MANAGEMENT COMMUNICATIONS IN JOURNALISM: LEGAL AND MORAL MECHANISMS

COMUNICACIONES DE GESTIÓN EN PERIODISMO: MECANISMOS LEGALES Y MORALES

	
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RESUMEN
En la etapa actual del desarrollo de las relaciones sociales, todos estamos presenciando el uso de un extenso control de los medios. En el contexto de la creciente influencia de tales tecnologías, el objetivo principal de este artículo es investigar los mecanismos de su regulación y control, que es realizado por los autores de este trabajo. Se enfatiza que la cultura legal es parte de la cultura espiritual de la sociedad y, por lo tanto, cualquier manipulación del periodista relacionado con este tema debe considerarse inaceptable, desacreditando al periodista.
Palabras clave: Periodismo, principios éticos y morales, mecanismos legales.

ABSTRACT
At the present stage of development of social relations, we are all witnessing the use of extensive media control. Against the background of increasing influence of such technologies, the main goal of this article is to investigate the mechanisms of their regulation and control, which is undertaken by the authors of this work. It is emphasized that the legal culture is a part of the spiritual culture of the society and therefore any manipulations of the journalist connected with this topic should be considered as unacceptable, discrediting the journalist.
Keywords: journalism, ethical and moral principles, legal mechanisms.

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INTRODUCTION

Human resources have a remarkable importance in the ultimate utility of a newspaper. Human resources have been recognized to be the core and the highest capital of a newspaper, therefore an effort should be made so the most valuable asset of a newspaper survive in a manner that its survival quality could lead to the development of the newspaper. In an organizational process, when needs are not provided according to human prerequisites, and the two sides of management and members of an organization are put in two positive and negative poles, these two poles will ultimately weaken each other than giving each other power and energy. The disruption of any one of Maslow's needs will interrupt the overall management of a media. Most importantly, Maslow's latest human need, that is self-actualization, is considered more than other needs in the human hierarchy. Producing mental creativity is one of the most important indicators of production in the media, and this will be one of the most important organizational damage if not provided in the members of the organization. Within the framework of this plan, what we borrow from Abraham Maslow is the Organizational management relationship with members of the organization in the context of the needs that staff or journalists require, for example fulfilling financial requirements, providing physical and psychological security and self-actualization which is happening in each one of the journalists. That is why the management style in a newspaper is different from management in another organization.

It should be noted that the topic of management communications in journalism has not been studied enough.

Approaches developed in the scientific and professional media environment show that the principles of ethics in journalism are softer than legal ones, because there is no amenability for their non-compliance. At the same time, according to the researchers, ethical standards are stricter and more selective than legal ones.

Issues of professional journalistic ethics are considered by Lambeth (1992), Dzyaloshinsky (1996), and Lazutina (2000). Approaches that have developed in relation to this problem identify five significant situations:

1) The press and its audience;

2) A representative of the mass media and sources of information;

3) A reporter and characters of his texts;

4) A journalist and his colleagues;

5) A reporter and authorities.

It is therefore quite evident that the management of a newspaper is a completely unique and multi-faceted management, in which all beneficiaries should be considered simultaneously, and on the other hand in the management of journalists a model of formal organizations should be used. This is the main focus of the present paper, which is formed together with the answer to the following question: What is the proper and required managerial pattern for managing a

newspaper, ethics and professional principles, or organizational management principles?

MATERIALS AND METHODS

The methodology of this research was a survey one as well as doing interviews among journalists. The interview texts were carefully implemented and used for analysis. To analyze the interview texts, the theme analysis method was used which is widely utilized in qualitative research. In this method, the interview text was first implemented from the recorded voice of the interview session, and was then completed using the notes taken during the interviews. Afterwards, by careful study of these texts, all the independent ideas in the form of subsidiary concepts and themes were first identified for each one of the provided interviews and then a code was allocated for each one.

RESULTS

The following results were obtained after doing interviews and analyzing them:

Table 1: Qualitative analysis based on interview themes (Gazizov and Nagovitsyna,2018)

Theme Title	Theme Code	Concepts Related to Theme	Concept Code
Professional Ethics	First subsidiary	Law of providing improper information or suppression	16
		Law of publishing inappropriate information for a mass market	15
		law of non-violation of private life	14
		Law of granting speech right to others	11
		Law of granting information right to others	9
Legal Mechanism	Second subsidiary	National law of journalist right	13
		National law of Russian journalist professional ethics	8
		International principles of journalism	6
		International law of journalist's rights	5
		International law of journalist accountability	7

A journalist who writes on legal topics must perfectly know the domestic and international legislation; understand the issues of state policy in the field of the media.

In those cases when for some reason a person's attitude towards legal principles changes, he begins to underestimate the value of law. And then "his attitude towards law begins to be expressed in his underestimation of the value of law." (Shakirova, 2016).

Legal culture is a part of the intellectual culture of the society and therefore any manipulation of the journalist related to this topic should be regarded as unacceptable, discrediting the journalist.

According to Tretyakova, 2012, the correct use of human rights and freedoms contributes to the development of a democratic society. The legal culture should be regarded as an element of interaction between society and the individual when creating a constitutional democracy.

Using information the journalist forms the legal culture of the society. In turn, the legal culture of society affects journalism (Volodina, 2014.)

It should be noted however, that journalistic materials can have both positive and negative impact on the audience (Volodina, 2014.)

Today we can say that many issues in the practice of legal journalism are not legislatively perfect. In particular, the contradictions between the interests of investigators and judges on the one hand and journalists on the other, the problems of investigation mysteries, the presumption of innocence, etc (Koshelyuk,2004).

The rules of the Code of Professional Ethics of the Russian journalist, unlike foreign ones, are of a general nature, documents of self-regulation do not resolve the main contentious issues, and sometimes journalists resort to manipulative techniques out of choice.

There are cases in the media where journalists publish information before a court is held, they call criminals people who have not yet been found guilty by the court. It is the violation of the presumption of innocence. In addition, Russian publications publish "special-order" materials, deliberately contributing to the formation of false public opinion. As a rule, such cases are rare before the court, and such publications remain unpunished (Tretyakova,2012).

Today the responsibility for the legal reliability of the materials should be the foundation of the activities of every journalist. It is inadmissible to use various kinds of manipulation in the genres of the judicial essay, reports from the courtroom and journalistic investigation. Journalists writing on legal topics should have objectivity and honesty in covering the legal topic.

DISCUSSION

The peculiarity of the rules of law is that they basically formulate those sanctions that follow the violation of these rules. In a number of works, the authors of which investigate the cases of interference of the press in private life, there are difficulties in substantiating and proving such violations, because legislative rules require a clear evidence base, which may not be (Koshelyuk,2004).

Media manipulation is a complex formation, based on elements of the imagery of speech, sophisticated linguistic balancing acts; you need to get buried in the context of the material, which makes the interpretation of this or that phenomenon difficult.

The scientific world has developed an approach according to which it is the ethical mechanisms adopted and observed by the professional journalistic community that are the main regulator of such relations (Gazizov & Nagovitsyna,2016).

It would be better to reveal the specifics of the application of ethical and moral mechanisms in relation to modern journalistic practice. First of all, it is necessary to emphasize the duality of approaches: 1) on the one hand, the principles of professional ethics are not mandatory and there is no amenability for their non-compliance; 2) ethical mechanisms are considered to be stricter and more selective than the current legal rules.

The works of Lambeth (1992), Dzyaloshinsky (1996), Lazutina (2000), and Bakshtanovsky & Sogomonov (2002) are devoted to ethical and moral media mechanisms. It is established that ethical issues are considered in the context of: 1) the press and its audience; 2) a representative of the mass media and sources of information; 3) the reporter and characters of his texts; 4) journalist and colleagues; 5) reporter and authorities.

The analysis shows that the most common violations committed by journalists are: 1) misrepresentation of information, or suppression; 2) publication of information unfit for a mass market; 4) an attempt to invade private life; 5) the appropriation of the right to speak on behalf of others; 6) the appropriation of the information right etc.

Consider situations of violation of ethical norms in the public communications system, as well as their possible consequences. A significant document in this regard is the "International Principles of Journalistic Ethics" (Kravchenko et al, 2016, p 117). Thus, Principle II recommends that the mass media expound the facts in such a way that their true meaning remains, without misrepresentation. The technology of selective choice of information, used in the media, allows providing to the audience the information beneficial in the context of information and psychological impact.

For example, I started from the time of the destruction of the USSR and I ended up with the upcoming election company. It is unlikely that this quotation and other examples taken from regional media practice will allow the public to form an accurate and coherent picture of the world, as international principles provide, so that the origin, nature and essence of events, the course and the state of affairs to be understood as objective as possible (Kravchenko, Kravchenko, & Shchepakin, 2016). In this context, we are talking about the technology of sensationalism used in the media. The event is described in such a way that its true meaning gets distorted. Such sensational texts can be recognized by a "screaming" title. Most often the media text does not correspond to the sensationalism of its title: there is nothing unusual in it, and it is about the everyday reality Kravchenko, Kravchenko, & Shchepakin,2016).

Principle V of the "International Principles of Journalistic Ethics", which requires media employees to respect the rights of citizens to privacy, protect them from libel or insult, is also not implemented when authors use propaganda techniques (Rudinow, 1978),for example, such methods as "labeling": "mockery", "mudslinging " (Shepperd and Socherman,1997). Point III of the "International Principles of Journalistic Ethics" - "Social responsibility of a journalist" provides for responsibility not only to the control bodies and the leadership of the mass media, but also to the public.

In addition to the analysis of international documents, we will also consider domestic ones, namely: the Code of Professional Ethics of a Russian journalist (Volodina,2014). According to the document, it is permissible in the professional journalistic environment to disseminate only information that does not cause doubt in its reliability. As in most ethical studies, the indication of the differences between fact and opinion, as well as conjecture or assumption is emphasized.

Cases of misrepresentation of facts, libel, and illegal ways of gathering information by journalists were proclaimed as the most serious violations. We suppose that such violations can occur through the use of manipulations.

These processes allow us to evaluate the activities of some Russian media as dysfunctional.

SUMMARY

The legal mechanisms of management communication in journalism include the opposite concepts, such as ignorance or poor knowledge of Russian laws, rights and duties, and low legal activity. Sometimes under the influence of a number of objective and subjective factors, a person changes his positive legal orientations.

Considering that the development of management technologies is difficult to regulate by legal means, ethical principles become an efficient instrument.

Despite the fact that there is no amenability in response to non-compliance with ethical measures, the researchers note, they are stricter and more selective than legal ones.

CONCLUSIONS

The main goal of public authority, the scientific community and society as a whole is to increase the importance of ethical documents, which, in turn, will allow to better regulate the processes taking place in the modern media system.

It is necessary to adjust the legislative rules and to use corresponding initiative in this area.

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