



METHODOLOGICAL PRINCIPLES OF STUDYING NIHILISM AS A SOCIAL PHENOMENON

Mahramova Zuhra Yunus qizi

Student: Chirchik State Pedagogical University

zukhro98@icloud.com

<https://doi.org/10.5281/zenodo.15782059>

ARTICLE INFO

Received: 24th June 2025

Accepted: 29th June 2025

Online: 30th June 2025

KEYWORDS

Law, society, legal attitude, legal consciousness, legal culture, nihilism, norm, legal subject.

ABSTRACT

This article analyzes the essence of the concept of legal nihilism, its history of origin, its impact on today's social and legal relations, and the methodological foundations of this concept.

Legal nihilism is one of the negative phenomena that seriously threatens the systematic and purposeful development of the legal development of society and hinders the rise of legal consciousness and legal culture.

It is known that the word nihilism was first used in German literature at the turn of the 18th - 19th centuries. D. Enish used it in the meaning of extreme idealism in a philosophical debate (1796). The German philosopher and writer Friedrich Jacobi also used it in the same sense (he cites it in his open letter to Fichte, published in the fall of 1799). Later, this concept was given a destructive and constructive role, and at the same time it itself was interpreted as a means of transition from rational metaphysics to the philosophy of faith and feeling.

Nihilism (from the Latin word "nihil", meaning "nothing", "negation"). It expresses the negative attitude of legal subjects and social groups to certain legal values, norms, established procedures, a mood of contempt, indifference and distrust. Legal nihilism means the negative attitude of individuals and social groups to certain legal values, norms, established procedures, contempt and rejection of any norms, principles and laws, and expresses the negative attitude of the subject towards certain values, norms, views, ideals, certain aspects of human life, and sometimes all aspects. This is one of the forms of perception of the world and social behavior. Nihilism can take on moral, legal, political, ideological nihilism, and other forms, depending on what values are rejected and which area of knowledge and social practice - culture, law, ethics - is being discussed. The philosophical understanding of nihilism was first carried out by F. Nietzsche. The philosophical approach allowed him, first of all, to give a one-sided negative assessment of this social phenomenon, to emphasize its constructive function. In Nietzsche's interpretation, nihilism was aimed at separating being from its meaning and eliminating the consistent and false Christian values, which it was necessary to overcome this division. In his opinion, this led to a cruel division of the world into real and unreal. Nietzsche considered nihilism, first of all, as a means of eliminating the consequences of the abnormal development



of society and its spiritual culture, which would become unnecessary after the onset of the "era of the superman".

An important stage in the study of nihilism was Martin Heidegger's work "European Nihilism". In our opinion, Heidegger correctly noted that "the revaluation of values" is interpreted by Nietzsche not as a rejection of values, but as a refusal to include them in some special ideal framework of being, which leads to autonomous existence, and people see this, and the meaning of their life is to try to realize them on earth, despite the conditions of existence".

Nihilism as a manifestation of social consciousness was perceived in a unique way from a historical point of view by Karl Jaspers in his work "The Spiritual State of the Age", which he considered to be a characteristic of the New Age since the time of Schiller. He believes that the deification of the world, at the same time, is not a result of the insecurity of individual people, but a possible consequence of spiritual development, which in this case does not actually lead to anything [2]. All of the above points are important for understanding the phenomenon of legal nihilism, since law, as a system of norms approved by the state, expressed in law, became a target of criticism, first of all, for the radical-minded intelligentsia (D.I. Pisarev, N.A. Ishutin, etc.) and, first of all, for the ideologists of anarchism (M.A. Bakunin, P.A. Kropotkin, D.N. Nozhin, N.K. Mikhailovsky) for not recognizing external restrictions imposed by the state on the individual. In general, nihilism is traditionally and most generally viewed as a destructive, socially harmful phenomenon. Nihilism often takes a destructive form. When nihilism reaches its peak, it merges with anarchism and extremism.

In this case, it manifests itself in a careless suspicion of certain values and principles. Legal nihilism is characterized by active opposition to law and values. Legal nihilism is an active rejection of law, its values, law in general and its individual institutions.

Two main reasons for legal nihilism can be identified. The first reason is that for many years an undemocratic regime has prevailed in our country, that is, state activity was not based on law. The second reason is that for many years the understanding of law as a norm has prevailed, which has made law associated with the will of the state. In other words, law is the dominant expression of the will of the state, and any normative document is consistent with the command of the state, which has led to a negative attitude towards law and an active denial of law. There are various forms of expression of legal nihilism. The first form is the direct violation of current laws and other legal documents. This is a clear manifestation of legal nihilism. This includes, first of all, acts punishable by criminal law, as well as acts that are inappropriate in civil, administrative, and disciplinary terms.

The second form of legal nihilism is the widespread and widespread failure to comply with legal instructions. In this case, subjects (citizens, officials, state bodies, public organizations) do not openly comply with the requirements of legal norms in their behavior, but, on the contrary, strive to live and act according to "their own rules".

Disobedience to laws causes great harm to society. Laws are easily circumvented. They are not obeyed, they do not even think about "there is a law". In this case, the law has become a conditional concept for the vast majority: "if it suits me, I obey, if it does not suit me, I deny it". Such disobedience is a consequence of an extremely low and distorted level of legal



consciousness, the lack of an appropriate level of legal culture, and general disorder and irresponsibility.

The third form of manifestation of legal nihilism is the publication of contradictory, overlapping or mutually exclusive documents, which render each other neutral and unstable. Often, subordinate legal documents become "higher" than the law. One of the large number of legal norms in force does not correspond to the other, and one contradicts the other instead of complementing the other. At the same time, there are layers of social relations that need to be regulated by law, but nothing is done about it.

Violation or non-observance of human rights, the right to life, respect, dignity, property, security, undermines the belief that the individual is not well protected by law, that the state is able to ensure order in society, and protect people from criminal aggression.

Not seeing his guarantee and support in the person of the law, a person moves away from valuing, respecting and honoring it. The impossibility of exercising his right alienates a person from his right. His devotion to the law returns, distrust appears. However, it has long been known that the idea of "human rights" does not contradict the idea of "a strong state".

The structure of legal nihilism is a set of interrelated elements, which include:

- subjects of social relations, in whose behavior legal nihilism finds its objective, social manifestation and in whose consciousness reality finds an ideal repetition, subjective expression in emotional and mental images;

- the information basis of legal nihilism, which appears in the form of certain knowledge (including erroneous or superficial knowledge) about legal reality (the ontological element of the legal consciousness of the subject of legal nihilism). a nihilistic attitude of the subjects is formed, and subsequent interaction occurs between the nihilists and the social world around them;

- nihilistic-legal ideology and nihilistic-legal psychology (axiological elements of legal consciousness), in which a negative attitude towards law is formed, and in the future, an anti-law attitude is formed in the praxeological element of legal consciousness. is embodied in social reality;

- legal nihilism is a behavior contrary to the law, expressed in actions or inaction of the subject (external social impact of legal nihilism).

Thus, legal nihilism is a negative, distorted side of legal consciousness. Its ideological and psychological part, which is sharply critical, rejecting the requirements of legal consciousness to respect and comply with the law. If legal nihilism is characterized by a negative attitude towards law and its values, disbelief in the power of law, then legal idealism is the opposite, that is, overestimating the power of law. Both of these phenomena have the same root and are manifested in legal ignorance, underdevelopment and distortion of legal consciousness, and lack of political and legal culture. Although the above-mentioned manifestations seem to have opposite directions, in the end they combine with each other and harm society.

Legal nihilism is one of the negative phenomena that poses a serious threat to the systematic and purposeful development of the legal development of society and hinders the growth of legal consciousness and legal culture. In this regard, it is worth noting that a number of scientific studies are being conducted by scientists from our country and the CIS countries



on various aspects of this phenomenon. However, it cannot be said that all issues related to the negative impact of this negative legal phenomenon on the process of forming the legal culture of civil society have been fully studied in this literature.

While studying the issues of the formation of the legal culture of civil society in Uzbekistan, we consider it appropriate to dwell separately on the essence, harmful qualities and sources of its nourishment of legal nihilism, which is a specific obstacle to this process.

Nihilism, as a form of social behavior, means the denial of the existing form of social life and moral norms, cultural heritage and ideals. Denial is a common feature of all forms of nihilism. However, it should be borne in mind that nihilistic denial and dialectical denial are different phenomena. After all, nihilism, which naturally denies old age and stagnation, vice and oppression, is not considered nihilism in the strict sense. For example, it is not without reason that Mahmudkhodja Behbudiy, Munavvarqori Abdurashidkhanov, Abdulla Avloniy, Abdurauf Fitrat, Abdulhamid Cholpon, Bobookhun Salimov and others, who fought against tsarism, Bolshevism and social oppression, and dreamed of national independence, are considered historical progressives. It is worth noting that in the existing scientific literature the phenomenon of legal nihilism is analyzed based on the following features:

- nihilism is the non-recognition or denial of objective social values and laws;
- legal nihilism is not only the non-recognition or denial of objective social values and laws, but also the promotion of one's own independent views, ideas and ideology on the basis of this denial;
- nihilism is considered as a social phenomenon that undermines the stability and systematicity of social relations.

Legal nihilism is one of the manifestations of social nihilism. In essence, it means a negative, denying, disrespectful attitude towards law, laws, and the normative order. According to Z.M. Islamov, if legal nihilism is considered from the point of view of causality, this essence is expressed in the legal ignorance, fanaticism, and legal lack of education of the population. In other words, here we are talking about the lack of demand for law in society

At the same time, in the process of the emergence of legal nihilism, the very ignorance of the law plays an important role. As Ivan Ilyin rightly noted in this regard, "a people who do not know the laws of their country live outside the law or are content with only the unstable shoots of law... The people must have a proper knowledge of the laws, because this feature is part of legal life. Therefore, the order in which the people are deprived of knowledge of the law is absurd and dangerous... As a spiritual being, man cannot live on earth outside the law".

As noted above, nihilism is very diverse in form. Depending on what values are being denied, what area of knowledge and social practice is being discussed - science, culture, art, ethics, politics, economics - it can take legal, political, religious, ideological, spiritual, etc. forms. Among them there are many subtleties, subtle differences, and overlaps. Each of these types of trends has its own history. If legal nihilism means underestimating the law and its possibilities, then legal idealism is an overestimation of law. At the heart of both of them lies legal ignorance, a distorted and weakened legal consciousness, and a lack of legal culture.

Legal nihilism is the opposite (antipode) of legal culture, and the essence of this phenomenon cannot be understood without analyzing and properly assessing its impact on the legal culture of citizens and the legal system as a whole. It is manifested as a multifaceted social



phenomenon in legal ideology, that is, it is reflected in theories, ideas, as well as in legal psychology and is manifested in the form of a lack of trust in specific internal points of view, guidelines, standards, legal ideals. It is most clearly manifested in legal practice, which is characterized by various forms of deviation of the population and officials from legal instructions, as well as legal passivity.

As we have noted above, legal nihilism is one of the main forms of negative transformation of legal consciousness. In the conditions of the transitional stage of development of the state and society, various aspects of the legal consciousness of citizens are subject to negative influences. This is not only about legal knowledge, but also about legal ideology. The deformation of legal consciousness implies the existence of a certain reserve of legal views, knowledge, and guidelines, which, for various reasons, have turned into some other, non-legal structures or have become legal only in name or partially. Like any social phenomenon, the decline of legal consciousness has its own genesis, structure, and forms of manifestation.

References:

1. Martin Heidegger "European Nihilism". Pervod V.V. Bibikhina.// <https://www.nietzsche.ru/look/xxa/europa-nihilism/>
2. Yaspers K. Dухovnaya situatsiya vremeni. Podrobneye na livelib.ru <https://www.livelib.ru/book/1000764891-duhovnaya-situatsiya-vremeni-karl-yaspers>
3. Abzalov E.M. Pravovaya kultura i pravo narusheniye molodyoji. – Tashkent, 1997. – S.21; Atamatov B. Qonunga hurmat tuyg'usini tarbiyalaylik // Hayot va qonun. – Toshkent, 1998, №1. – B.21-25.; Xamrayev A.A. Qonunga buysunish – huquqiy madaniyat mezoni. // Qo'qon. – Toshkent, 1998, №3-4. – B.4-5.
4. Karimov I.A. Xavfsizlik va barqaror taraqqiyot yo'lida. T. 6. – Toshkent: «O'zbekiston», 1998. – B.160-161.
5. Ильин И.А. О суши правосознания. - М., 1993. - С.23-24.