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HUQUQIY NIGILIZM TUSHUNCHASI HAQIDA

Аннотация

Ushbu ilmiy maqola bu kabi ijtimoiy hodisaning mohiyati va oqibatlarini o'rganadigan tadqiqotdir. Muallif ushbu maqolada huquqiy nigilizm tushunchasini qonunga qarshi xatti-harakat shakli sifatida qaraydi va uning asosiy xususiyatlari va ko'rinishlarini tavsiflaydi. Maqolada huquqiy nigilizm shakllanishiga sabab bo'luvchi omillar, jumladan, iqtisodiy, ijtimoiy, madaniy va mafkuraviy omillar tahlil qilingan.

Kalit so'zlar: Jamiyat hayotiga huquqiy nigilizmning oqibatlariga, ya'ni jinoyatchilikning o'sishi, huquq tartibotning susayishi va ijtimoiy xavfsizlikka tahdidlarga alohida e'tibor qaratilgan.

О ПОНЯТИЕ ПРАВОВОГО НИГИЛИЗМА

Аннотация

Данная научная статья представляет собой исследование сущности и последствий данного социального явления. Автор рассматривает понятие правового нигилизма как форму антиправового поведения, описывая его основные характеристики и проявления. В статье подробно анализируются причины, способствующие развитию правового нигилизма, включая социальные и экономические факторы, а также культурные и идеологические влияния.

Ключевые слова: Особое внимание уделяется последствиям правового нигилизма для общества, таким как увеличение уровня преступности, ослабление правопорядка и угроза общественной безопасности.

ABOUT THE CONCEPT OF LEGAL NIHILISM

Annotation

This scientific article is a study of the essence and consequences of this social phenomenon. The author considers the concept of legal nihilism as a form of anti-legal behavior, describing its main characteristics and manifestations. The article analyzes in detail the reasons contributing to the development of legal nihilism, including social and economic factors, as well as cultural and ideological influences.

Key words: Particular attention is paid to the consequences of legal nihilism for society, such as increased crime rates, weakened law and order and a threat to public safety.

Introduction. The study of legal nihilism in Uzbekistan may be important for understanding and addressing specific problems related to respect for the law and the rule of law in this country. Here are some aspects that can be taken into account when researching this problem in Uzbekistan.

In his speech at the solemn ceremony dedicated to the 24th anniversary of the adoption of the Constitution of the Republic of Uzbekistan, President of the Republic of Uzbekistan Shavkat Mirziyoyev emphasized "that if innovations introduced into legislation are not promptly put into practice, especially at the level of managerial structures, how can their implementation be guaranteed? The only effective way to solve this problem, in his opinion, is to establish a strict mechanism of control over law and order" [1].

The study may begin by analyzing the historical context, including periods of Uzbek and Soviet history that may have influenced the formation of attitudes towards the law and the rights of citizens. The study could include an analysis of Uzbekistan's existing legal framework and an assessment of its compliance with international human rights standards. Examination of the education system and activities aimed at improving the legal literacy of citizens and the availability of accessible information on rights and obligations. To analyze the effectiveness of the work of law enforcement agencies and access to justice, including issues of court proceedings and respect for the rights of citizens in

court. Examining cultural and social norms that may influence attitudes towards the rule of law in Uzbekistan. A comparative analysis of the situation of legal nihilism in Uzbekistan with other countries and regions may also provide valuable information. Based on the results of the study, recommendations and proposals can be developed to improve compliance with laws and the rule of law in Uzbekistan, as well as to strengthen the rule of law and increase the legal literacy of citizens.

To investigate the problem of legal nihilism, it is possible to analyze the causes of legal nihilism, examine the sociocultural and economic factors that may influence the spread of nihilism in society, and develop strategies and measures to combat the problem. Such research can help to strengthen the legal system and ensure that laws are enforced in society.

Legal nihilism is a problem in Uzbekistan and its goals and objectives may include the following aspects:

- Evasion of laws: The purpose of legal nihilism may be to avoid compliance with laws and regulations, allowing individuals or organizations to avoid responsibility for illegal actions.

- Protecting interests: Some individuals may use legal nihilism to protect their interests by ignoring laws that could affect their profits, power or influence.

- Covering up corruption: Legal nihilism can be used to cover up corruption, where officials or businessmen may ignore laws to ensure their illegal activities.

- Pursuit of political or religious goals: In some cases, legal nihilism can be used as a means to pursue political or religious goals when opposition groups or faiths ignore laws to express their dissatisfaction with government or religious organizations.

The objectives of legal nihilism may include the following aspects:

- Ignoring laws - the main objective of legal nihilism is to ignore existing laws and regulations.

- Avoiding punishment - people and organizations may use legal nihilism to avoid punishment for violations of the law.

- Destruction of law and order - legal nihilism can contribute to the breakdown of law and order and disrupt social stability.

- Strengthening positions - some groups may use legal nihilism to strengthen their position in society or in the political arena.

Combating legal nihilism involves not only strengthening the rule of law and law enforcement, but also ensuring justice, fighting corruption, and improving citizens' awareness of the importance of legal norms and principles in society.

The problem of legal nihilism remains relevant and has scientific significance in the modern world. Here are some arguments that emphasize the relevance and scientific significance of this problem:

Strengthening the rule of law - in many countries, legal nihilism can lead to a weakening of the rule of law and a loss of citizens' trust in government. Research on this problem can help develop strategies to strengthen the rule of law.

Human rights protection - Legal nihilism can lead to human rights violations. Research in this area can help identify specific cases of violations and develop measures to prevent them.

Fighting corruption - legal nihilism is often linked to corruption, as some individuals and organizations may use it to cover up illegal activities. Research on this issue can help identify mechanisms of corruption and propose solutions to address them.

Literature review. Analyzing the literature on the topic of legal nihilism allows us to understand the many facets of this problem and examine it from different perspectives. It is possible to analyze a number of scientific studies within the topic of legal nihilism. The literature on legal nihilism can be divided into the scientific research of our national scientists, the views of scientists from CIS states on legal nihilism and, of course, the right of scientists from Western countries on scientific research on nihilism.

Legal nihilism is a concept that represents unwillingness or disbelief in the system of law and legality. The term is used to describe people's attitude towards the legal order, in which they do not respect norms and laws, and often even ignore them. Each of the given definitions emphasizes the most important, from the point of view of the authors, features that characterize the essence of legal nihilism. Thus, for V.A. Tumanov, L.A. Morozova - it is disbelief in the possibility of ensuring the realization of the interests of society and the individual with the help of law. For N.I. Matuzov and A.P. Semitko it is a manifestation of negative, negative, disrespectful attitude to law, law and legal forms of organization of social relations. For V.V. Lazarev, V.Y. Lyubashits, A.Yu. Mordovtsev, I.V. Timoshenko, A.V. Demin, V.M. Protasov, V.I. Goiman - it is, first of all, the denial of the social value of law. V.A. Rybakov and A.B. Vengerov, solidifying with the opinion of N.I. Matuzov and A.P. Semitko, add that legal nihilism is a defect of legal consciousness, a characteristic of its deformed sides.

A.B. Vengerov, considering the causes of legal nihilism as one of them, calls "quite justified protests against certain laws" [3]. H. B. Varlamova interprets the notion of legal nihilism too broadly, not taking into account the various motives in the violation of the law by subjects of law. "Legal nihilism is characterized, firstly, by legal incompetence (lack of legal knowledge), secondly, by negative evaluation of law (denial of its positive role as a way to regulate social relations), thirdly, by the prevalence of skills and stereotypes of non-legal and illegal behavior" [4].

N.I. Matuzov rightly points out: "The powerlessness of law cannot generate a positive attitude to it, but only causes irritation, dissatisfaction, protest. Law as if it is the cause of nihilism" [5].

To the forms of legal nihilism N.I. Matuzov refers: [6]

1. Direct deliberate violations of existing laws and other normative-legal acts.

2. Mass non-observance and non-fulfillment of legal prescriptions.

3. War of laws (issuance of normative-legal acts contradictory in content).

4. Substitution of legality by political, ideological or pragmatic expediency.

5. Confrontation of representative and executive power.

6. Violation of human rights.

7. Theoretical form of legal nihilism.

Signs of legal nihilism:

1) widespread and pervasive;

2) uncontrollability;

3) the presence of various forms of its manifestation in the state;

4) complementation with other types of nihilism (in particular, religious, moral, etc.);

5) combining nihilism with various forms of protest;

6) the spread of nihilism in the media, literature, movies [7].

German philosopher Martin Heidegger, investigating European nihilism from the point of view of phenomenology, identified its main characteristics. First of all, he emphasized that the worldview of nihilism is characterized by the dominance of meaninglessness and the identity of the value of everything that exists. The absence of a stable hierarchy of values based on an absolute leads to the understanding of all values as equal and relative, and ultimately as lacking a common meaning. Second, nihilism manifests itself in the belief that the human world and society are made up of "psychological needs" and are merely a collection of overlapping individual interests. From this follows the idea that there is no unified organization, meaningful structure, and integrity in the world and society. [8].

The term «nihilism» was first introduced in Western philosophical thought by Friedrich Heinrich Jacobi, a German philosopher, in his letter to his contemporary and esteemed friend Johann Gottlieb Fichte. However, Jacobi did not provide a detailed definition of the term, nor did he comment further on it. Later, another prominent German thinker, Friedrich Nietzsche, developed this concept thoroughly and comprehensively. He asked himself the question: "What is meant by nihilism?" and answered it himself: "It is when the highest values lose their significance, when there is no purpose and no answer to the question «why?»" [9].

Legal literature distinguishes three types of legal nihilism: infantile, frustration and vindictive.

Infantile nihilism, as a rule, is characteristic of minors, especially children. In this age group, people do not sufficiently understand the essence of property rights and sometimes interfere with them. For example, many children may accidentally damage gardens or orchards by picking

sweet fruits. It is important to note that their actions in this form of legal nihilism are not motivated by hatred and are not aimed at destruction.

Frustration legal nihilism occurs when the desires or needs of a person in the realization of his natural rights remain unsatisfied [10]. Today we observe that frustration nihilism is becoming a widespread phenomenon, and one of its main reasons is the inability of the state and its institutions to solve actual social problems. Many people remain unsatisfied with the need for security and respect for the rule of law. Obviously, in such situations people lose faith in the operation of the law and stop turning to state bodies for protection of their rights.

One of the main problems of legal nihilism, in our opinion, is the increase in the crime rate. People's refusal to seek help from official justice, primarily due to disappointment in the actions of state structures, pushes them to solve problems on their own, sometimes resorting to illegal methods of self-defense.

Research Methodology. The study of legal nihilism represents an important area of legal science and requires the application of appropriate methodology for a deeper understanding of this phenomenon. Research on legal nihilism requires a comprehensive and multidimensional approach, and the methodology may include a combination of the above methods to obtain a more complete picture of the phenomenon and possible ways to prevent it. The methodology of legal nihilism research is a system of approaches and methods used to analyze this phenomenon in the legal sphere.

Analyzing court decisions related to cases of legal nihilism can help to understand what types of violations are most common and how the judicial system responds to them. Exploring the social and cultural factors that influence the development of legal nihilism, including public opinion, stereotypes and values. Conducting empirical research, such as surveys, questionnaires, interviews, observation and data collection, to obtain specific information about individuals' views and experiences of legal nihilism. Developing and applying ethical standards and principles in the conduct of the research, taking into account the sensitivity of the topic and the protection of the rights and confidentiality of research participants. Comparing different countries or regions in order to identify similarities and differences in legal nihilism and its causes. Examining specific cases of legal nihilism and analyzing their dynamics in a historical context. Developing recommendations and strategies to combat legal nihilism and improve the rule of law based on the findings of the study.

The research methodology on legal nihilism should be comprehensive and integrated, taking into account the many factors that influence the phenomenon and providing a basis for developing practical measures to prevent and overcome it.

Analysis and results. The analytical part of the legal nihilism research performs an important function in the process of analyzing and interpreting the collected data. This part of the research utilizes pre-defined methods of analysis to identify and explain the patterns and features of this

phenomenon. This part of the study mainly presents the results of the methods of analysis, while the discussion and interpretation of the results will be presented in the subsequent sections of the paper.

The analytical part of the legal nihilism research may include the following elements:

Here the general characteristics of the data collected, such as sample size, period of data collection and sources of information are presented.

This describes the process of data preparation and processing, including cleaning data from errors, coding variables and other manipulations to improve data quality.

This specifies the methods that were used to analyze the data, such as statistical methods, mathematical models, content analysis, and others.

This section presents the specific results of the methods applied. For example, this could be the statistical significance of certain relationships, the identification of patterns in the data, or the numerical characterization of the phenomenon of legal nihilism.

Graphs, tables and other illustrations showing the main findings may be presented for clarity and better understanding of the research results.

The analytical part of the research is a key stage in the process of revealing the essence and characteristics of legal nihilism based on the collected data. It provides the actual results of the analysis, which will be discussed and interpreted in the subsequent sections of the article.

Conclusion/Recommendations. The conclusion of this study of legal nihilism begins with a concise summary of the key findings of the study. Having analyzed the data and conducted the research procedures, the following key conclusions can be drawn:

The study made it clear that legal nihilism is a serious social phenomenon characterized by a refusal or indifference to law and order. It can have different forms of manifestation, from passive apathy to active opposition to the law.

The study revealed that the roots of legal nihilism can be related to socio-cultural, economic, and individual factors. For example, resentment toward the rule of law may be due to low levels of trust in the justice system or experiences of injustice.

Legal nihilism can have serious social consequences, such as increasing crime rates, undermining trust in justice, and weakening social control.

It is important to realize that legal nihilism represents a serious challenge to modern society and the state. It is necessary to develop and implement interventions and policies to combat this phenomenon and restore confidence in the rule of law.

Based on the findings of this study, there is a need for further research to better understand legal nihilism and develop effective strategies to overcome it. It is important to explore different aspects of this phenomenon, including its impact on different societal groups and regions.

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