REPRESENTATION OF MACRO CONCEPTS IN LEGAL MEDIA DISCOURSE

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Abstract

The article focuses on the macro concepts that have become common use in legal media discourse. Significant situations of legal nature are subject to concretization by the media. This ensures a smooth interplay between legal and journalistic discourse, which form a legal media space. In this regard, various concepts are reflected in legal media space. Moreover, the author considers the peculiarities of the representation of the macro concepts "migration" and "migrant" in legal media discourse. The objects of study are the components of the corresponding frames, their vertex nodes and slots. The author also proposes the hypothesis that macro concept in legal media space stands on par with lexemes explicating a micro concept. In legal news reports concerning migration problems, a complex system of mutual intersection of macro and micro concepts can be created. The author concludes that the emergence of these concepts is directly related to the emergence of various forms of migration in new socio-economic conditions, new centers of migrant’s attraction, new types of migrants, new causes of intensive migration mobility.

Keywords: legal media discourse, macro concept, micro concept

Introduction

Actualization of legal media discourse is of immense social significance, since knowledge of legal norms is necessary for every member of society. For mass audience the media is the main means of obtaining legal information. The rapid development of new technologies and an avalanche-like media stream induce scientists to talk about the mediatization of modern society and modern culture. In turn, in communication studies or media studies, mediatization is a theory that argues that the media shapes and frames the processes and discourse of political communication as well as the society in which that communication takes place. (Lilleker, 2008) In this framework, an important aspect of modernization is the development of media (Krotz, 2008). The Danish media scholar Stig Hjarvard also suggested that mediatization is a social process whereby the society is saturated and inundated by the media to the extent that the media cannot longer be thought of separated from other institutions within the society (Hjarvard, 2008). By mediatization, we mean both the spreading the media influence on the most important areas of social life and the involving
various aspects of social activity in the information sphere, that is, creating zones of intersection of media and social phenomena. Thus, the modern stage in civilization development is characterized by the fact that institutions and whole societies are shaped by and dependent on mass media (Mazzoleni & Schulz 1999).

If, according to the Swedish media researcher Kent Asp, who was the first to speak of the mediatisation of political life, mass media are the main or the only source of political information through which it may influence or even shape people's conceptions of political reality, the mediatization of legal communication promotes the popularization of legal terms and laws, thus increasing the level of legal awareness and consciousnesses of citizens. The formation of public legal consciousnesses is impossible without a large variation of interpretations. Unlike the official interpretation given by professional lawyers, the ordinary interpretation given by people, who are not legal specialists, is also essential. The legal language “lives” and “develops” not only in the speeches of professional lawyers, but also in the speeches of representatives of the government authorities and journalists. It should be noted that interpretation is just one of the social roles of the media. Due to the fact that legal information is available only to a certain group of people (lawyers and citizens at the time when the criminal or civil offence was committed) and significant only in cases of any relationship and effects of legal nature, then, in this case, the mass media, along with other social institutions are an important means of contributing to the popularization of legal information for a wide audience. Media in this process, on the one hand, act as a field for different interpretations, on the other - as a subject of interpretation.

The role of the media in the process of interpreting the law, circumstances and events that have a legal component and category is very great. Since the legal text does not exist by itself, it interacts with other discursive complexes, functions in various social spheres. As Pribylova emphasizes the media language is a special functional-style formation that influences the national language, and also represents such important aspects of the social life as politics, economics, art, science (Pribylova, 2011) and the law as an important social system is no exception. Thus, the media performing as interpreters help a person to decipher a complex code of legal discourse and establish communication. According to E.N. Tonkov, it is important to understand that «the law alone cannot operate; the actors are people who perceive legal regulations through their individual legal conciseness» (Tonkov, 2013). Trying to understand the meaning of a rule, reader always skips written statement through the prism of their individual experiences, context. Accordingly, the legislator’s intent is perceived differently, which means that the degree of its acceptance and application will depend on the individual characteristics of the interpreter, and will come out of his will, feelings, temperament, thinking, character and abilities. Thus, in the «real world not the law itself has a great affect, but its certain interpretation» (Belkin, 1995).

Mediatization of legal discourse is, first of all, both the process of spreading the media influence on public relations that fall within the scope of law covering not all of society but only the area of legal regulation and the process of involving various aspects of legal activity in the information sphere, that is to say, the creation of intersection zone between media and legal phenomenon and giving the last a publicity. Moreover, the mediatization of legal discourse implies complex processes that can be divided into several stages: the interpretation of legislative text, then the dissemination of this interpretation to a broad audience through
the media, the formation of public opinion, which as a system of social control again returns us to the stage of social reality regulation. In general, such gradual actions reveal the interpretation features of legislative discourse, as a central subtype of the legal discourse, which is characterized by a strict pragmatic focus on the addressee. The main purpose of mediatisation of the legislative discourse is not only the interpretation of the meaning and content of the law, its norms but the formation, through the prism of public opinion, of a positive and negative attitude to the law with a view to its further modification and supplementation (Silanova, 2014a).

Thus, the process of speech-thinking activity related to legal reports, as well as a set of media texts produced as a result of this activity will constitute the area of the legal media discourse. The concept of legal media discourse will include many interpretations of legal realities. In this regard, we proceed from a broad understanding of legal media discourse and include any published media texts, the content of which relates to the sphere of law.

**Literature Review**

**Peculiarities of legal media discourse**

One of the most important theses in discourse theory is that none of the discourse is closed and complete; it constantly changes in the process of contact with other discourses. The interdiscursivity arises when different discourses and genres are articulated together in one communicative event. Creative discourse practices in which different types of discourses are combined in new and complex ways – is an indicator and driving force in discursive and socio-cultural changes. Combining the elements of various discourses we can change a certain discourse and, as a consequence, a social and cultural world. On the other hand, discursive practices in which discourses are "mixed" by conventional ways - are indicators that simultaneously support the established discourse and social order. Thus, interdiscursivity serves both as a manifestation of the variability of language and a sign of its stability. (Dyakova, 2011a)

Legal and media discourses are contrast both from the point of view of the participants, communication goals and typical language means in texts. Given the similarities between legal and media discourse, these discourses intersect in some area of their application. Thus, it is important to note that legal media discourse inherent in interdiscursivity arising in the course of crossing different discursive spaces (in our case there are two discursive spaces - the legal discourse and media discourse) in a particular communicative plane. Under this category, the discourse is always in conflict with other discourses that claim to define reality in a different manner and establish other principles of social practice (Chouliaraki & Fairclough, 1999) For example, the legal text refers to the legislative discourse as a subtype of the legal discourse, but the news line about its enactment or different interpretation and explanation of its application in author's newspaper column will be treated as a legal media discourse (Silanova, 2014b).

Legal media discourse is understood both as a specific sphere of the interplay of law and the media, and as a result of media coverage and interpretation of the legal discourse, which focuses on the interpretation and integration of law into everyday reality. M. A. Silanova was the first who introduced the media influence on the current trends in the development of legal
language. The legal media space comprises discursive texts born at the intersection of the legal discourse and the discourse of another type (scientific, journalistic, political, domestic, medical and even artistic) (Silanova, 2014c). One of the main objectives of the legal media discourse is a regular periodic distribution and integration of legal realities and categories in the everyday reality with the aim of informing general public about the most significant law-oriented judgments. They include: commentaries on legal acts, legal answers to readers' questions, materials on judicial topics, publications about the work of law enforcement bodies, prosecutors and police. The legal news report is created due to the current events, facts and circumstances in different social environments that need legal influence and control.

Participants of legal media discourse are the sender and the addressee of media information, more specifically, a journalist and an ordinary reader. In legal media discourse both the journalist and recipient do not have any specific legal background. In fact, the recipient of media information is an ordinary reader who does not have even professional legal thesaurus. However, the journalist is more competent in the specific legal matter than the readership. Since the journalist in the process of preparing legal news reports, may need to apply to additional legal sources to reconstruct the right image of legal events in the mind of the recipient. While preparing news reports on legal topics, the author uses stylistic techniques and linguistic means that provide ease of perception of legal information by the ordinary recipient. Accordingly, the author's purpose in creating legal – oriented media texts is not only to codify legal norm, but also to inform the public about this norm, its explanation and evaluation, and in some cases its coverage from a certain angle to manipulate the reader's consciousness (Dyakova, 2011b).

The notion of macro concepts in legal media discourse

In modern cognitive linguistics there are two basic approaches to the interpretation of the term "concept": linguo - cognitive and linguo – cultural (Balashova, 2004).

The linguo - cultural approach involves studying the specificity of the national conceptosphere from culture to consciousness. The researchers who work within the framework of the linguistic and cultural approach are Stepanov Yu. S., Karasik V.I., Krasnykh V.V., Maslov V.A., Alefirenko N.F. and etc. This approach defines the concept as the basic unit of culture, which has figurative, conceptual and value components with the prevalence of the latter (Karasik, 2004). V.I. Karasik in his scientific works draws attention to the fact that the concept is the whole complex of linguistic and non-linguistic means that directly or indirectly illustrating, specifying and developing its content (Karasik, 2002).

Within the linguo - cultural approach, the concept can be understood “as a bunch of culture in the consciousness of people; in the form of which the culture enters the mental world. And, moreover, people through the concept enter culture and affect it” (Stepanov, 2004); “as a unit marked by ethnocultural specifics” (Vorkachev, 2004); the most abstracted idea of a "cultural subject" (Krasnykh, 2003). In this understanding, a mental formation, which does not have ethno-cultural specifics, does not apply to concepts. Only those phenomena of the reality can become a concept, that are relevant to and valuable for a particular culture, which has a large number of linguistic units to commit themselves in that culture, which are the subject for proverbs and sayings, poetry and prose (Maslova, 2008).
Unlike the concept, linguo-cultural concepts have a number of features that define this concept. According to the Y. Stepanov’s definition, linguo-cultural concept is a mental unit, aimed at a comprehensive study of language, consciousness and culture. The lingua - cultural concept differs from other units in its mental nature. Mentality is perceived as a guided collection of images and perceptions (Stepanov, 2007). H. Bloom defines mentality as the perception of the world in the categories and forms of the native language that connects the intellectual, and spiritual qualities of national character in its typical manifestations (Bloom, 2000).

The linguo-cognitive approach refers to the researchers who proceed from the premise that the knowledge about the world is a unit of mental information, such as a concept that provides "access to the conceptosphere of society." From the point of view of Telia V.N., "a concept is a product of human thought and an ideal phenomenon inherent in human consciousness and not just in language. A concept is a construct; it is not reconstructed, but "reconstructed" through its linguistic expression and extra linguistic knowledge" (Telia, 1996).

Within the linguo-cognitive approach, Kubryakova E. S. defines concept as "a term that serves to explain the units of mental or psychic resources of our consciousness" (Kubryakova, 1996a). She also identifies the main features of the concept, they are efficiency, reflection of the content of human activity, presence of an invariant (ordering) rod, flexibility and mobility.

The concept is also a discrete unit of the collective consciousness, which is stored in the national memory of native speakers in verbally determinate form. As a cognitive unit of meaning, a concept is an abstract idea or a mental symbol sometimes defined as a “unit of knowledge”, built from other units which act as a concept’s characteristic. A concept is typically associated with a corresponding representation in a language such as a single meaning of a term (Dillon, 2000).

In our case, we base on the positions put forward by the linguo - cultural and linguo - cognitive approaches, and following V.N Telia. and N.P. Silinskaya, by the concept we mean a collective, meaningful mental formation "uniting all the diversity of culturally conditioned ideas about an object or phenomenon of reality" (Silinskaya, 2008). The concept is a general cultural phenomenon rather than linguistic term.

Legal media discourse has specific concepts (Silanova, 2013). Some of them can be attributed to the general cultural concepts: law, justice, freedom, human rights. Other concepts are only inherent to the institutional legal discourse: legal nihilism, penitentiary relapse, corruption. The third is conceptualized in the language due to the media consideration: migration, terrorism, crisis and etc. More recently, the third group of concepts as "migration" and "migrant" is the most significant, global concepts of the legal media discourse, the actualization of which is explained by the events taking place in the world. In today's world, migration has become a global process that affected almost all continents and countries, all social groups of the population. Migration-driven processes of social and cultural change are relevant in many countries. Given recent grave situation in the Middle East and North Africa deteriorated sharply because of the socio-economic difficulties, the
escalation of extremism and religious intolerance, there has been a sharp growth in migration in the West - European countries, such as Germany, France, Hungary, Spain and etc.

While considering concepts in a discursive space and describing the conceptual structure of a discourse, there may be a problem associated with the possible situation where one concept perceived by a native speaker or a specific author as well-formed and conscious information integrity turns out to be a part or a means of verbalizing some other concept. In our case, the concept "migrant", which, in fact, is a component of the macro-concept "migration" and partly enters into its associative-semantic field, has acquired an absolute global "independence" in the legal – oriented media texts.

Frame analysis of how the macro-concepts “migration’ and “migrant’ are represented in legal – oriented media texts.

Undoubtedly, the actualization of the concept in the media discourse depends on the characteristics of its structure, the analysis of which makes the linguistic concept more complete. As a research instrument for the concepts "migration" and "migrant", we use the term - frame. Frame has been proposed as powerful rhetorical entities that induce us to filter our perceptions of the world in particular ways, essentially making some aspects of our multi-dimensional reality more noticeable than other aspects. They operate by making some information more salient than other information (Kuypers, 2009). The reference to frame analysis is recognized as one of the effective ways of studying the characteristics of the knowledge organization in the language system. According to Kuypers, "Framing is a process whereby communicators, consciously or unconsciously, act to construct a point of view that encourages the facts of a given situation to be interpreted by others in a particular manner. Frames operate in four key ways: they define problems, diagnose causes, make moral judgments, and suggest remedies. Frames are often found within a narrative account of an issue or event, and are generally the central organizing idea (Kuypers, 2006).

The structure of frames consists of a vertex (or a theme, vertex (base) nodes, a core, a macro frame) and slots (or micro frames, subframes, terminals, nodes). At the same time, vertex nodes are always fixed and correspond to concepts that are correct and valid in relation to the proposed situation, and slots are presented as specific examples (Kubryakova, 1996b). Thus, the frame is conceived as a hierarchically organized system of knowledge about a designated object or phenomenon.

Since the concept is a generalized representation of an object or phenomenon, it is advisable to begin its study with reference to vocabulary definitions. The migration in different Dictionaries is defined as follows:

Migration - the process when people migrate or move to another place, often a different country, in order to find work and a better life (http://dictionary.cambridge.org).
Migration – any territorial movement of the population associated with the crossing of both external and internal boundaries of administrative and territorial entities with a view to changing the permanent place of residence or temporary stay in the territory for the implementation of studies or work, under the prevailing influence of which factors migration occurs - attracting or ejecting (https://ru.wikipedia.org).
Migration - the movement of people between countries, usually for the purpose of settlement (John, 2013).

Migration - change of residence place, movement of people to another territory (region, city, country, etc.) (http://enc-dic.com/enc_sociology/Migraciya-1208.html).

Based on the dictionaries that define the lexical unit "migration", the minimum content of the concept can be presented as follows: migration is a process that involves the transfer from one place to another in order to find work, settlement, residence and a better life.

By analyzing the dictionary definitions, we identified the vertex (base) nodes of the frame "migration": the socio-economic goal, working abroad, study abroad to seek better educational opportunities.

In order to determine the slots of the frame "migration", an analysis of the fragments of the media discourse describing the given subject area was carried out. We have analyzed the legal - oriented media texts both in the websites of Tabloid and Elite Newspapers.

“Poverty, human rights abuses and deteriorating security are also prompting people to set out from countries such as Eritrea, Pakistan, Morocco, Iran and Somalia in the hope of a new life in somewhere like Germany, Sweden or the UK...But as European countries struggle with the mass movement of people, some have tightened border controls” (http://www.bbc.com/news/world-europe-24583286).

“Faced with a huge influx of people, Hungary was the first to try to block their route with a razor-wire fence. The 175km (110-mile) barrier was widely condemned when it went up along the Serbia border, but other countries such as Slovenia and Bulgaria have erected similar obstacles” (http://www.bbc.com/news/world-europe-24583286).

“Each fresh outbreak of refugee-related violence is potentially a political problem for Chancellor Angela Merkel. Some voters say large-scale migration could destabilize German society” (http://www.bbc.com/news/world-europe-37372029).

“Donald Trump's answer on immigration is questionable, but he's right that there is a problem to solve. On Friday 27 January, President Trump signed an executive order temporarily blocking travel for immigrants from seven “terror prone” Muslim-majority countries. Mr Trump suggests his blanket ban will make America safer” (http://www.telegraph.co.uk/opinion/2017/01/29/donald-trumps-answer-immigration-wrong-right-problem-solve/).

“Senate Majority Leader Mitch McConnell may have offered the most prescient reaction to President Donald Trump's executive order suspending refugee resettlement and blocking individuals from seven majority-Muslim nations from entering the United States” (www.bbc.com/news/world-us-canada-38766364)

“the migration problem in Italy is getting completely out of control. Since 2014, the number of migrants reaching Italy's shores has spiked: Half a million came ashore over the last three
years compared with 119,000 in the previous three" (http://www.businessinsider.com/r-asylum-seekers-clog-italys-courts-europe-is-no-help-2016-11).

It becomes evident that legal-oriented media texts broadly cover phenomena and events related to the population migration. As the analysis has shown, the slots of the frame "migration" relevant for the modern media discourse, are “mass movement of people”, “huge influx of people”, “immigration”, “refugee resettlement”.

The concept "migrant" in Dictionaries is defined as follows:
Migrant is a person who belongs to a normally migratory culture who may cross national boundaries, or has fled his or her native country for economic reasons rather than fear of political or ethnical persecution (http://www.thefreedictionary.com/migrant).

Migrant is a person who leaves his or her place of residence due to some unfavorable causes (natural disasters, fighting, persecution on a national basis, economic difficulties) (http://ru.wiktionary.org).

Migrant is a person who migrates, that is, crosses the borders of certain territories with the change of permanent residence forever or for less or long periods of time (http://voluntary.ru/termin/migrant.html).

On the basis of dictionaries that define the lexical unit "migrant", the content minimum of the concept can be represented as follows: мигрант – is a person that travels to a different country or place for economic, social and environmental reasons.

Based on the vocabulary definitions, we have established the vertex (base) nodes of the frame "migrant": a person who travels, a person who wants to find a job, a person who escapes from the unfavorable situation in his/her country: natural disasters, military operations.

To reveal the slots of the frame "migrant", we have analyzed the legal media texts describing the given subject area. Legal-oriented media texts were analyzed, as in the previous example.

“Racist videos online depict fantasies of Europe “before” and “after” migration. “Before” is depicted with orderly scenes of 1950s streets, shops and parks where an all-white population strolls or plays happily. “After” is groups of dark-faced men attacking women, rioting against the police, shouting “Allahu Akbar” (www.theguardian.com/2016/oct/31/refugees-problem-europe-identity-crisis-migration).

“In France, a theory called the “great replacement” has spread to large parts of the right and certainly the far-right. It states that, as a result of immigration, the nation’s core population is set to be replaced by non-European outsiders who will wreck the country’s identity” (www.theguardian.com/2016/oct/31/refugees-problem-europe-identity-crisis-migration).
“More than half of Germans see refugees and integration as country’s biggest problem. The shock findings come despite the number of newcomers into the country falling significantly on the year after the open-door approach of 2016” (http://www.express.co.uk/news/world/741822/Germany-Merkel-migrant-crisis-refugees-integration-biggest-problem).

“Police said they tried to separate the groups and asked them to leave. Then the asylum seekers - all thought to have come to Germany as unaccompanied minors - hurled bottles and wooden sticks at the police, who responded with pepper spray and batons” (http://www.bbc.com/news/world-europe-37372029).

“A 1965 revision of the law, however, says individuals cannot be "discriminated against in the issuance of an immigrant visa" because of their "race, sex, nationality, place of birth or place of residence". David J Beir, an immigration policy analyst at the Cato Institute, contends that this language means discriminating against immigrants based on where they are from - whether it's Iraq, Sudan or Canada - is illegal” (http://www.bbc.com/news/world-us-canada-38766364).

“David Seeger, a social worker who dealt with new unaccompanied arrivals from North Africa in a centre in southern Germany last year, said: "They came from Barcelona to us and within months were dealing drugs, threatening employees, beating up the security guards. "Two were arrested for robbery. The rest moved on in October." A colleague of his added: "They went out, attacked people, took cocaine, beat up the security guards and went to sleep. These guys were super difficult, the police were super nice" (http://www.express.co.uk/news/world/649602/EXPOSED-Germany-migrants-crime-cant-deported).

As it can be seen, legal - oriented media texts widely covering statements about migrants and actualizing such slots as "newcomers", "asylum seekers", "discriminated immigrants", "unaccompanied arrivals» are distinguished by increased expressiveness and emotionality.

Conclusion

Thus, the conducted frame analysis allows us to characterize the national-specific features of the actualization of selected macro concepts in legal media discourse. If the macro concept "migration" is formally descriptive and mainly associated with partial negative evaluation, then the representation of the macro concept "migrant" in legal - oriented media texts is accompanied by various emotional expressive connotations and high emotionality.
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