

MAIN DIRECTIONS OF MASS MEDIA INFLUENCE ON INDIVIDUAL'S LEGAL CULTURE

The article deals with the content and characteristics of directions of mass media influence on individual's legal culture. Main directions of legal influence, such as informative-legal education, legal nurturing, legal propaganda are defined by the author.

Key words: mass media, legal culture, legal influence, legal education, legal nurturing, legal propaganda, legal socialization, nonlegal socialization.

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Основні напрями впливу засобів масової інформації на правову культуру особи

У статті розкривається зміст і характеристика напрямів впливу засобів масової інформації на правову культуру особи. Автором визначено такі основні напрями правового впливу: інформаційно-правова освіта, правове виховання, правова пропаганда.

Ключові слова: засоби масової інформації, правова культура, правовий вплив, правова освіта, правове виховання, правова пропаганда, правова соціалізація, антиправова соціалізація.

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Основные направления влияния средств массовой информации на правовую культуру личности

В статье раскрывается содержание и характеристика направлений влияния средств массовой информации на правовую культуру личности. Автором определены такие основные направления правового воздействия: информационно-правовое образование, правовое воспитание, правовая пропаганда.

Ключевые слова: средства массовой информации, правовая культура, правовое воздействие, правовое образование, правовое воспитание, правовая пропаганда, правовая социализация, антиправовая социализация.

Issue definition and its urgency. There are tendencies connected with the disregard of the law and non-recognition of the law as a social value in modern Ukrainian society. It is commonly known that the law influences legal awareness and regulates individual's behavior, and thus has to provide justice and public order in society. Today there are a lot of problems in Ukraine, which prevent the country from becoming a developed European state. One of these problems is undeveloped legal outlook and legal nihilism of public and local self-governing authorities, and citizens, in particular. Taking into account everything mentioned above, effective legal influence is extremely important, and legal civility and high level of individual's legal culture will be the results of this influence. The urgency of the

issue lies in the fact that mass media influences legal awareness and individual's legal culture; society's perception of legal information depends on its operation.

Analysis of researches and publications. The issues connected with legal culture are examined in works of S. S. Alekseeva, V. V. Golovchenko, O. A. Lukashova, M. I. Roziubra, V. V. Kopeichikov, O. M. Kostenko, V. M. Kudriavtsev, L. O. Makarenko, O. G. Murashyn, O. E. Manokha, E. V. Nazarenko, V. S. Nersesiants, N. M. Onischenko, S. S. Slyvka, O. V. Tretiakova and others. However, we can take note that the issue is not well-studied yet and there is a small number of researches connected with main directions of mass media influence on individual's legal culture.

The aim of the paper is to distinguish and characterize main directions of mass media influence on individual's legal culture.

Basic material presentation. The information space, which was controlled only by the state, is public now, and it is addressed to the wide range of consumers. In the past information was delivered from one public official to another and existed for official use only, but with the appearance of democracy, civil society demands to know everything about its rights connected with public life. Modern mass media has gained great power and influence, because exactly it forms the image and perception of modern legal reality. After Ukraine had become independent, mass media got new forms of ownership: private and municipal, and the process of denationalization provoked the creation of competitive environment of national and regional mass media, which led to pluralism of thoughts and views.

Thus, mass media is the subject of distributing and informing society with legal information, not just information (which is the priority of special national mass media), but interpretation, analysis and assessment of legislation and legal relationships, phenomena, events, conflicts. Legal flow of information covers only the most important part of social flow of information, the relationships of organization and transmission of which are regulated by legal provisions [1, p. 34]. These features make mass media an important social institution, one of the components of Ukraine's information space. But is it really happening in Ukrainian society? Probably, it is not. However, the achievement of legal protection and protection of human rights of high quality is another important indicator of high level of legal culture.

The legal basis of domestic mass media and journalists is the Constitution of Ukraine, Laws of Ukraine «On information», «On printed media (the press) in Ukraine», «On television and radio», «On information agencies», «On amendments and additions to the provisions of legislative acts of Ukraine concerning the protection of honor, dignity and business reputation of members of the public and organizations», «On the National Council of Ukraine on television and radio broadcasting», «On

state support of mass media and social protection of journalists», «On the order of informing about public and local self-governing authorities in Ukraine by mass media», «On publishing trade», «On public television and radio broadcasting of Ukraine», «On access to public information» and others.

O. F. Skakun mentions that one of the subjects of legal education of society is mass media, and the fact how society perceives the law and information about it depends on mass media. It acts as a mediator between the government and society; ensures basic rights and freedoms of an individual and a citizen to receive complete unbiased information needed to make conscious decisions. By informing, criticizing and controlling, it contributes to the establishment of the communication process in public life, development of its civic stance [2, p. 86].

The press, TV and radio, as well as electronic mass media are the media that broadcasts spiritual and legal values in mass consciousness, makes powerful influence on individual's legal awareness. According to A. M. Denysova, legal influence as one of the manifestations of the impact of the law on a wide range of public relations, awareness and behavior of individuals through a system of objective (legal) and subjective (psychological, ideological, moral, etc.) elements that make up the mechanism of legal influence and ensure its effectiveness. [3, p. 4].

Depending on the consequences arising from legal influence there are: a) positive legal influence, resulting in the occurrence of positive effects related to good behavior. However, positive results suggest the presence of an immediate benefit, as well as not being applied to the subject; b) negative legal influence, resulting in the occurrence of negative effects connected with law violations. Negative effects can be provided by complete or incomplete sanctions. A complete sanction provides an independent punishment, and an incomplete one does not provide such punishment, but its negative nature occurs when a law breaker is deprived of the opportunity to use the benefit which he wanted to get, while doing a wrongful act [4, p. 383].

An important thing in providing the force of the law on an individual is its mechanism that determines the final result of its influence. L. A. Luts defines the mechanism of legal influence as a system of general (legal consciousness, legal culture, principles, justice, public order) and special (rule of law, legislative mandate, sources of law, legal relations, legal facts and others) legal means, with the help of which legal requirements are transformed into the subjects' social behavior and regulatory organization of social relations is performed [5, p. 376].

As we know, legal culture is a qualitative characteristics of the entire legal system and it directly affects the state of all its elements. It is interesting how American researcher L. Feedman analyzes legal culture as a part of the legal system and refers such elements as structure, nature and culture of law to the content of the legal system. The structure of the law is the framework, the inner part of the legal system; nature is an operative rule which is characterized by the behavior of people within the legal system; legal culture is people's attitude to the law and the legal system, their values, ideas, hopes, aspirations [6, p. 4].

We share the view of P. M. Rabinovich who considers legal culture as a complex of legal knowledge and spiritual values, principles, legal affairs, legal customs. However, legal culture is defined as the degree of individual's legal development, the nature of his legal affairs and legal practice, the level of subject's assimilation of legal provisions and the possibility of objective evaluation and prediction of further development of society and the state, the nature of participation in the transformation of legal reality, the level of his legal activity; acquirement the culture of legal thinking [7, p. 130-131].

Through legal influence national mass media regularly provides information on national legislation, the activities of the legislative, executive, judicial branches, the state of public order, law violations fighting, especially among minors, law violation prevention, etc.; general and educational television and radio channels, pages, headings and other popular forms of legal information are created.

Mass media regularly informs citizens about the events of social and legal life of Ukraine and international communities, legal aspects of the activities of public and local self-governing authorities, the implementation of human rights and freedoms, law violations prevention, especially among minors, law violations fighting, corruption, organized crime. The advantages of mass media to other legal informing channels are prompt information submission, broad coverage, everyday influence and availability of legal information [8, p. 320].

In addition, mass media spreads legal information in society. Legal information is a set of documented or publicly announced information about the law, its system, sources, implementation, juridical facts, legal relations, public order, law violations, fighting against them and their prevention, etc. [9].

The law is perceived through consciousness, that is why, in our opinion, it is appropriate to consider the structure of individual's legal awareness and legal culture in order to analyze the effectiveness of influence of mass media on individual's legal awareness and legal culture. As we know, legal culture is a part of individual's legal consciousness, which is expressed in one's attitude towards the law, his legal values and beliefs. Legal ideology, as a set of legal opinions, which are based on legal scientific knowledge and social experiences, and depend on conscious attitude towards the law, is an element of structure of subconscious mind. Today mass media has accumulated vast experience of influence on consciousness of an individual and society. V. A. Kirylin states that professional and competent «legal influence» of mass media on mass audience has to lead to the formation and development of legal consciousness, principles and guidelines on legal behavior, specific actions and deeds, i.e., to the formation and development of a high level of legal culture of an individual and society. However, the scientist says that the mechanisms and models of mass media influence on mass audience that were actively used in the XX century, have lost their power now. The presence of so-called «counter-propaganda activities» of mass media, information warfare, hidden and open engagement of mass

media and certain journalists, conflicting information lead to the formation of controversial large-scale social and individual consciousness, which in turn affects the formation and development of personal and social legal awareness and legal culture [10, p. 23].

In order to form individual's legal outlook and legal culture mass media occasionally uses such forms and methods of work, as involvement of scientists, specialists and experts in various fields of law, creation of headings in printed media, on the radio and television, social networks for proper coverage of current legal issues, clarification of legislative acts. In our opinion, State television and radio broadcasting committee of Ukraine and the Ministry of Justice of Ukraine provide incomplete coverage of current legal issues in television and radio broadcasts, and also through the organization of a cycle of research and methodological TV programs with leading experts in the field of law. Thus, informative and legal education is a systematic process that forms legal thinking and legal outlook of an individual and is implemented by providing legal universal education in cooperation with local executive and self-governing authorities, establishing juridical printed media for the full coverage of information on the activities of public authorities, creating free legal databases on the Internet, legal electronic libraries, legal electronic journals, Internet conferencing on current issues of law, promoting legal electronic bookstores.

Legal nurturing is one of the ways to form a legal culture of an individual with the help of mass media. As we know, legal nurturing is a systematic legal influence on an individual in order for him to assimilate his legal knowledge, raise the level of legal awareness and legal culture, develop the focus on socially active good behavior [11, p. 38].

Thus, legal nurturing forms a positive attitude towards the law and good behavior, and is applied through systematic legal influence on an individual, development of his focus on socially active good behavior, and is implemented through educational measures on legal topics, national best coverage of legal issues competitions between publishing houses, corporate authors, legal printed media.

Legal propaganda is a form of legal nurturing of an individual, which involves the dissemination of legal knowledge among the population by interpretation of rules of law through mass media. Legal information supplied by mass media, in contrast to the official issuance of law, which contains the text itself, is mostly accompanied by interpretation of a rule of law explaining how to apply it in practice. Besides, this legal information finds its destination by itself, since the role of mass media greatly increases in transforming society, because exactly in such times citizens' need to assess legal phenomena and events more accurately and objectively increases.

Thus, legal propaganda is a system of measures, which form the conviction of an individual that it is necessary to follow rules of law and strengthen positive legal orientations, and is implemented by creating the cycle of permanent educational radio and television broadcasts on legal topics, making scientists, specialists and experts in various fields of law to appear in mass media, clarifying current legislation by lawyers through increasing the number of headings on legal subjects in printed media.

As we know, mass media is an institution of individual's legal socialization. Legal socialization is the result of positive legal influence of mass media. Some elements that are destructive to an individual may be present in the process of legal socialization.

Mass media participation in individual's legal socialization can be either constructive and have cognitive, axiological and behavioral effects, or dysfunctional, reducing the level of legal awareness of citizens. It means that agents and institutions of socialization can become contracting parties. In cases of dissemination of false, erroneous information, while enjoying the details of crimes, cruelty and violence cultivation, publications or topics have dysfunctional effects, and mass media turns into a contracting party of legal socialization, it devaluates moral and legal settings [12, p. 3].

Watching TV programs containing antisocial scenes is closely connected with antisocial behavior. Psychologists call it modelling of mass media acquired behavior, the result of «learning through

observation», which can also be called nonlegal or unlawful socialization. Among other things, there is a negative aspect of resorting to news and analytical programs which involve the selective supply of legal information on television and radio. Feature films, documentaries and criminal chronicles promote standards of legal behavior, which are incompatible with legal values of Ukrainian society.

Today we can consider the lack of state policy in the field of legal informing of the society and involvement of mass media potential for this purpose. Some publications and TV broadcasts are of informative, reportorial character and pay viewers' attention to the most high-profile crimes or disadvantages of law enforcement [13, p. 89].

Scenes of violence in films and television broadcasts have a negative influence on legal consciousness of young generation. Lack of coordinated legal mechanisms of influence on legal information presented in information networks allows to distribute materials with elements of violence, recipes for making drugs and explosives. There is an objective necessity to strengthen the protection of Ukrainian citizens, especially children and youth from a negative influence of mass media under such conditions.

Conclusion. To sum up, it is possible to identify the following main areas of mass media influence on individual's legal culture on the basis of the study: a) informative and legal education which forms legal thinking and individual's legal outlook; b) legal nurturing that determines a positive attitude towards the law and individual's good behavior, and is implemented through systematic legal influence on a person, development of his focus on socially active good behavior; c) legal propaganda which forms an individual's conviction that it is necessary to follow rules of law and strengthen positive legal orientations. Mass media legal influence should not be limited only to the distribution of knowledge on legislation to citizens, it is also important to form an individual's conviction that it is necessary to follow rules of law, create a positive attitude towards the law and have good behavior.

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