

## PHILOSOPHICAL ANTHROPOLOGY, PHILOSOPHY OF CULTURE



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### Phenomenon of Popular Legal Culture within the Legal Education System

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#### Abstract

**Introduction.** The study of popular culture as a source of law and a means of disseminating legal knowledge is considered a controversial issue due to the interpretive diversity and insufficient knowledge of the phenomenon under consideration. In this connection, the purpose of the study is a phenomenological analysis of popular legal culture as a fundamental tool of legal education.

**Materials and Methods.** The methodological basis of research is a phenomenological method, terminological analysis and data systematization, carried out through interdisciplinary approaches (sociological, cultural, psychological), as well as a number of specialized methods (formal-legal, comparative-legal) for a comprehensive study of the popular legal culture phenomenon.

**Results.** As a dependent component in the general social system, law cannot exist in isolation from culture, in particular popular culture, which is largely shaped and disseminated through media. Attracting media to the structures of popularization of law implies blurring the boundaries of objectivity and legitimacy of information entering the masses, which requires a deep study of educational structures in the field of popular law with the development of media education and media literacy.

**Discussion and Conclusion.** The phenomenological study of the concept of popular legal culture makes it possible to substantiate a new comprehensive definition of this concept with the definition of further ways of developing scientific thought in the field of law, sociology, cultural studies and media sciences.

**Keywords:** popular legal culture, legal system, legal education, media environment, media education, mass media

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Оригинальное теоретическое исследование

### Феномен популярной правовой культуры в рамках системы юридического просвещения

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#### Аннотация

**Введение.** Исследование популярной культуры в качестве источника права и средства распространения юридических знаний считается дискуссионным вопросом по причине интерпретационного разнообразия и недостаточной изученности рассматриваемого феномена. Целью работы является феноменологический анализ популярной правовой культуры в качестве основополагающего инструмента юридического просвещения.

**Материалы и методы.** Методологический базис исследования составляет феноменологический метод, терминологический анализ и систематизация данных, проведенные посредством междисциплинарных подходов (социоло-

гический, культурологический, психологический), а также ряд специализированных методов (формально-юридический, сравнительно-правовой) для комплексного изучения феномена популярной правовой культуры.

**Результаты исследования.** Являясь зависимым компонентом в общей социальной системе, закон не может существовать в отрыве от культуры, в частности, популярной культуры, которая в значительной степени формируется и распространяется посредством СМИ. Привлечение медиасредств в структуры популяризации права подразумевает стирание границ объективности и легитимности информации, поступающей в массы, что требует глубокой проработки образовательных структур в области популярного права с развитием медиаобразования и медиаграмотности.

**Обсуждение и заключение.** Феноменологическое исследование понятия популярной правовой культуры дает возможности обосновать новое комплексное определение данному концепту с определением дальнейших путей развития научной мысли в области права, социологии, культурологии и медианаук.

**Ключевые слова:** популярная правовая культура, система права, юридическое просвещение, медиасреда, медиаобразование, средства массовой информации

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**Introduction.** Over the past decades, the phenomenon of legal culture has been intensively studied in various legal discourses explaining the system of law as a cultural achievement of the human community. Taking into account the postulates of the comparative cultural sociology of law developed by M. Weber in the 20th century, it is necessary to consider the legal culture and the specifics of common law in the context of cultural differences between different countries and peoples, which confirms the blurring of the boundaries of the concept under consideration, which builds points of contact between the law and the social life of people.

According to the more generalized interpretation of the legal culture concept, it represents the cultural basis of law that creates the law and which is necessary to attach importance to the law [1]. In this regard, legal culture affects the functions of various legal sources, the actual power of legal entities and institutions, etc., which implies a merger of legal, cultural and sociological content.

However, in this context, the problem of the correlation of legal and general culture arises. Despite the functional specifics of legal relations, the law applies to almost all areas of human life, therefore, the division of culture into legal and general seems to be a rather difficult task.

Considering popular culture to be a separate area of knowledge, values and beliefs implies a narrower consideration of the system of law that forms the worldview and behavior of certain layers or groups of people through information and communication structures.

Insufficient study of the popular legal culture concept is justified by the autonomy of the legislation of most states in which the legal system occupies the highest level in the hierarchical management system aimed at building subordination relations with the people. However, an increasing number of researchers (L.M. Friedman, J. Carillo, R.K. Sherwin, etc.) come to the conclusion that popular culture represents the law and directly affects it [2]. As L.M. Friedman notes, legal culture and popular culture are interconnected in the ways of transmitting, explaining and disseminating the substantive components of legal and social knowledge [3]. Both phenomena can interact with media in order to transform legal concepts into accessible types and forms for certain individuals and communities.

The main task of science is to go beyond legal knowledge towards mass legal education, which implies the interaction of the formal system of law with the unclear symbolic content of popular culture, which is the values, experience, scenarios and behavioral attitudes that are most common in the real life of society [4].

Thus, the purpose of this study is a phenomenological analysis of popular legal culture as a fundamental tool of legal education.

**Materials and Methods.** The phenomenological method as the core of the methodological base is aimed at an in-depth study and description of the essence of the popular legal culture concept in the context of building an objective legal reality. The involvement of terminological analysis makes it possible to identify differences in the semantic content of such concepts as: legal culture, legal traditions and values, folk and popular culture, low and high culture.

The term legal culture refers to many different ideas describing the understanding of law and “law in action” [1]. Legal sociologists understand legal culture as values, worldviews, and relationships linking society and law [3]. Sometimes the legal culture itself is considered as a value and contrasted with the “barbarism of totalitarianism”, and also used as a synonym for the rule of law [1]. On the other hand, folk culture initially included elements of the legal one implying an unspoken set of rules and rituals recognized as symbolic guidelines of society (morality, religious dogma, etc.). In the old days, folk culture was a low culture, which was opposed to high culture, focused on the expert assessment of elite groups (cultural elite of society [5]). Under the influence of media and consumer industry, low culture has become mass culture

or so-called popular culture. Today, popular culture consists mainly of material prepared by professionals for a wide audience, therefore, popular culture is not so much the culture of the people as culture for the people [4].

With regard to popular legal culture, terminological issues are still unresolved due to the lack of a unified approach to the definition of this concept. In this connection, the involvement of interdisciplinary research methods (sociological, cultural, psychological), as well as specialized approaches (formal-legal, comparative-legal) make it possible to comprehensively study the phenomenon of popular legal culture, taking into account multiple interpretations, international experience and domestic cultural and legal specifics.

**Results.** In the era of global media dissemination, human consciousness (values, experience, cognitive processes, etc.) has adapted to new possibilities and requirements of communication technologies.

In one of its meanings, popular culture is identified with the implementation of media products (television, radio broadcasting, cinema, Internet), “thematically devoted to law, jurisprudence and legal culture in general” [5, p. 151]. Electronic media inform citizens not only about what is happening in the world around us, including the dissemination of information about laws and legal conflicts, they also help to shape our opinion and attitude to these processes, i.e. human values are modeled through the promotion of popular visual representations, consuming various templates from mass culture to create meaning. Cognitive psychologists call such thinking tools “heuristics” [6]. This includes the most common prototypes, scenarios, behaviors, and decision-making patterns that occur instantaneously in the mind under certain circumstances.

Consequently, popular culture becomes the main source of everyday information and socialization, including the paradigm of communication and belief, within which the law is no exception.

The main problem in the information capabilities of media is the duality of meanings, on the one hand, capable of strengthening the legal consciousness of citizens, but, on the other, increasing public skepticism about the ability of the law to administer justice [4]. The unreliability of media sources is expressed in the compilation of false and true information, “the creation of stories at odds with reality, the purpose of which is to entertain consumers” [5, p. 152]. In this situation, the objectivity of the perception of certain products of popular culture falls on recipients who independently decide to passively perceive information [5] or actively model their legal ideas by comparing different sources.

In this context, legal education is of particular importance, which implies the dissemination of legal knowledge that forms the legal consciousness of citizens, contributes to strengthening the internal political processes of the state, stimulating legitimate models of individuals’ behavior, as well as ensuring effective legal socialization of the population [7]. As A.S. Dotsenko notes, having an independent meaning, legal education directly correlates with concepts such as legal consciousness, legal culture, legal information, etc., representing law in its broader sense (politics, legislation, culture and society) [7].

Drawing a parallel between popular legal culture and legal education, a number of common functions and principles can be identified: informational, educational, regulatory, ideological, explanatory (advisory).

The main difference is that legal education operates within the framework of legal regulations (regulated by Federal Law No. 324-FL “On Free Legal Assistance in the Russian Federation”, Order of the Prosecutor General’s Office of Russia No. 471 “On the Organization of Legal Education and Legal Information in the Prosecutor’s Office of the Russian Federation”, Federal Law No. 182-FL “On the Basics of the Crime Prevention System in the Russian Federation” and other regulatory requirements), while popular culture forms a generalized vision of the system of law and the activities of lawyers, judges, officials, identifying cases of professional misconduct, and subjective interpretation of legal meanings.

Specialists in the field of jurisprudence and law have no other opportunity than to adapt to the cognitive environment formed by popular culture. Influencing the process of people’s perception of legal events, legal culture not only organizes everyday concepts in relation to the concepts of “truth”, “justice” and “norm”, but also imposes new requirements on participants in legal relations who are forced to meet the expectations of the population.

In the modern society of “mass media culture” [8] information and entertainment, facts and fictions, real events and strategically constructed media events, real law and artificially invented popular law are mixed into a single system [8]. In this connection, the main prerequisite for the development of the legal system is based on the fact that theory and practice of law should take into account new trends in the field of cultural studies and sociology, the spread of digital and communication technologies, as well as various political and socio-economic factors affecting the formation of popular legal ideas.

A significant condition in the process of the popular legal culture formation is a critical analysis of public consciousness, which implies an interdisciplinary approach to forming institutional, individual and mass legal ideas and semantic concepts.

As noted above, one of the key principles for the formation of public understanding of the world is the work of media, therefore, strengthening the image of law in popular culture can be a turning point in solving ideological dilemmas in the belief system.

Scandalization and entertainment have the main value for media, which should be taken into account in the context of building a popular legal culture. The development of media education and media literacy is the basic tool for confronting “information chaos” [9, p. 97] in a legal society. “Media education is designed to teach a person to perceive and understand information, to be aware of consequences of its impact on the human psyche, to master communication methods based on verbal and non-verbal forms of communication using technical means” [10, p. 15].

The dissemination of basics of media education directly correlates with the formation of media competence and media literacy, which implies “the ability of a person to adequately interact with information flows in the global information space: to search for information, analyze it, critically evaluate and choose what is necessary in the entire variety of content and forms distributed through various means of communication” [10, p. 15].

In addition, media education is of institutional importance, ensuring the qualification development of legal specialists whose activities are transferred to the media space in order to analyze, evaluate and prepare relevant legal digital content.

Modernization of legal culture through the inclusion of media in legal education contributes to the strengthening of democracy and human rights through the involvement of citizens in social activity, political projects and activities of public organizations. However, the focus should be on issues of legal literacy of the population with an emphasis on critical thinking regarding media content [10].

Thus, the phenomenon of popular legal culture is a complex multi-component phenomenon that unites a common folk culture, popular ideas, media culture and legal realities undergoing digital transformation and social rethinking. In the process of popularizing legal culture, legal education plays a key role, building an objective image of the law in the minds of citizens, as well as personal information selectivity, legal responsibility and active civil positions. An integral condition for the development of legal culture and legal education is media education, which can prepare the population for effective life in the context of the rapid spread of information technologies, taking into account changing legal trends.

**Discussion and Conclusion.** Being a product of social achievements, the right is inextricably linked with culture and all its derivatives: popular culture, media culture, professional culture, etc.

As the study showed, the phenomenon of popular legal culture is a relatively new and insufficiently studied phenomenon in modern science. Today, domestic and foreign research offers disparate interpretations of this concept due to its complexity and variability, and therefore, we come to form our own definition of this concept.

Popular legal culture is an association of legal culture and popular (mass) ideas of the population about the law and the system of law, the dissemination and assimilation of which takes place within the framework of public relations and media communications through media. Popular legal culture implies a high level of informativity, which means the emergence of a number of interpretive risks associated with the distortion of legal phenomena and knowledge, and therefore a prerequisite for the development of this system is the dissemination of legal education and media literacy among the population. Thus, the study and development of the popular legal culture phenomenon provides the basis for further research and interpretations.

## References

1. Michaels R. *Legal Culture. Oxford Handbook of European Private Law. Basedow, Hopt, Zimmermann eds.* Oxford University Press; 2011.
2. Carrillo J. Links and Choices: Popular Legal Culture in the Work of Lawrence M. Friedman. *Southern California Interdisciplinary Law Journal*. 2007;17(1).
3. Friedman L.M. Law, Lawyers, and Popular Culture. *The Yale Law Journal*. 1989;98(8):1579–1606. <https://doi.org/10.2307/796606>
4. Röhl K.F. *Law and Popular Culture: Popular Legal Culture as Media Legal Culture*, 2006.
5. Solovyeva Yu.O. Law and popular culture: aspects and tendencies of interaction. *Moscow State University Bulletin. Series 19. Linguistics and Intercultural Communication*. 2019;1:149–157. (In Russ.)
6. Sherwin R. Law in Popular Culture. New York Law School; 2004. <https://doi.org/10.1002/9780470693650.ch6>
7. Dotsenko A.S. On the concept of legal education. *Actual problems of Russian law*. 2020;15(1):179–188. (In Russ.) <https://doi.org/10.17803/1994-1471.2020.110.1.179-188>
8. Haltom W., McCann M. *Distorting the Law: Politics, Media and the Litigation Crisis*. Chicago: University of Chicago Press; 2004. <https://doi.org/10.7208/chicago/9780226314693.001.0001>
9. *Media sphere as a space for the development of legal culture in modern Russia*. Resp. ed. and comp. N.B. Kirillova. Moscow: Academic project; 2023:90–98. (In Russ.)
10. Shutaleva A.V., Golysheva M.V., Tsiplakova Yu.V., Dudechik A. Yu. Media education and the formation of the legal culture of society. *Perspectives of Science and Education*. 2020;3:10–22. (In Russ.) <https://doi.org/10.32744/pse.2020.3.1>

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