

Legal socialization and the formation of legal consciousness in educational environments: Contemporary challenges and pedagogical perspectives

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Abstract

This article investigates how young people in transitional societies, particularly in Armenia and the South Caucasus, develop their understanding of the law and legal socialization. As digital platforms grow and algorithmic biases become more common, traditional, coercion-based teaching methods are falling short. Often, these outdated approaches only lead to legal cynicism and a disregard for the law among students. By applying theories of procedural justice, constructive education, and critical pedagogy, this study makes a case for fundamentally changing how schools handle legal education. We argue that schools need to act as small-scale models of a fair and just state. When students experience fairness in the classroom, they are more likely to respect broader civic laws—a phenomenon known as the "spillover effect." Additionally, this paper highlights why students today need "digital immunity" to navigate online misinformation and blurring social contexts. We analyze various experiential learning methods, including Clinical Legal Education (CLE), mock trials, and project-based learning, to show that teaching human rights effectively requires more than just reading policies on paper. We conclude that true legal obedience should stem from a genuine, internalized belief in justice, rather than simply fearing punishment.

Keywords: Constructive education, Digital immunity, Experiential learning, Procedural justice, Socialization.

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Contribution of this paper to the literature

This article moves legal education from theoretical questions and mandated lectures to real-life practice. It combines so-called classroom justice with “digital immunity,” offering schools a practical way to help students navigate social media safely and naturally respect the law without coercion.

1. Introduction

Building a mature understanding of the law is essential for any modern democratic society to function properly and maintain the rule of law. Legal socialization isn't just a one-off event; it's an ongoing, complex process where people internalize legal rules, values, and behaviors. This process turns written laws into real-world social habits. During childhood and adolescence, people form their deepest attitudes toward the law, judges, police, and authority figures. A large body of research shows that simply memorizing legal facts isn't enough. Instead, legal socialization involves a deep cognitive and emotional shift that encourages people to follow the law voluntarily, rather than because they are forced to.

Cohn and White (1990) laid the groundwork for understanding this by identifying two main styles of legal socialization: coercive and consensual. The coercive model relies on fear and punishment. In contrast, the consensual model focuses on helping individuals internalize values so they cooperate willingly (Cohn & White, 1990). Because of this, schools play a massive role in deciding which model a society ultimately adopts.

We also can't ignore the role of the family. While much research focuses on schools, Grusec and Goodnow (1994) point out that children first learn about justice, authority, and rules at home. This isn't just a one-way street where parents lecture and children listen. Instead, family conversations and the ways parents enforce discipline shape the child's initial view of the law. If children are included in family decisions, they are more likely to develop a thoughtful, constructive attitude toward rules rather than just blindly conforming (Grusec & Goodnow, 1994). Kuczynski and Parkin (2007) take this further by explaining that children actively negotiate and reshape their parents' rules during daily life (Kuczynski & Parkin, 2007). This means schools aren't starting with a blank slate. Teachers work with students who already have a basic legal worldview shaped by their families, requiring educators to be flexible and adaptive.

Today, schools and teachers face totally new challenges. The rapid rise of digital technology, endless internet communication, and the shifting values in transitional societies, especially in post-Soviet countries, mean that old ways of teaching about the law aren't working anymore. The COVID-19 pandemic and the sudden shift to online learning made these flaws even more obvious, widening social gaps and limiting hands-on civic participation. To address these issues, this article offers a theoretical and analytical look at the current challenges of legal socialization. By pulling together insights from cognitive psychology, procedural justice, and human rights education, we propose new, practical teaching strategies designed to build a strong sense of legal responsibility in the digital age.

2. Review of Literature

2.1. Defining Legal Culture and Consciousness

Scholars often talk about "legal culture" and "legal consciousness" as if they are the same thing, but they actually work on different levels. The American sociologist Lawrence Friedman described "legal culture" as a broad, society-wide concept. It covers the overall values, attitudes, and expectations a society has about its legal system, shaping how deeply laws are woven into everyday life. On the other hand, "legal consciousness" happens on a smaller scale. It looks at how individuals and specific groups interpret and use legal ideas in their daily routines.

Recent studies show that legal consciousness isn't just one simple idea. It is a mix of six connected parts: general knowledge, specific legal skills, personal attitudes, trust in institutions, legal identity, and actual behavior. Psychologists and educators usually break this down into three main blocks (see Table 1).

Table 1. The structural components of legal consciousness.

Component of Legal Consciousness	Essential Characteristic	Impact on Legal Socialization and Behavior
Cognitive (Intellectual)	The accumulation of legal knowledge; comprehension of the legal system's structure, constitutional norms, and human rights	Serves as the foundation; however, the mere possession of knowledge does not inherently guarantee lawful behavior
Affective-Evaluative	"Legal emotions": personal attitudes toward the law, a sense of justice, and feelings of trust or cynicism toward institutional authorities	Exerts a decisive influence on voluntary compliance with the law. In adolescents, it is heavily dependent on peer affiliation and self-esteem
Behavioral-Volitional	The practical capacity to operate within the framework of the law, defend one's rights, and fulfill civic obligations	Transforms abstract knowledge and emotions into tangible social actions

Cotterrell (1997) added another layer by looking at legal culture as an ideology that mirrors the power dynamics in society. He argued that legal consciousness isn't just how one person feels about the law, but a shared understanding of how society works and who gets what rights and duties (Cotterrell, 1997).

2.2. Typologies of Legal Consciousness

Ewick and Silbey (1998) made a major contribution by identifying three ways people interact with the law: "before the law" (respecting and obeying it), "with the law" (using the legal system strategically to get things done), and "against the law" (resisting or fighting it) (Ewick & Silbey, 1998). Nielsen (2000) built on this by showing that our understanding of the law is shaped outside of courtrooms, right in the middle of everyday social interactions

(Nielsen, 2000). Merry (1990) also pointed out the reality of legal pluralism, where state laws and unwritten community rules constantly compete in people's minds (Merry, 1990).

In post-Soviet regions, researchers often focus on the clash between what a person wants to do and what is best for the public. They argue that a person has a mature legal consciousness when they can easily tell the difference between what is allowed, what is required, and what is forbidden. The ultimate goal of legal education is to make following the law a subconscious habit, rather than something people have to actively think about.

2.3. The Psychological and Cognitive Mechanisms of Legal Development

Historically, we have understood legal socialization through the lens of cognitive and moral development. June Tapp and Felice Levine adapted the famous moral development theories of Piaget (1932) and Kohlberg (1984) to fit the legal world. They showed that as children grow up, they move through specific stages in how they think about the law.

Recent studies using Structural Equation Modeling (SEM) confirm that how teenagers reason about morals and laws directly affects whether they break the rules. Tapp and Levine (1974) outlined three main stages of legal reasoning.

- Pre-conventional: The law is just an outside rule backed by force.
- Conventional: The law is recognized as a tool to keep society functioning.
- Post-conventional: The law is critically judged against higher moral principles (Tapp & Levine, 1974).

This expands on Fagan and Tyler's (2005) findings, which showed that teenagers are much more likely to follow laws if they actually believe the laws are fair and legitimate (Fagan & Tyler, 2005).

Here is how these stages typically play out:

At the Pre-conventional Stage, people only care about consequences. They follow the rules because they don't want to get punished. This kind of obedience is very fragile; the moment the threat of punishment disappears, the person might break the law.

During the Conventional Stage, as teenagers develop abstract thinking, they start to see the law as a way to keep peace and order in society. They follow the rules to meet social expectations and be seen as "good citizens." Most school programs are designed to get students to this level.

The Post-conventional Stage is the highest level of development. Here, people look at the law through the ideas of universal justice, human rights, and the social contract. They can criticize unfair laws and might even peacefully protest them if they conflict with deep ethical ideals.

From a psychological standpoint, children mostly learn about the law through "personification." They don't understand abstract justice yet; instead, they see justice in the actions of important adults, like parents and teachers. If a child faces cruelty or unfairness from these adults, they get frustrated, and that frustration can easily turn into a lifelong hatred of the legal system. These painful early experiences can breed cynicism and push youth toward criminal behavior.

2.4. The School and the Educator as Agents of Legal Socialization: Procedural Justice

Once kids step outside the family, schools become the biggest influence on their legal socialization. During the teenage years, peers and school authorities (like teachers and principals) start to matter just as much, if not more, than parents.

In modern criminology, Tom Tyler's theory of procedural justice is incredibly influential. He argues that legal socialization works best when people internalize the law willingly, rather than being forced. If authority figures rely on fear and punishment (the coercive approach), students only behave to avoid trouble. But if authority figures treat students with respect, make fair and transparent decisions, and listen to them (the consensual approach), students start to trust the system and cooperate voluntarily.

Peers also play a massive role. Akers' (1998) social learning theory explains that teenagers often copy the behavior of their friends. What the peer group approves or punishes often overrides what the teacher says (Akers, 1998). Because of this, schools can't just lecture about the law. They have to shape the school's social environment, encouraging positive peer pressure and teaching students how to resolve conflicts fairly through peer mediation (Hirschi, 1969).

There is strong evidence for a "spillover effect" in schools. When students feel their teachers are fair, they are much more likely to trust police officers, judges, and the government later in life. Using mediation and trauma-informed practices in schools reduces teenage anxiety and cuts down on bad behavior. Brunson and Weitzer (2009) found that interactions with police in early adolescence shape lifelong views of justice, and the same goes for teacher-student interactions (Brunson & Weitzer, 2009). Murphy (2017) also confirmed that procedural justice works effectively in everyday regulatory situations (Murphy, 2017).

A great example of this is the Ability School Engagement Program (ASEP) in Australia. Police and school staff teamed up to talk with at-risk teenagers using dialogue and fairness instead of just punishment. The result? The teenagers' antisocial behavior dropped significantly over time because they started to see the police and the rules as legitimate. Similar studies show that teenagers in the juvenile justice system are more likely to respect the courts if their defense attorney treats them fairly.

Beyond school, movies, TV, and social media heavily shape how young people see the law. Surette (2015) points out that the media creates a fake, dramatized version of justice (Surette, 2015). Teenagers often base their expectations on these shows, leading them to expect either a perfect "utopian justice" or to become totally cynical about real courts. Schools need to teach media literacy so students can tell the difference between Hollywood dramas and real-world legal practice.

2.5. Digitalization and Cyberspace: New Challenges to Youth Legal Consciousness

The internet has completely changed how kids learn about rules and society. Today, traditional socialization has to compete with digital socialization. Generation Z (or "Zoomers") process information differently: they consume content quickly and in small fragments, heavily relying on social media for news. This is a double-edged sword.

While legal information is more accessible than ever, the internet is also flooded with misinformation that can breed legal nihilism.

As human rights concepts spread globally, Merry (2006) argues that these international norms only work if they are translated into local cultural contexts, a process she calls "vernacularization" (Merry, 2006). This is vital in transitional societies, which sometimes copy Western laws without adjusting them for local traditions. Schools shouldn't just force students to memorize international treaties; they need to discuss the moral ideas behind them so students can connect global rules to their daily lives (Hathaway, 2002).

Social media algorithms are built to keep users hooked, often by promoting angry, polarizing content. Studies show that this damages political trust and creates legal cynicism. Online anonymity and physical distance also lower empathy, leading to cyberbullying and aggression. Sunstein (2017) warns about "echo chambers," where people only see information that confirms what they already believe, crippling their ability to think critically (Sunstein, 2017). Furthermore, Boyd (2014) notes that teenagers face "context collapse" online, where different social rules blur together on a single platform, leaving them confused about how to behave (Boyd, 2014).

To fight this, researchers suggest teaching "digital immunity" and "digital hygiene." Schools must include courses on critical thinking and cyber law to help young people spot manipulation, handle toxic content, and behave responsibly online.

2.6. Legal Education in the Context of Transitional Societies: The Experience of Armenia and the Region

In post-Soviet countries like Armenia, building a rule-of-law state means shaking off a heavy historical burden. During the Soviet era, law was seen merely as a tool for the ruling class to suppress people, and individual rights took a backseat to collective goals. After gaining independence, Armenia's education system had to dismantle this authoritarian mindset and raise citizens who value democracy.

Armenia has made real progress by adding "Human Rights" to the school curriculum in 2001 and adopting international agreements like CEDAW to promote gender equality. However, World Bank reports highlight a gap between what is on paper and what happens in classrooms. Textbooks and teaching standards still don't fully embrace gender equality and inclusivity, making it hard to create a truly fair environment for students.

As Carothers (2006) notes, building a state governed by the rule of law is much harder than simply writing new laws (Carothers, 2006). In post-Soviet regions, where people were historically taught to blindly obey authority (Schwartz, 2000), a mix of legal cynicism and nihilism still lingers. Old stereotypes and distorted views of democracy continue to fuel discrimination, as shown by surveys on attitudes toward marginalized groups.

To fix these gaps, civil society and international organizations are stepping in. For example, the Human Rights Research Center (HRRC) in Armenia runs an "Evening School" with local universities, teaching young professionals how to protect human rights using international standards. Similarly, Yerevan State University hosts a master's program by the Global Campus of Human Rights that blends legal theory with practical skills like mock trials. The OSCE has also trained social studies teachers in Armenia to use hands-on teaching methods. Additionally, studying real cases from the European Court of Human Rights (ECtHR) helps shape the professional ethics of future lawyers, reinforcing the rule of law.

2.7. Innovative Methodologies for Teaching Human Rights and Citizenship

To build strong legal consciousness, we have to move away from boring, lecture-heavy teaching. Modern educators push for active, constructive learning. In Armenia, Hovhannisyan et al. (2004) adapted these ideas, emphasizing that students shouldn't just absorb facts; they should actively build their own understanding. This ties back to Freire's (1970) critical pedagogy, which champions open dialogue to awaken students' critical thinking (Freire, 1970).

Research on clinical legal education shows that learning works best when theory is tied to real-world social problems (Milstein, 2001). Vygotsky's (1978) sociocultural theory supports this, arguing that people learn best when working alongside experienced mentors (Vygotsky, 1978). Legal clinics are perfect for this because they put legal rules into a practical social context (Wenger, 1998).

To make democratic values stick, schools should use experiential learning (As summarized in Table 2). In universities, Clinical Legal Education (CLE) does two great things: it gives free legal help to vulnerable people, and it drops students into real-life problems, teaching them empathy and ethics. Bringing human rights principles into these clinics helps students break down barriers and care deeply about social justice.

Table 2. Experiential and practice-oriented pedagogical strategies.

Pedagogical Strategy	Mechanism of Impact on Legal Consciousness	Practical Outcome
Role-playing and simulations	Immersion into specific legal scenarios; empathetic comprehension of diverse social roles (e.g., judge, defendant, victim, police officer)	Cultivation of a profound understanding of procedural norms; development of tolerance and the capacity for non-violent conflict resolution
Project-based learning	Integration of academic knowledge with community service (Service learning)	Cultivation of social responsibility, civic engagement skills, and the realization of one's capacity to exert a tangible impact on local issues
Structured debates and discussions	Analysis of authentic legal dilemmas; the imperative of rigorous argumentation and active listening to opposing viewpoints	Elevation of critical thinking, the deconstruction of stereotypes, and the prevention of legal nihilism

Role-playing and simulations are also highly effective. Kolb's (1984) experiential learning theory says that real knowledge comes from reflecting on an experience (Kolb, 1984). When students try out the law in a safe space like a mock trial, they truly understand the logic and fairness behind legal procedures.

Youth-led initiatives like the "Rights and Voices" campaign by Copernicus Yerevan show that interactive projects—like storytelling and video campaigns can drastically change how teenagers view the law. It helps them

see that human rights aren't just fancy words for politicians; they are real tools to keep their communities safe and fair.

3. Conclusion

Building a strong legal culture today requires much more than just teaching people what the laws are. Legal socialization is an emotional and cognitive journey where individuals internalize values. In a world full of digital algorithms, online misinformation, and legal cynicism, the old-school methods of forcing obedience just don't work anymore.

Schools need to lead the way by practicing procedural justice every day. A school should operate like a fair miniature state where teachers model transparency, respect, and zero tolerance for discrimination. By shifting to collaborative learning, running practical projects like mock trials, and teaching "digital immunity," we can raise a generation that obeys the law because they believe it's fair, not because they are scared of getting caught. Rethinking education through the lens of human rights is the only way to build a stable, democratic society.

As Tyler (2006) proved, people follow the rules when they feel the system is legitimate (Tyler, 2006). Piaget's (1932) theories on development with Freire's (1970) focus on critical thinking give us the perfect blueprint to transform education and raise legally conscious citizens.

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