

ОНТОЛОГІЯ ПРАВА

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COMMUNICATIONAL PHENOMENON OF LAW AS A FACTOR TO ENSURE THE EFFECTIVENESS OF LEGAL AND SOCIAL COMMUNICATIONS

The article analyzes communicational nature of the law as a factor that ensures effectiveness of legal and social communication between the authorities and society. Due to the implementation of social and legal communications we have a specific kind of relationship in which information about the established rules of conduct, which, in fact, are legal norms, passes systematically. At the same time legal space, from the point of view of communicational approach, is a set of acts of transfer of legal information.

Keywords: communication, law, legal regulations, legal information, communicational nature of law, legal environment, social and legal communications.

Every society has an indefinite number of systems that have communicational properties, i.e. such system, first of all, is information; secondly, it specifies the number of inherent tools to spread its own information and information about itself; thirdly, it uses the information to perform its functions; and the last, it promotes and facilitates dialogue between community members.

All of these symptoms of the communication system are fully regard law. That is, the law is a communication system that also uses communication tools for its implementation. The law is aimed at regulation of public relations, which are subject to formal certainty and the purpose of the law is the protection and reproduction (termination) of certain social relations, i.e. the creation and maintenance of the legal order with relevant rules of law.

Rules of the law represent the will of authoritative subject, aimed at stable legal order, in contrast to the moral standards which

express the notions of good, positive qualities of the personality and relations between people, which is characteristic for a certain time and society. Law determines, informs and due to social and legal communications regulates the external order which social expectations of this order are linked with.

By turn, social and legal communications are kind of system of codes, which could be decrypted within a specific social and cultural context. During decryption of provided legal codes a learning of a specific addressee with information on the "correct" behavior, which at the same time is desirable for all members of the community is happened. It should be taken into account the fact that the law as a communicational system is inseparable from the law as a form of social existence.

Thus, the law as a system of legal codes, specified in the set of requirements, ordinances and standards, provides constant, reproducible process of information exchange, which is implemented in the description of possible, mandatory and unwanted behavior of individuals.

Therefore, a man cannot exist outside the field of verbal and non-verbal communication, because a man cannot be an integral part of society and to fully enjoy your own reality and maintain their identity without the involvement in the communication interaction with other members of the community. The law, forming legal space, is one of the communication systems in the society that provides the stability of society as the system.

At the same time, the primary unit of information in the course of legal communication is a legal norm, which is essentially an expression of social cohesion that is meaningful and socially-valuable norm relation. Thus, the law is the order of communication relations arising from regulatory and legal interpretation of various legal texts that have both verbal and non-verbal in nature.

The specified can be as the law has a force capable to self improvement: in the process of ordering society law affects the formation of political power and are able to legitimize it. The law through legal language also contributes to the process of interregional interaction, creating a sphere of individual autonomy by providing the necessary minimum of individual liberties and establishing sanctions against undesirable behavior.

Legal and social communication as a process of understanding and exchange of information on the legitimate ordering of life, content and behaviours that play an important role in maintaining social balance and unity of the community. However, we should keep in mind that the content of the process of legal and social communications is twofold. On the one hand, legal and social communication within society are determined by features of cultural development of this association, and on the other, they affect the formation of the culture of a particular community, taking part in designing the value of the legal space.

One of the ways of constructing the legal space, which determines its national component, is the legal technology. The concept of "legal technology" is quite difficult to adapt in domestic law, in which is more convenient to use the concept of "legal technique". But these concepts are not identical, and are not synonymous. Since the "legal technology" encompasses the totality of the principles of law making and law-making that is implemented in the system of generally accepted values of coordinates.

But the "legal technique" is a term to indicate clearly defined narrow procedures in the process of law-making. Let us pay attention to this aspect of implementation of legal and social communications as the use of legal language as one of the components of culturally the characteristics of a specific community. Natural language reflects and shapes the minds of ordinary native speakers-members of the legal and social communications (no communication can be efficiently implemented other (alien, non-native) language).

The idea about the relationship of social and legal communications and legal language today is very actively developing and in the framework of the theory of law. At the same time, the concepts of scientists unite the desire to develop a model of law on the basis of the phenomenological methodology and to form a view on the law as on the communication phenomenon that has a distinct social and cultural sense, that returns us to the idea that the social and legal communication is a result and a factor of formation of cultural and mental characteristics of a particular community.

So, any society can not exist without communication exchange, which is associated with the collection, accumulation, processing and dissemination through legal language of information that during the implementation of legal and social communication becomes legal.

Legal and information exchange between the members of society is needed because it is guarantee of coherence among their activities and ensures the unity of the community in the achievement of the socially significant goal.