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**FORMATION OF YOUTH LEGAL CULTURE: INTENTIONALITY,  
PERFORMATIVITY, MEDIA MENTION**

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**Abstract**

The paper provides some synergistic attempts to reflect on the conditions for legal culture of young people to be formed as a state of legal consciousness, legality, excellence of legislation and legal practice expressing the status of law as a kind of social value implemented at a pedagogical university. This allows for a framework of legal values reflecting the attitude of Russian citizens to current law, legal practice, human rights, freedoms and obligations. Humanitarian expertise determines the direction of human activity in modern society, clearly denotes the main discourses that drive the cultivation of legal norms, legal ideology, types of legal consciousness based on the degree of common features and content. A quick survey based on generalization and systematization of reflective knowledge that Russian students have about the state of legal culture, their ideas about the rule of law and legality, lawful and unlawful behavior, updated law enforcement acts, etc. leads to some conclusions about the development of certain aspects of social and individual awareness geared towards legislation at large. The survey also identified risks in the training of modern pedagogical personnel – the mainspring of rights, freedom and duties of an individual and updated the norms of legal psychology expressing the attitude of various social groups to law, to the system of legal institutions operating in society. It provided some information on the establishment of a different legal ideology reflecting legal phenomena of public life and on some purposeful activities of state bodies and the public.

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*Keywords:* Education, legal consciousness, legal relations, legal culture, legality



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## 1. Introduction

The role of legal culture can hardly be overestimated, and the formation of legal culture in young people in the Russian Federation is one of the main tasks of saving the nation, since legal culture of modern students expresses law as a social value – the status of legal consciousness, legality, excellence of legislation and legal practice. Legal culture is normally conceived as a set of spiritual and material values that characterize the entire legal reality. This is, primarily, a respectful attitude to law, legitimate behavior demonstrated by a person.

Legal culture is viewed as a “soft power” that increases the priority of Russian education, ensures national security, and accumulates human resources that are pivotal for making national education competitive.

A current situation in jurisprudence is illustrated by an existing paradoxical deficiency of legal culture. In this regard, it seems appropriate to consider the features of legal culture typical of modern youth. The authors will focus on:

- students, since modern student is a future teacher, i.e. a legal culture bearer;
- teaching staff, since the teacher is the standard of behavioral norms and patterns broadcast to students.

## 2. Problem Statement

In order to outline the ways for overcoming the crisis phenomena in domestic jurisprudence, it is necessary to solve a number of problems:

1. to consider the main trends towards the legal consciousness of pedagogical students;
2. to tailor a holistic development model to strengthen legal culture;
3. to come up with scenarios and leading educational trajectories to foster the legal development of future teachers;
4. to determine key directions and possible interventions in legal psychology and legal education of citizens.

Strategic and tactical features of legal culture to be formed in Russian higher education could be reflected through an inductive approach, which will contribute to:

- rationale for key performativity vectors determined by the effectiveness and efficiency of legislative initiatives;
- intentionality discourse – sense-forming aspiration of legal consciousness to the world;
- complementing a set of media-related competencies necessary for successful legislative work in modern higher education (Petrova & Yakubenko, 2007).

## 3. Research Questions

The phenomenon will be addressed following the strategy that considers the development of legal culture, legal consciousness, legal education of youth as a cultural transmission of modern society, which is able to provide:

- bachelor's and master's curricula implemented on an interdisciplinary basis, which will promote respect for the law and the lawful behavior of students;
- media technologies employed in the learning process, providing a set of spiritual and material values that characterize the entire legal reality of an individual;
- intellectual and general cultural level contributing to the expression of law as a social value;
- practice-oriented training of a future graduate equipped with a set of specialized legal knowledge;
- creative thinking of an educational agent based on broad legal generalizations and theoretical attitude to law and legal phenomena;
- individualization of education when each educational agent is allowed to choose learning path, time spent for course mastery, form of training, etc.;
- encouragement of educational agents to get a feel for law, legality, a deeper comprehension of polymental society, to achieve a synergistic effect.

The paper will consider the topical issues of teaching modern students – bearers of legal culture – based on the following principles:

1. Stereotyping and social inclusion (a student accepts stereotypes of legal culture in society and enters the social circle without conflict);
2. Amount of efforts made by an educational agent (mastering the existing norms, rules, “spirit” of recreation, etc.);
3. Continuity and consistency (the relationship between sensory and logical, rational and irrational, conscious and unconscious in student' behavior);
4. Integrity (the best individual behaviors are concentrated in a simulated environment, consistent with the law or denying it; a legal text is pragmatically analyzed; categorical properties of a legal statement are described, etc.);
5. Meta-subject matter (a set of legal knowledge obtained in an artificial environment in horizontal and vertical structures: executive power of statements made by law-making bodies in the form of legal regulations, statements, oaths, declarations, wills, orders; analysis of legal texts; categorical properties of a legal statement and their modality, etc.) (Szcucki, 2018).

Let us turn in more detail to the phenomena of performativity, intentionality and media mention as elements constituting the development model for youth legal culture.

I. It is known that performativity is determined by the effectiveness, efficiency and directivity. Therefore, legal culture is cultivated in students through the illocutionary act that consists in appropriating norms and models of legal behavior, fostering respect for the law and the rule of law, and the perlocutionary act – establishing rules, imposing certain behaviors (Bodalev, 2011). Due to the performative education, the following processes are provided:

- communication (for example, a prosecutor's question – a plaintiff's response);
- representation (legal intentions);
- statement (confirmation – denial of position);
- regulation of legal norms (orders, consent, prohibition, etc.);
- efficiency (justification, classification, definition) (Conte-Sponville, 2012).

II. Intentionality in phenomenology is the primary sense-forming aspiration of consciousness to the world (Levin, 2010).

The authors are interested in the interpretation of the concept “intentionality” as one of the possible interventions in the formation of legal consciousness, i.e. focus of thinking on any person. It is known that intentions of the parties are realized through their ideas, emotions, judgments (Machura et al., 2014). To ensure the development of legal culture in young people, recognition/non-recognition, good evil, sympathy/antipathy are thought to be important intentions, since they allow a person to navigate in the surrounding legal reality, identify existing legal phenomena, and differentiate legal consciousness. For example, modern youth can think in extremes when they, on the one hand, respect their Motherland, but, on the other hand, fail to grasp the activities of certain state authorities. They can recognize or deny the authority of the law, show motivation or demotivation to observe the law and order, etc.

With a certain degree of convention, let us designate key intentions to develop legal culture in youth. Such concepts as “interest”, “desire”, “striving”, “determination”, “enthusiasm”, “perspective”, “will”, “patience”, “persistence” can act as intentions. With this in view, the pedagogical corps can frame a competent didactic support of the educational process and set the educational agenda in an ever-changing environment. This is, primarily, about such situations when it is necessary to delimitate the forms of legal consciousness, thereby considering the perspective of a problem, i.e. the intentions of the employee and the employer, a prosecutor and a lawyer, the intentions of ordinary and marginal legal consciousness.

The teacher is tasked to transform legal reality through intentional acts, their depth and validity with efforts to develop legal culture in the younger generation (Bratchenko, 1999).

III. Media mention. To define this concept, let us deal with the important lexical subconstructs.

1. A media person is a public person with a reputation known to a wide range of people, who is in the center of historical, cultural, political events, often seen in news broadcasts, often published in the press, whose opinion on certain issues of law, legal awareness, legality has an unconditional interest for the layman.
2. Media resources are a set of information products of the mass media accumulated on recording media for the purpose of their further use.
3. In response to the growing role of the Internet, it is natural that a new concept “mass media law” appears in the scientific thesaurus, since this area of law is also called upon to form legal culture in young people; to provide legal assistance in filing claims for damages and for the cessation of illegal actions; to deal with copyright infringement claims including warning (unauthorized use of photos, videos, audio recordings, file sharing), etc. Since all structures of mass media law have attributes tied to the corresponding legal institutions (administrative, civil, criminal), it can be considered as another intervention in the legal education of citizens to form their legal culture (Persak, 2019). It is important for students to know not only the range of modern media resources, but also the way these resources are incorporated into the legal system of our state, namely, to know that mass media law:
  - has connections with a number of special branches of law including tax, budget, etc. through institutional attributes;

- has links with a number of cross-sectoral integrated institutions:
  - a) intellectual property law;
  - b) advertising law, etc.
- 4. Media mention is the frequency of referring to a legal person in the press, on television, on radio, on the Internet.
- 5. Media law. Legal culture of young people will not be complete without such a branch of mass media law as press rights, radio and television rights, cinematography, and the rights of news agencies. All these media dimensions of modern life have contributed to the development of new educational tracks in the legal development of students:
  - network competency (the ability of an individual to exist in a digital environment);
  - digital competency (liability for online behavior: administrative and criminal);
  - network literacy (a set of skills related to the use of modern information technologies; the science of networks);
  - network culture (new management style, coaching, personal self-realization).

The modern teacher as an architect of transmedia products is faced with challenges aimed at shaping youth legal culture:

1. Anticipate the effects that media text has on educational agent (Donohue, 2009);
2. Create a modern transmedia product (development of soft-competences) (Leontiev, 2010);
3. Reflect media competence. With these characteristics, structural diversification and modernization of legal education is ensured: educational foresight, strategic audit of programs, integration in education; the legal location of educational agent is provided.

#### **4. Purpose of the Study**

The paper aims to elicit the development of youth legal culture in the triad: performativity, intentionality, media mention. To do this, let us turn to the teacher responsible for the development of legal consciousness, legal culture in students.

Resulting from a quick survey, the desire to identify the existing gaps and “points of growth” will enable to:

- 1) generalize and arrange reflective knowledge about the status of national legal education;
- 2) conclude on certain aspects of the discussion of the Constitution, legal customs, etc.;
- 3) identify risks for appropriation of legal norms and samples by students.

The importance of forming youth culture and training a modern teacher for work in this direction is evidenced by the interest of researchers, teachers, lawyers, sociologists who turn to study the above phenomenon. Thus, lawmaking and the Civil Code are the subject of study by Krashennikov et al. (2019); general questions of law are fruitfully researched by (Gavrilov, 2016; Karnushin, 2016; Petrova & Yakubenko, 2007); problems of the psychology of law are of interest to Leontiev (2010), Zhinkin (2015); questions of civil law are studied by Gongalo (2017), Grudtsyna and Spector (2008); various aspects of teaching training are of interest to such researchers as: Boguslavsky (2008), Bratchenko (1999), Knyazeva and Kurdyumov (1992); Makarova (2012), Prozumentova (2010) address the typology of

expertise in the field of education; student's personality is the area of scientific assessment of Bykasova et al. (2019) and others.

## 5. Research Methods

To ensure sustainable development of society and modern education, the formation of legal culture in young people is of paramount importance, requiring the preparation of teaching staff able to develop new educational standards; optimize the performance and sustainability of a supportive ecosystem, which will increase the priority of Russian education through:

- building up efforts towards the interaction of the state, society, business, science to ensure reasonable, humane, economical use of human capital;
- customizing software;
- developing emotional intelligence and cognitive flexibility of an individual;
- enhancing human receptive ability;
- updating the practice-oriented nature of education;
- expanding partnerships and cooperation with other social institutions;
- enriching intellectual potential, etc.

The authors relied on:

- 1) general scientific methods (analysis of legal provisions, synthesis of legal concepts, etc.);
- 2) systemic method (scientific classification of legal elements);
- 3) the method of humanitarian expertise (discourses around the appropriation of the norms of legal culture by an educational agent;
- 4) quick survey (generalization and systematization of reflective knowledge about the state of student legal culture);
- 5) an inductive approach (development of an assessment that allows students to act in a practical situation within the legal framework).

## 6. Findings

The quick survey of the state of youth legal culture in the Russian Federation made it possible, with a certain degree of convention, to conclude the following:

1. Legal culture being a set of bodily-spiritual-mental properties of a person includes a range of axiological, hermeneutic, psychological, cognitive, synergetic practices, norms and principles of law enabling not only the existing legal order, but also the functioning of various socio-political and state institutions (Zhinkin, 2015);
2. Legal culture broadly rests on certain substructures: the culture of legal thinking, the culture of legal communication, intellectual culture, emotional and legal culture, which ensures reliable sociolocation of a person: the development of orientation skills in modern life, the expansion of legal literacy, respect for one's rights and responsibilities;

3. Important indicators of the appropriation of the legal culture by young people is the implementation of the following principles: knowledge and awareness of legal norms, legal consciousness, compliance with regulations, acts, laws;
4. The main criteria for assessing the rate of youth legal culture are
  - commitment for socially beneficial behavior;
  - intolerance of wrongdoing;
  - fundamentality of legal skills and abilities;
  - willingness to put legal knowledge to practice;
  - the need for further legal improvement of an individual.

## 7. Conclusion

To sum up, the paper shows that legal culture is a progressive, systematic, planned, purposeful contribution to legal consciousness, behavior, upbringing and education of a legal person with the aim of its harmonious development for non-conflict existence in modern society.

The factors promoting youth legal culture at HEIs are:

- application of a range of methods for legal education (education in the law, delivering legal training courses in various fields of study; meetings with law enforcement officials organized for students, etc.);
- the phenomena of intentionality, performativity, media mention as the basis for the formation of legal culture;
- educational activities supported by teachers who develop in students a strong sense of human dignity, citizenship, responsibility for their behavior;
- a simulated social environment
  - a) filled with various components (social, objective, psychological, subjective, etc.);
  - b) enabling positive development of legal processes (at the level of intuitive, sensual and emotional interaction);
  - c) allowing educational agents to gain personal experience, which will protect them in society;
  - d) preventing offences among students.

A high level of legal culture is achieved by young people provided that teachers of law have an advanced scientific, educational, didactic potential in the field of regulation of social relations, practical legal experience, which allows them to influence the development of solid social foundations in students, which are in demand in the Russian Federation.

## References

- Bodalev, A. A. (2011). *Psychology of communication: an encyclopedic dictionary*. Mysl.
- Boguslavsky, M. V. (2008). *Innovative potential of the development of the theory of the content of education and educational technologies (in the domestic pedagogy of the second half of the twentieth century)*. ITIP RAO.
- Bratchenko, S. L. (1999). *Introduction to the humanitarian expertise of education: psychological aspects*. Meaning.

- Bykasova, L. V., Podberezny, V. V., Petrushenko, S. A., Garmash, S. V., & Pershonkova, E. A. (2019). *Education as a synthesis of cognitive practices. International Scientific Conference Socio-cultural Transformations in the context of Modern Globalism* (pp. 568–576).
- Conte-Sponville, A. (2012). *Philosophical dictionary*. Transl. from the French by E.V. Golovina.
- Donohue, J. (2009). Reflections on the Sociology of Law: Rejecting Law as “Socially Marginal”. *International Journal of Law, Crime, and Justice*, 24, 141–152.
- Gavrilov, E. P. (2016). *Intellectual property rights: a Training manual*. Yustitsinform.
- Gongalo, B. M. (2017). *Civil law: the Textbook*. In 2 volumes. Statute.
- Grudtsyna, L. Yu., & Spector, A. A. (2008). *Civil law of Russia: Textbook*. Justicinform.
- Karnushin, V. E. (2016). *Secondary rights in the civil law of the Russian Federation: general questions of theory, secondary rights in the Civil Code of the Russian Federation*. Statut.
- Knyazeva, E., & Kurdyumov, S. (1992). Synergetics as a new Worldview: a dialogue with I. Prigozhin. *Questions of philosophy*, 12, 3–20.
- Krashennnikov, P., Badulina, E., Ovcharova, I., & Abramushkina, N. (Comp.). (2019). *Law-making history of the modern Civil Code*. Research center of S. Alekseev Law under the President of the Russian Federation. Statute.
- Leontiev, A. A. (2010). *Psycholinguistic units and production of speech utterance*. Nauka Publishing House.
- Levin, V. I. (2010). *Philosophy logic and Methodology of Science*. Explanatory Dictionary of Concepts.
- Machura, S., Love, Th., & Dwight, A. (2014). Law students' trust in the courts and the police. *International Journal of Law, Crime and Justice*, 11, 231–242.
- Makarova, N. (2012). Historical and pedagogical expertise is a methodological reference point for research in the field of higher school didactics. *Man and education*, 2(31), 195–197.
- Persak, N. (2019). Beyond public punitiveness: The role of emotions in criminal law policy. *International Journal of Law, Crime and Justice*, 28, 194–208.
- Petrova, N., & Yakubenko, V. (2007). *Media-pravo*.
- Prozumentova, G. N. (2010). *Organization of expertise in education: analysis of practice and methodological recommendations*. Tomsk.
- Szczucki, K. (2018). Ethical legitimacy of criminal law. *International Journal of Law, Crime and Justice*, 13, 114–123.
- Zhinkin, S. A. (2015). *Psychological problems of the effectiveness of law*. LitRes.