

## Legal Nihilism as a Structural Form of Deformation of Legal Consciousness in Modern Society

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### ABSTRACT

This article provides a theoretical analysis of the concept of legal nihilism, including its essence, structure, forms of manifestation, and underlying causes. Legal nihilism is examined as a significant form of deformation of legal consciousness, and its relationship with legal culture and legal awareness is explored. The study substantiates that the development of citizens' legal consciousness and legal culture constitutes an important factor in preventing and reducing legal nihilism. It is demonstrated that a low level of legal consciousness may lead to negative attitudes, such as indifference toward legal norms, denial of their significance, or attempts to circumvent them. The article also analyzes the main forms of legal nihilism, including infantile, frustrational, vindictive, compensatory, and regressive types, along with their socio-psychological characteristics. In addition, the structural elements of legal nihilism—namely its subjective, informational, ideological, and psychological components—are examined.

**Keywords:** Legal Nihilism; Legal Consciousness; Legal Culture; Deformation of Legal Consciousness; Rule of Law; Legal Awareness; Socio-Legal Behavior; Legal Education; Legal Norms; Civil Society; Democratic Development; Legal Socialization.

### 1. Introduction

Today, in the process of building a rule-of-law democratic state and a developed civil society, overcoming legal nihilism is recognized as one of the essential tasks. One of the fundamental conditions for further deepening democratic reforms in society is the enhancement of citizens' legal awareness and legal culture, as well as the consistent and continuous implementation of legal education and awareness-raising activities. Therefore, improving the legal knowledge and legal culture of the population, particularly of the younger generation, is considered one of the priority directions of social development.

The creation of necessary conditions for the formation of young people as highly moral, legally literate, and socially active individuals, as well as the establishment of a solid legal framework that protects their rights and legitimate interests, contributes to strengthening respect for the law within society. This process is regarded as one of the key factors in preventing and reducing legal nihilism by fostering a conscious attitude toward legal values among citizens.

#### 1.1. Research Objectives

The main objective of this study is to examine the theoretical foundations and socio-legal characteristics of legal nihilism and its relationship with legal consciousness and legal culture. To achieve this objective, the study pursues the following specific goals:

To analyse the concept and theoretical foundations of legal nihilism as a socio-legal phenomenon and a form of deformation of legal consciousness.

To examine the relationship between legal nihilism, legal consciousness, and legal culture, and their role in strengthening the rule of law in society.

To identify and classify the main forms of legal nihilism, including infantile, frustrational, vindictive, compensatory, and regressive types.

To investigate the structural elements of legal nihilism, including its subjective, informational, ideological, and psychological components.

To determine the major historical, social, and legal causes contributing to the emergence and spread of legal nihilism.

To justify the importance of improving legal consciousness and legal culture as essential measures for preventing and reducing legal nihilism.

## 2. Materials and Methods

The research is based on methods of analysis and synthesis, as well as comparative-legal, historical, and systematic approaches. Theoretical concepts of legal nihilism, relevant scholarly literature, and the views of legal scholars were analyzed and systematized. Particular attention was paid to the interrelationship between legal nihilism, legal consciousness, and legal culture.

## 3. Results and Discussion

It is well known that every historical period imposes specific requirements on the individual in accordance with the needs and level of development of society. These requirements are reflected in the spiritual life of society, particularly in the system of moral, legal, and social values. The system of education and upbringing shapes the worldview and social activity of the younger generation on the basis of these values.

From this perspective, citizens' attitudes toward law, the degree of their compliance with legal norms, and their participation in the life of the state and society largely depend on their moral and legal consciousness. The stronger legal values are established within society, the more stable the rule of law becomes.

Legal culture is a broad concept that encompasses legal consciousness and includes individuals' views and beliefs reflecting their attitudes toward the law, as well as their perceptions, aspirations, and feelings related to legal norms and legal relations.

Legal consciousness represents a form of legal awareness and constitutes a set of ideas, perceptions, and feelings that express individuals' attitudes toward existing law as well as toward the law they consider desirable. By its nature, legal consciousness is closely interconnected with law itself and, therefore, is secondary in relation to existing economic relations [1].

Legal consciousness is directly shaped by the objectively determined needs and interests of society, as well as of various economic and social groups, and continuously develops under the influence of changing objective conditions and social processes. As a component of social consciousness, legal consciousness is also influenced by philosophical, ideological, and political views.

The level of legal consciousness is reflected in the views and attitudes related to the law-enforcement activities of public authorities, citizens' participation in the adoption of new legislation, and the protection of their rights and legitimate interests, as well as in their perceptions of ongoing democratic and socio-economic transformations.

Citizens' socio-legal objectives and legal orientation have a direct influence on their behavior. The level of an individual's legal education and legal upbringing determines whether their activities conform to legal norms or contradict them. An insufficiently developed legal consciousness may give rise to negative attitudes such as indifference toward legal norms, denial of their significance, or attempts to circumvent them. Such phenomena manifest themselves as distortions of legal consciousness and are expressed in forms such as legal infantilism and legal nihilism.

The deformation of legal consciousness is considered one of the factors that negatively affect the establishment and stability of the rule of law in society. In particular, legal infantilism represents a relatively mild form of distortion of legal consciousness, manifested in insufficient legal knowledge and the lack of a stable and well-formed attitude toward the law [2]. This condition, in turn, creates a foundation for the emergence and development of legal nihilism.

Nihilism (from the Latin word nihil, meaning "nothing") is a system of philosophical views that calls into question generally accepted values, ideals, moral norms, and culture, as well as fundamental concepts such as objective truth, knowledge, morality, values, and the meaning of life; in its most radical form, it involves their complete denial.

An individual who questions generally accepted moral and spiritual values, social ideals, rules and norms, cultural principles, and fundamental concepts of social life and, in its most extreme form, completely denies them—is referred to in scholarly literature as a nihilist.

Nihilistic positions manifest themselves in various degrees and forms and, in certain cases, interpret universal human values, moral standards, and even life itself as meaningless phenomena. In some radical conceptions, the very process of cognition is denied, and the idea of the impossibility of attaining objective truth is put forward.

In a broad sense, nihilism denotes a negative and denial-based attitude toward a particular social phenomenon, value, or institution, and in some cases toward almost all spheres of social life. In lexical and encyclopedic sources, this concept is interpreted as "negation" or "absolute negation," as well as a socio-moral phenomenon, and as a particular worldview or psycho-intellectual state. Thus, nihilism may be understood not only as a set of theoretical views but also as a specific condition of social consciousness.

V. M. Gulyayikhin identified five forms of manifestation of legal negation:

- 1) Infantile nihilism (from the Latin *infantis* – "childlike") is characterized by the legal immaturity of the individual, heightened suggestibility, lack of independence, and an underdeveloped sense of duty and responsibility. This form is predominantly observed among adolescents and school-aged youth.

- 2) Frustrational legal nihilism (from the Latin frustratio – “deception,” “disappointment,” or “disruption of plans”) arises in situations where an individual’s desire or need to exercise their natural rights and freedoms remains unfulfilled. As a result, the subject loses confidence in the fairness and effectiveness of the law.
- 3) Vindictive legal nihilism arises when existing legal institutions do not function effectively or fully, forcing citizens to protect their interests independently, often through actions that violate the law. In such cases, the punishment of the “guilty parties” is carried out not on behalf of the state but rather takes the form of subjective retaliation by the bearer of vindictive legal nihilism. This type of legal nihilism is divided into rational and irrational forms.
- 4) Compensatory legal nihilism represents an individual’s protest against severe socio-psychological circumstances that have arisen through no fault of their own. It is characterized by a desire to correct perceived injustice by any means, regardless of moral and legal norms. The subject of this form of nihilism perceives the law merely as an inconvenient restriction on the realization of personal intentions. As noted by V. M. Gulyayikhin, individuals exhibiting this type of legal nihilism often constitute the core membership of terrorist groups.
- 5) Regressive legal nihilism is a specific phenomenon characterized by an individual’s attempt to eradicate all that is human within themselves, including reason, love of life, freedom of will, and moral and legal values [4]. It represents a deeply destructive personal trait rooted in the psychological structure of the individual.

The structure of legal nihilism represents a set of interrelated elements that includes the following components:

- 1) Subjects of social relations in whose behavior legal nihilism finds its objective social manifestation, and in whose consciousness understood as an ideal reflection of reality in sensory and cognitive images it acquires its subjective expression;
- 2) The informational basis of legal nihilism (the ontological element of the legal consciousness of the subject who bears legal nihilism), which appears in the form of certain knowledge about legal reality, including incomplete, superficial, or incorrect knowledge. It is in close connection with this knowledge that a nihilistic attitude toward law is formed and that the interaction between nihilistic subjects and the surrounding social environment subsequently develops;
- 3) Nihilistic legal ideology and nihilistic legal psychology (the axiological elements of legal consciousness), within which a negative attitude toward law is formed. This eventually leads to the emergence of an anti-legal orientation within the praxeological element of legal consciousness, which subsequently finds its manifestation in social reality [5].

N. R. Donchenko identifies the following forms of manifestation of legal nihilism:

- 1) Direct and deliberate violations of existing laws and other normative legal acts.
- 2) The adoption of contradictory or even mutually exclusive legal acts, which effectively neutralize one another or remain unenforced in practice.

- 3) The substitution of legality with political or ideological expediency, whereby legal requirements are disregarded in favor of political or ideological considerations.
- 4) Confrontation between representative and executive branches of government at various levels of authority.
- 5) Violations of human rights, particularly fundamental rights such as the right to life, honor, dignity, housing, property, and personal security [6].
- 6) All researchers of legal nihilism emphasize its complex nature and the diversity of its forms of manifestation.

Legal nihilism may be expressed in two main forms:

- 1) Theoretical (ideological) form – when scholars, philosophers, and political scientists argue often quite sincerely that there exist values considered more important than law itself, and particularly than individual rights (for example, the idea of a global proletarian revolution).
- 2) Practical form – when such views and doctrines are implemented in practice. This often results in state repression against its own population, mass casualties, and the eventual transformation of the ruling elite into a criminalized governing group. In such circumstances, reliance by state bodies and officials—such as security agencies and prison administrations on criminal elements in the implementation of state policy becomes a predictable and relatively easy development.

A. Yu. Vandin proposes a classification of the causes of legal nihilism, which include:

- a) Imperfections in the legal system, including deficiencies in the content and structure of legal norms;
- b) Inefficiencies in the functioning of legal institutions, particularly those responsible for law-making, law enforcement, and legal regulation;
- c) Shortcomings in the implementation of law, including inconsistencies and ineffective application of legal norms in practice;
- d) A low level of legal culture among the population, as well as among certain representatives of the legislative, law-enforcement, and judicial systems;
- e) The dissemination of distorted legal information among the population through mass media, interpersonal communication, fragmented individual perceptions, and deliberate speculative manipulation of individual and public consciousness;
- f) The absence of personal motivation to improve one's level of legal culture [7].

#### 4. Conclusion

Overcoming legal nihilism is one of the essential conditions for the development of a rule-of-law democratic state and a mature civil society. Ensuring the supremacy of law, effectively protecting the rights and freedoms of citizens, and strengthening legal order are closely connected with the improvement of legal consciousness and legal culture. A high level of legal culture represents an important factor in social development, fostering respect

for the law, increasing civic engagement, and contributing to the prevention and reduction of legal nihilism. The emergence of legal nihilism is largely associated with the insufficient development of legal consciousness, the limited level of legal knowledge, and the absence of a stable positive attitude toward legal norms. Therefore, the improvement of legal education and upbringing, the enhancement of public legal awareness, and the strengthening of legal educational activities constitute important directions in reducing legal nihilism. Legal culture, as an integral combination of legal knowledge, legal convictions, and consistent legal practice, contributes to strengthening the rule of law in society. The higher the level of citizens' legal culture, the lower the likelihood of manifestations of legal nihilism. Thus, overcoming legal nihilism can be achieved through the consistent development of legal culture and the strengthening of legal values within society.

#### **4.1. Future Recommendations**

- Strengthen legal education programs at all levels of the educational system, with particular emphasis on developing legal awareness among youth.
- Enhance public legal awareness through continuous awareness campaigns, media engagement, and community-based legal outreach initiatives.
- Improve the quality, clarity, and consistency of legal norms to eliminate contradictions and increase public trust in the legal system.
- Increase the effectiveness and transparency of law enforcement and judicial institutions to reinforce confidence in the rule of law.

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##### **Competing Interests Statement**

The author has declared that no competing financial, professional or personal interests exist.

##### **Consent for publication**

The author contributed to the manuscript and consented to the publication of this research work.

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