

ESSAY ARTICLE

Civil society and legal culture: basic ideas about a consistent and inevitable relationship

Sociedad civil y cultura jurídica: ideas básicas sobre una relación consistente e inevitable

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Abstract The essay examined the essential relationship between civil society and legal culture in the Cuban context, emphasizing the need to enhance legal education among the population of Sancti Spiritus through an interdisciplinary and interinstitutional approach. Based on an in-depth review of specialized literature and normative documents, it argued that legal culture constitutes a fundamental pillar of the socialist project, promoting knowledge, the conscious practice of legality, and citizen participation. In Cuba, civil society maintains a close relationship with the State, oriented toward collective well-being and the strengthening of national identity. Non-governmental organizations, as legitimate expressions of this civil society, play a relevant role in political and ideological debate, decision-making, and civic education, without contradicting the social project. Several challenges were identified, such as gaps in legal knowledge, insufficient media coverage, and the need to deepen theoretical understanding of the role of the State, legality, and hegemony. Finally, it became evident that the improvement of legal culture constituted a strategic objective to consolidate a more conscious, participatory, and cohesive society around its social and normative principles.

Keywords legal culture, civil society, citizen participation, socialist state, non-governmental organizations.

Resumen El ensayo analizó la relación esencial entre la sociedad civil y la cultura jurídica en el contexto cubano, destacando la importancia de fortalecer la formación jurídica de la población espirituaña mediante un enfoque interdisciplinario e interinstitucional. A partir de una revisión profunda de la literatura especializada y de documentos normativos, se argumentó que la cultura jurídica constituía un pilar fundamental del proyecto socialista, al promover el conocimiento, la práctica consciente de la legalidad y la participación ciudadana. En Cuba, la sociedad civil mantenía una estrecha articulación con el Estado, orientada al bienestar colectivo y al fortalecimiento de la identidad nacional, en la que las organizaciones no gubernamentales, como expresiones legítimas de dicha sociedad civil, desempeñaban un papel relevante en el debate político-ideológico, la toma de decisiones y la educación ciudadana, sin contradecir el proyecto social. Se señalaron diversos desafíos, como las brechas en el conocimiento jurídico, la divulgación mediática insuficiente y la necesidad de profundizar la preparación teórica sobre el papel del Estado, la legalidad y la hegemonía. Finalmente, se evidenció que el perfeccionamiento de la cultura jurídica constituyó un objetivo estratégico para consolidar una sociedad más consciente, participativa y cohesionada en torno a sus principios sociales y normativos.

Palabras clave cultura jurídica, sociedad civil, participación ciudadana, estado socialista, organizaciones no gubernamentales.

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Introduction

The development of a legal culture has been one of the main objectives of the Cuban Socialist State. The foundations of this important activity are found in the very ideology of our revolutionary work. Martí defined the reverence for the full dignity of humankind as the primary goal of a true rule of law, which is only achieved when individuals, as subjects of law, know and exercise all the rights and obligations that the law mandates. Legal culture not only includes the level of citizen knowledge regarding their rights and obligations, but also encompasses how they exercise each of these in their interactions with society.

Law has been recognized as having multiple functions, ranging from its conception as an instrument for legitimizing power to those purposes identified as shaping a balanced social order. Within this broad range of functions, the social dimension of the legal phenomenon is of particular importance, as it expresses itself as a mechanism for integrating and regulating society—that is, as an element of direction and guidance for conduct. Consequently, legal norms are understood to also possess an educational nature, as they are aimed at shaping a civic or human personality in its highest ethical dimension.

In Cuba, legal culture is one of the fundamental pillars supporting the most just and inclusive social project ever built in our country. The topic is inherently controversial and multifaceted, encompassing diverse aspects that are part of the subjectivity and daily actions of individuals.

Legal culture has been viewed as the set of ideas, beliefs, values, norms, and skills related to law that influence the behavior of individuals within a society, sector, region, or organization in a specific historical context (Friedman, 2019; Faundes & Le Bonniec, 2020). This culture must be transmitted and shared by its members (Dueñas et al., 2017). Transmitting this culture allows for the development of greater skills, habits, and customs in understanding, applying, and teaching the law, as well as better addressing the various conflicts that arise in relation to their respective roles, whether they are legal professionals or not (Dueñas et al., 2017).

“Legal culture” has been referred to in various ways: “legal education,” “legal preparation,” “legal professional development,” “legal training,” among others. However, the authors of this article advocate for fostering a legal culture among citizens, since they should be provided with knowledge, skills, values, and beliefs about the law, and these should be shared and influence individual behavior.

With the approach of the second quarter of the 21st century, and immersed in a process of reorganizing the Cuban socio-economic model and more recently in the process of updating laws and legal norms, beginning with the approval in 2019 of the new Constitution of the Republic of Cuba, there is an urgent need to promote the development of a le-

gal culture among members of Sancti Spíritus civil society, in effective collaboration with educational institutions such as the university and representatives of mass organizations: CDR, FMC, ANAP, as well as community leaders, who demand an update of their legal knowledge in order to improve their daily work and achieve greater relevance in their actions.

As Cuban President Miguel Mario Díaz-Canel Bermúdez stated in a meeting with jurists in 2021, regarding a cardinal issue such as legal advice, he reasoned: “We have to create environments where our people know what is legislated, what is established, how it is fulfilled, what the consequences of not complying with it would be; generate that spring of thought in the work and in our daily management”.

For this reason, emphasis is placed on working on legal culture in all generations, generating the indispensable synergy of strategic alliances, much needed, with all possible sectors.

Methodology

The theme of legal culture provides the possibility of leading participation of the Law degree and the collaboration of other degrees taught in the Faculty of Humanities and in the University of Sancti Spíritus “José Martí Pérez” (UNISS) in general, to respond to the sustainable development of the province of Sancti Spíritus and its projection towards the territory, which results in achievements in the variable of relevance and social impact that is of special interest in the accreditation process by the National Accreditation Board (JAN).

The preceding analysis confirms that the Social Sciences, and the Legal Sciences in particular, are responsible for developing the study of the problems, potentialities, and challenges that make legality viable in Cuban socialism, expanding the critical and creative capacity of the various actors working to build a better, legally ordered, prosperous, and self-sustaining society.

One of its unmet demands is the comprehensive education of civil society and its inhabitants so that they can know, understand, assimilate and discern in the simplest way possible the current legal framework that makes Cuba one of the countries that has legally advanced the most in Latin America, a matter that is hindered by the limited knowledge, by a large part of the population of many of the laws recently approved, insufficient capacity to assume duties and rights enshrined in our fundamental laws, as well as the gap between what is legislated and what is executed in daily legal practice.

In addition to the above, the spaces on radio, in the print media, on digital sites, or on the UNISS institutional website that reflect legal topics with the necessary frequency and appeal to motivate knowledge among members of civil

society and the general population of Sancti Spíritus are insufficient and aesthetically and media-wise unattractive. This population has to contend with an avalanche of media manipulation and distortion of contemporary legal reality in Sancti Spíritus, which reaches individuals through various channels and means.

The notion of Legal Culture has been developed as a conceptual tool for understanding Law as a social phenomenon, that is, as a process currently operating in society. Within Legal Culture, Law is understood as a cultural phenomenon, not as a set of prescriptions or particular rules of conduct.

Law is a set of beliefs and assumptions about the form and character of each particular community. It operates as a framework of meaning from which to interpret our social world and ourselves within it. It is primarily through legal debates and their rhetoric that we can understand legal culture, as these reflect, reproduce, and, at times, regenerate it.

It seems like a self-evident truth, doesn't it? However, it's not at all pointless to insist on it, seeking, to some extent, to delve deeper into the most important theoretical and practical elements that support and demonstrate such a statement. Categories common to political science, philosophy, and legal sciences, which merit essential conceptual development, are an impulse that animates these lines.

Every state is essentially a system or apparatus of coercive and authoritarian organs through which the public services needed by society are provided. It is a political organization assumed by the economically dominant class to protect and safeguard its vital interests, and whose purpose is to maintain the existing order by suppressing the resistance of opposing classes. Internally, it functions by regulating, controlling, and organizing economic, social, and political relations within the socio-class structure of society at a specific historical moment and place. It projects these same functions externally, though these external functions are almost always dependent on the external ones.

A fundamental distinguishing feature of this impressive system or mechanism is the ability to exercise public political power. Let us pause here: this feature consists of three elements: power, political, and public.

Power refers to the ability and capacity to enforce obedience, to coercively impose its mandates, decisions, and designs. The State does not beg, plead, or request; the State orders, commands, and imposes. It has sufficient instruments to enforce obedience.

Political, because these mandates or designs pertain to matters relating to its organization, its government, its legal system, the leadership of social classes in the context of struggle or confrontation, the leadership of political parties, and its foreign relations. The expression of class interests permeates all spheres of life and social relations, reflecting,

to a greater or lesser degree, the needs for the development of society's material life.

Public, because it is universal, it reaches everyone; it extends throughout the entire territory in which it is established. No one can evade compliance with the mandates of the State.

It is then obvious that it possesses a material element, its territory, its physical space, and a human element, its population, over which it imposes its astonishing force, the depository of that political power.

Thus, the nature of the relationship takes shape: the population of a state is made up of social classes and segments within which the economically dominant class validates its interests through the prevailing political organization, where applicable, with its members holding positions in various bodies and institutions. Members of other classes and segments also actively participate in politics, from positions opposed to those dominant and represented in the state, exerting pressure for the adoption or non-adoption of crucial decisions. Both groups organize themselves according to rules pre-established by the state itself. This is what is known as the political system of class-based societies: a set of rules and mechanisms established for the adoption of key political decisions at a given time and place, encompassing all social relations that influence the exercise of political power.

The elements that make up this system must have, among other characteristics, political objectives and interests, and above all, the vocation and will to participate in political decision-making. Obviously, the State and its institutions constitute its fundamental link. However, there are other social groups and organizations that are not part of the State or the Government, but that participate in one way or another in political decision-making activities. This is what is known as Civil Society.

Marx understood civil society as the organization of the family, estates and classes, property relations, forms and procedures of distribution, in general, the conditions that make the existence and functioning of society possible, the conditions of real life and of man's activity, but later he replaced the term with more scientific and precise concepts.

Returning for a moment to the State and its functions, it is important to highlight that it employs complementary methods to operate: the imperative, the coercive, and the persuasive. This leads us to the Leninist idea that every State is, in and of itself, a class dictatorship—that of one class and its allies over others. However, this does not mean that it relinquishes the pursuit of hegemony, that is, the enjoyment of high levels of social consensus whereby the majority identifies with the State's purposes, understands their meaning, scope, significance, and causes, and embraces them willingly. What better way to achieve this than by elevating legal culture?

Let us add two final points: democracy has become a

conquest of humanity and has established itself as the fairest, if not the most perfect, form of exercising power and governing. It is based on the principle of the subordination of the minority to the majority and on the recognition of the freedom and equality of citizens' rights. Forms of political organization of society are centered on the consent of the governed, which translates into popular election of most state and governmental offices, in one form or another, and into direct popular participation in the exercise of state functions. Doesn't the above demand increase levels of awareness and legal culture?

Furthermore, if legality stands as a cardinal principle in most contemporary democratic states—understood as the rule of law above all, the absolute functioning of society based on the most scrupulous and strict compliance with the law, beginning with the organs of the State—we can then have a much clearer understanding of the indissoluble relationship that must exist between Civil Society and Legal Culture. They complement each other. Civil Society increasingly requires a legal culture to fulfill its purpose. And, of course, this is not a doctrinal concept exclusive to jurists, as is clear from everything discussed above. Nor should the term be reduced to knowledge of the laws and the principles that give them life. No. It extends to the external conditions that motivate the will of the legislator and its social applicability.

Developing legal awareness and raising the legal culture of citizens are among the most important tasks of human education, especially in a socialist society, because they contribute to strengthening the rule of law and public order. Legal culture elevates individual consciousness until individuals recognize the most general legal principles, which serve the interests of society as a whole, the state, the individual (properly understood), and the collective.

It is expressed in citizens mastering the fundamentals of legal knowledge, in respect for laws and the law, in the conscious observance of the rules of law, in the understanding of social responsibility, in intransigence towards infractions, and in the fight against them.

Law, as a set of principles and rules, is the expression of an idea of justice and order and, consequently, regulates human relations in every society; its observance, therefore, can be enforced. Any human society, regardless of its level of civilization, needs a certain order. This order is neither arbitrary nor causal, but rather the result of observing those legal norms established to organize life in society.

Legality, therefore, is the requirement to observe that certain order, that system of legal norms that make up the Law, all of which ensures proper conduct by citizens and prevents arbitrary actions.

When we speak of legal culture, we are referring to the body of knowledge derived from the very existence of Law as a real object of study, and which is related to the

technical and professional content that must be developed in the specialized training of legal professionals. In other words, legal culture is identified with the specific content, the object of the jurist's teaching and learning process, which requires more rigorous and professional studies in relation to the specific demands of practicing law. To achieve training of this nature, educational systems at their various levels, the family, and the social environment must function as a true educational community that offers daily experiences conducive to development within their family and social context.

To reiterate, civil society is a term with a long history in political, philosophical, and legal thought. Therefore, for an in-depth analysis, it is essential to consult the research conducted by Cuban philosopher Miguel Limia David: "Civil Society and Participation in Cuba" (Limia, 2009), and the research of Jorge Luis Acanda González: "Civil Society and Hegemony" (Acanda, 2002) and "Ethics and Politics in Civil Society" (Acanda, 2011). The functions of civil society in Marxist political theory (2011) are also crucial for understanding the historical evolution of the term from antiquity to the 21st century, not only from a theoretical and methodological perspective, but also in terms of its political implications and how it has been received throughout history by various political currents.

In this regard, Jorge Luis Acanda González notes that the contradictory political resonances of the term "civil society" lie in the fact that it is not exclusively a theoretical concept, but also functions as a political slogan.

It is incorporated by both the right and the left to defend their positions and interests. For the right, it is a symbol of their interest in structuring a weak state and limiting popular participation to parochial and depoliticized forms, assimilated into the processes of decentralization and privatization of the state. For the left, on the contrary, and especially in Latin America, it expresses the crisis of traditional political structures for confronting exploitation, as well as the emergence of new agents and forms of struggle (Acanda, 2011, p. 171).

Acanda's reflections allow us to understand that the category of civil society is not something opposed to the State, nor does it distance itself from its political content, which, in an organizational way, constitutes the State. Rather, it is the result of an organic relationship with it. This relationship is clearly expressed, first by Karl Marx and later enriched by Antonio Gramsci (1973), in the concept of hegemony. Gramsci argues that a class or social group can exert its dominance over society as a whole because it is capable not only of imposing its will but also of making other social groups accept that dominance as legitimate. Its power is based on the capacity to encompass all intellectual production within the framework of its interests. The essential

component of this hegemony is precisely civil society, understood by Gramsci as the space where ideological representations are produced and reproduced.

This allows us to understand that a given civil society corresponds to a specific political order, which is nothing more than the official expression of civil society. Therefore, we adopt Miguel Limia David's concept of civil society, which considers that it: Fundamentally and generally designates the sphere of activity and social interrelations *sui generis* – due to its integral character – where large human communities and immediate life (the process of physical and cultural production and reproduction of people themselves as individuals and collectives) are produced and reproduced, in contrast to institutionalized political power (Gramsci, 2009, p. 182).

In accordance with what Jorge Luis Acanda stated, the family, churches, schools, unions, political parties, mass media, and even the common sense shared by all, which defines what is considered normal, natural, and evident, are elements of a space whose designation as civil society does not indicate its detachment from political struggles for power, but rather a specific field for the re-establishment of a class's hegemony. In this regard, Pérez and Fraga (2016, p. 3) reflections are also interesting, when he stated:

“Society improves, transforms, and develops in accordance with the levels of civility it can demonstrate as a potential framework for civic activity, which can only manifest itself within society. What gives essential content to civil society is the degree of citizen participation in accordance with the spirit of solidarity, which allows individual interests to be complemented by collective ones.”

Therefore, society becomes civilized when individuals become aware of their social nature and can channel their individual interests through the channels provided by a democratic society. In the process of developing this awareness of their social and civic character, socializing agents, such as the family and the school, play an important role, responsible for educating children, adolescents, and young adults as active participants in this process.

In the Cuban case, university professionals, and particularly those in education, must understand not only the theoretical and methodological aspects discussed above, but also how the process of association has occurred in Cuba, which, as part of civil society, has been manipulated by the emergence of some dissidents organized and financed by governments that oppose the Cuban socialist project and who are assumed in some external contexts to be the true Cuban civil society.

Due to the depth with which it addresses the problem of associationalism and the periodization it makes of its evolution and development, the analysis of Juan Azaharez Espinal's article on NGOs in Cuba is pertinent:

They are voluntary associations of people with common private and/or public interests, who try to achieve social or

particular objectives of groups and sectors that are not part of the state structure, who carry out their activity mainly in civil society, do not have profit motives and who connect in different ways and in different degrees of affinity with the political system, through the socialist project (Azaharez, 2009, p. 192).

This definition essentially contains the basic elements of the concepts formulated by political science in general, agreeing that it groups people with certain interests to direct actions in different spheres of economic, political, and social life, in which rules and principles are established for their management that function independently of the governing bodies and that do not have profit motives.

On the occasion of the Fifth Congress of the PCC in 1996, the country's political leadership, for the first time, officially recognized the existence of these non-governmental organizations, responding to the political battle waged after the collapse of the socialist bloc, with the false accusations made by staunch enemies of the Revolution that civil society did not exist in Cuba. In this regard, in the report presented to the Fifth Plenum by Comrade Raúl Castro Ruz, member of the Political Bureau and Second Secretary of the Central Committee, he stated:

For us, civil society is not the one they refer to in the United States, but our own, the Cuban socialist civil society made up of our powerful mass organizations (CTC, CDR, FMC, ANAP, FEU, FEEM and even the pioneers), the social ones, which as is known include among others the combatants of the Revolution, economists, jurists, journalists, artists and writers, etc., as well as other NGOs that act within the legality and do not intend to undermine the economic, political and social system freely chosen by our people, while even though they have their own personality and even their own specific language, together with the revolutionary State they pursue the common goal of building socialism (Castro, 1996, p. 4).

These definitions clearly state that, in the Cuban case, political affiliation is not required for membership; however, they are unique in that their purposes do not contradict the revolutionary project. Therefore, the non-governmental nature of an organization does not in any way imply an anti-government stance, as is often found in other countries

Conclusions

The theoretical and methodological reflections developed provided a foundation for the need to strengthen the development of a legal culture within Sancti Spiritus' civil society, based on an interdisciplinary and interinstitutional vision, supported by a rigorous analysis of specialized literature and normative documents. It is concluded that, in the Cuban context, there is a close articulation between political society and civil society, both oriented toward collective well-being

and the enrichment of national identity. Non-governmental organizations, as legitimate expressions of socialist civil society, play a relevant role in the country's socio-political life, contributing to the political and ideological debate and supporting governmental decision-making, without opposing the social project. Their structural diversity and collaborative work, both nationally and internationally, demonstrate their contribution to social improvement and the strengthening of legal and civic knowledge.

References

- Acanda, J. L. (2002). *Sociedad civil y hegemonía* (N. Suárez, Ed.). Centro de Desarrollo de la Cultura Cubana.
- Acanda, J. L. (2011). *Ética y política en la sociedad civil. Las funciones de la sociedad civil en la teoría política marxista*.
- Azaharez, J. (2009). Breve análisis del surgimiento y desarrollo de las organizaciones no gubernales en Cuba. En: *Una ciencia Política desde el sur*. Editorial Félix Varela.
- Castro, R. (1996). *Informe al V Pleno del Comité Central del PCC*. Editora Política.
- Dueñas, K. I., Vélez, L. M., & Zambrano, J. E. (2017). Cultura jurídica. *Dominio de las Ciencias*, 3(esp.), 360-371. <http://dominiodelasciencias.com/ojs/index.php/es/index>
- Faundes, J. J., & Le Bonniec, F. (2020). Comparando la cultura jurídica desde el derecho a la identidad cultural en Brasil y Chile. *Direito Internacional*, 17(1), 145-180. <https://uniceub.emnuvens.com.br/rdi/article/viewFile/6555/pdf>
- Friedman, L. M. (2019). Existe una cultura jurídica moderna? *Passagens*, 11(1), 4-23. <https://doi.org/10.15175/1984-2503-201911101>
- Gramsci, A. (1973). *Antología* (M. Sacristán, Trad., Ed.). Ediciones Akal, S. A.
- Limia, M. (2013). *Sociedad civil y participación en Cuba*. Instituto de Filosofía.
- Pérez, L., & Fraga Acosta, M. (2016). *Separata de Teoría General del Estado*. Editorial Félix Varela.

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