Dobri points out, "nihilism is characterized by hypertrophy, clearly expressed doubts in certain values and principles. At the same time, the worst methods of action, often limited to immoral social behavior, violation of moral and legal norms, violation of historical traditions and customs, are chosen in the presentation of his landscape" [5. 12].

In turn, legal idealism is the opposite of legal nihilism. However, this cannot be considered positive either. Legal idealism is a reassessment of the role and importance of law; unreasonable reliance on the law; the misconception that the law is not a cure for all the problems that exist in society, but primarily regulates social relations. Inspired by legal idealism, the legislature can implement excessive legal regulation, which often leads to the formation of an excessive number of legal acts, some of which may contradict each other and some of which may not apply in practice at all. Eventually, it leads to the discrediting of the law and the loss of trust in it. Thus, legal idealism becomes legal nihilism.

An analysis of the views of different philosophers on the problems of nihilism to varying degrees shows that the phenomenon of nihilism is largely understood as a devaluation of higher values, which can be found for the first time in Nietzsche. But this definition of 'nihilism' is not logically grounded and scientific because it does not define specific characters and characteristics. At the same time, Nietzsche's definition points to a very important factor: nihilism arises when life is devalued, goals are lost, and the question remains unanswered: what is the meaning of life [6.33]?

Among the causes of legal nihilism is the deformation of legal consciousness in the majority of its citizens as a result of the low level of legal culture. Legal consciousness is a set of emotions and ideas that reflect the attitude of an individual or social group to any existing law and is a form of social consciousness [8. 124]. Deformation of legal consciousness is a process

in which negative changes in the legal consciousness of people, social communities, and society occur under the influence of certain circumstances [9. 14]. This may be legal, social, political, economic, or other. Forms and types of deformation include, in addition to legal idealism and infantilism, legal nihilism. Moreover, the deformation of legal consciousness, especially expressed in the form of legal nihilism, is often a major cause of criminal and non-criminal behavior. The legal culture of a society is part of the overall culture and reflects the level of legal activity and legal awareness of the society. Legal culture means not only knowing the norms of law, but also the desire to follow them, which is an individual's inner confidence. Unfortunately, many citizens do not have a stable habit of following the rule of law and obeying the law in general, which leads to the formation and further development of legal pathology in society, such as nihilism.

In general, there are many definitions of legal nihilism in the educational and scientific literature. Although they differ from each other, their essence is approximately the same, i.e. they have a negative or indifferent attitude towards law and order. A negative phenomenon of social life, such as legal nihilism, is a complex ideological phenomenon that affects legal reality through legal consciousness.

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