

Transformation of legal consciousness as a threat to the cybersecurity of an individual

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Abstract. The widespread availability of information and telecommunication sources (IT technologies), on the one hand, increases the level of legal awareness of the population and the effectiveness of interaction between political institutions and civil society, the activities of state bodies are becoming more transparent, education is more accessible. But in parallel with this, the level of the destructive impact of digitalization of public relations is also growing. A person dissolves into virtual reality, the personality is split into two, i.e. realized and manifested at different levels in different ways in virtual and real reality, there is a transformation of consciousness and, as a consequence of legal consciousness. In our opinion, the above provision is an urgent problem and requires theoretical and legal analysis. The article examines the problems of transformation of the legal consciousness of an individual in the digital space. The authors propose measures aimed at reducing the unfavorable factors affecting the distortion of legal consciousness.

1 Introduction

Virtual reality creates a new artificial world that has no material boundaries. The possibilities of an individual in such an artificially created world become practically unlimited [1]. Generating new types of legal relations, digital reality leads to structural shifts in the consciousness and legal consciousness of the subjects of law - transformation. It should be noted that transformation implies the so-called transition from one state to a qualitatively different one; this path is accompanied by fundamentally new views and ideas, which are gradually included in the system of views. It is obvious that the concept of transformation of legal consciousness is multifaceted and the proposed changes refer both to the system of ideas and views, the spiritual component, and to concepts, theories, and moods that develop about legal reality. Despite the lack of a clear definition, it seems possible to use the following definition: deformation of legal consciousness is a negative social phenomenon, which is characterized by such changes in its state that distortedly reflect the real social and personal legal reality and express a negative attitude towards the current system of law, legality and rule of law in general [2].

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In order to determine the trend of transformation of legal consciousness under the influence of digitalization of public relations, we consider it necessary to analyze the crime statistics in the Russian Federation.

In 2022, according to statistics, 1,966,795 crimes were registered on the territory of the Russian Federation [3]. Of these, 522,065 crimes were committed with the use of information and telecommunication technologies in the field of computer information, which is 0.8% more compared to the previous year (Figure 1). A significant part of criminal acts are committed with the use of IT technologies: of them 381 112 - on the Internet, 212 963 - using mobile communications, 127 149 in the field of payment cards, 29 140 - computer technology, 7 649 - software, 1 325 - fictitious electronic payments (Figure 2) [3]. These figures indicate an increase in the number of crimes committed using information and telecommunication technologies, which indicates the formation of legal nihilism in digital format.

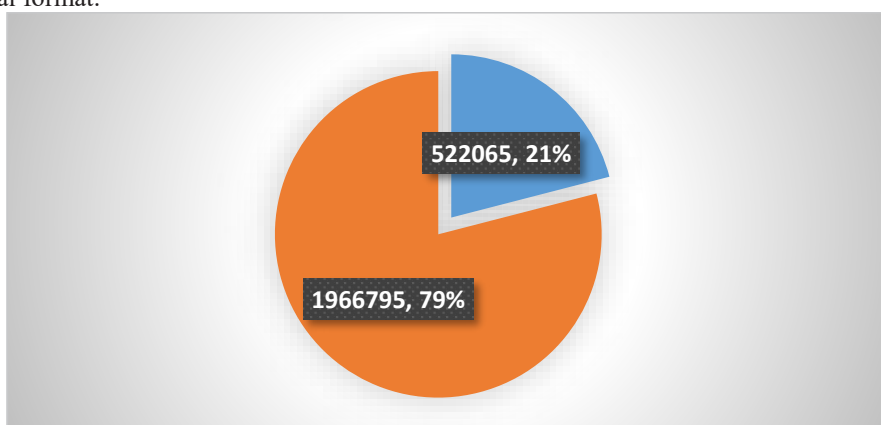


Fig. 1. The number of crimes committed with using information and telecommunication technologies

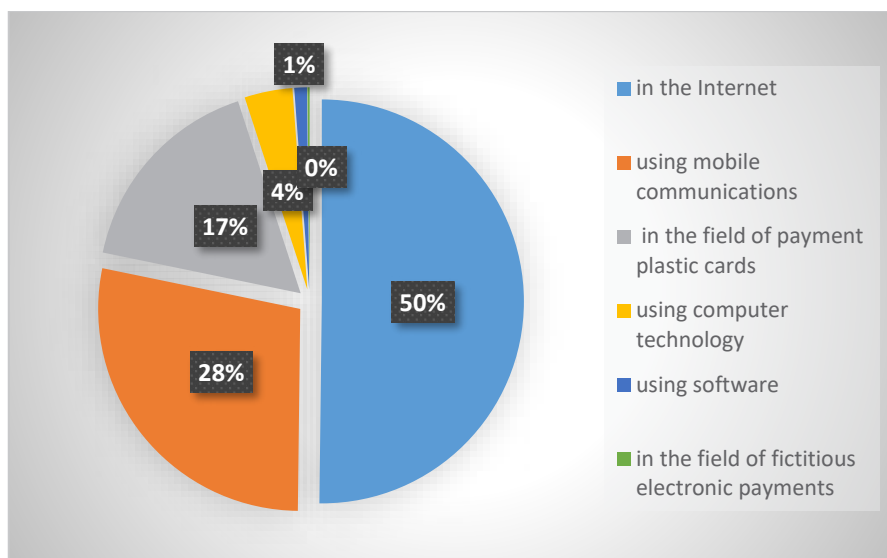


Fig. 2. Crimes committed with using information and telecommunication technologies

The widespread use of digital technologies has led to the fact that a number of relationships have remained outside the legal framework. This allows criminal communities to actively

use the digital space to commit crimes and other offenses. Unfortunately, the Internet and various messengers have become a platform for spreading false information about the activities of state bodies, political and social processes, which undermines citizens' confidence in the authorities, engenders intolerance towards certain social groups, and causes a disdain for the law and the regulatory regime. The active involvement of a multi-million audience in the virtual environment, the formation of public opinion and the manipulation of consciousness has become the main tool of the warring parties.

The purpose of the study is to legalize the information and telecommunication technologies in modern society, which directly affect the transformation of the legal consciousness of the individual. To achieve the goal, the following tasks were set:

- to analyze the phenomenon of transformation of legal consciousness;
- to identify the negative factors of digitalization that affect the distortion of the perception of legislation and the activities of state bodies;
- to propose measures aimed at leveling the negative impact of digitalization on the transformation of the legal consciousness of the individual.

2 Methods

Informatization processes in modern society affect absolutely all spheres of human life. They are manifested in the political, economic, social, spiritual and, of course, in the legal spheres. The transformation of the legal system is taking place at all levels. Both the legal system (for example, new branches and institutions of law - information law), as well as the legal culture, which directly shapes the practice of legal implementation, are undergoing changes.

Scientists of antiquity made a certain contribution to the study of the legal culture of an individual and her legal consciousness as a kind of self-awareness: they distinguished the inner world of a person and the external world around him. Thus, they laid the theoretical and methodological basis for understanding legal consciousness as the sum of knowledge about the norms of morality and law, and legal consciousness as the perception of these norms by an individual. Gradually, this problem began to be objectively and systematically considered in the context of ethical science. The comprehension of the socio-cultural phenomenon of legal consciousness was continued in the works of M. Weber, W. Windelband, G. Hegel, I. Herder, E. Husserl, V. Dilthey, E. Durkheim, G. Simmel, G. Le Bon, G. Leibniz, K. Marx, E. Mach, A. Smith, F. Schleimacher and a number of other scientists.

In the twentieth century, the development of a culture of legal consciousness of the individual was reflected in the works of J. Deleuze, J. Dewey, T. Veblen, A. Camus, G. Marcuse, A. Mol, J. Moore, F. Nietzsche, J.P. Sartre, B. Russell, E. Fromm, Z. Freud, M. Heidegger, B.N. Chicherin, K. Jung and others.

At the end of the 20th century - beginning of the 21st century, new works appeared, in which, to one degree or another, the issues of the culture of legal consciousness and its development in the context of institutional changes were considered. Among the works of Russian authors on this range of issues, one can note the studies of V.I. Bakshtanovsky, A.P. Vetoshkina, S.Z. Goncharova, V.N. Gulyakhina, Yu.G. Ershova, R.L. Livshits, I.P. Malinina, O.V. Martyshina, A.A. Molchanova, N.A. Narochnitskaya, I.D. Nevvazhai, T.S. Orlova, A.S. Panarina, N. Rybakova, M.B. Smolensky and others. In modern Russian society, the process of digitalization of all spheres of human life is actively underway, which is reflected in the legal consciousness and behavior, attitudes and assessment of citizens of the current legislation. In this connection, the problem of transforming the legal consciousness of an individual remains relevant and requires a comprehensive study.

When solving the tasks, the author relied on modern methods of cognition, identified and developed by modern science and tested by practice. Of the special methods in the course of the research, the systemic, structural-functional, historical, comparative legal and other methods, as well as the laws of dialectics, were used.

3 Results

The process of informatization of society is irreversible and is gaining momentum, which becomes the basis for the formation of new legal relations that are not regulated by the norms of law. In the current circumstances of a legal vacuum, the legal consciousness of citizens will play a significant role in the regulation of public relations. In this connection, it is necessary to use the possibilities of information technologies to form knowledge and understanding of law, respect for legal regulations, conviction in their fairness, an active life position in the legal sphere, and compliance with the requirements of the law. The leading role in reducing the influence of unfavorable factors on the formation of legal consciousness should be played by the state through the implementation of a competent policy in the field of information and telecommunication technologies with the support of the public.

4 Discussion

The spread of extremist ideology through the Internet, various instant messengers and video hosting services poses a threat to national security. Article 14 "Strategies for countering extremism in the Russian Federation until 2025 (approved by the President of the Russian Federation dated November 28, 2014 No. Pr-2753) directly indicates that" information and telecommunication networks, including the Internet, have become the main means of communication for extremist organizations, which they use to attract new members to their ranks, organize and coordinate the commission of extremist crimes, spread extremist ideology". The number of materials prohibited by Russian law on the Internet is growing every year. In 2022, there were 531 thousand of them. This is suicide propaganda, child pornography, information about the distribution and promotion of drugs. But in the first place - 208 thousand - are materials from extremist and terrorist organizations [4]. An example is the Islamic State's unprecedented online propaganda campaign. ISIL members broadcast the hostilities on Twitter, post pictures of their victims on Instagram and promptly report the news to their Facebook subscribers [5, p. 208]. Since August 2014, Western social networks began to gradually block pages associated with ISIS, so the militants began to look for new platforms for communication with their followers: on the forums of jihadists there were calls for supporters of the Islamic State to switch to a "convenient" and "free" social network - "VKontakte". Social networks have become a convenient platform for members of terrorist organizations to recruit adherents. Extremist sites are often controlled from abroad and have international domains ".com", ".org", ".info" and others. Despite the policy of blocking resources with extremist content, they create new sites or "mirrors" and try to continue working. Virtual reality erases spatial and temporal boundaries, allows you to obtain detailed information about a person, establish contact with her and involve him in the activities of an extremist organization. An illustrative example is the resonant case of a Moscow State University student Varvara Karaulova (she decided to join the ISIL group banned in Russia and joined its BADR unit), who was recruited through the social network VKontakte. Active actions on the Internet were undertaken by the now banned extremist religious organization "The Administrative Center of Jehovah's Witnesses

in Russia." The organization managed to create 395 branches, distribute a huge amount of extremist materials on the Internet and attract thousands of members [6, c.65].

The problem of the emergence and spread of extremist sentiments in the youth environment, as noted by I.Yu. Rykova, is associated with a low level of legal culture and legal awareness, the lack of an effective system of legal education of the population [7, p. 27]. Due to the fact that our society has not yet overcome the consequences of the anomie of the 90s, this tendency is currently taking place. Many people stopped believing in the power of law, power, justice. This attitude towards law is passed on to the new generation and is cultivated on the Internet. Radical ideas about a strong state, where morality and law dominate, become attractive to young people and lead them to the ranks of extremists. Legal consciousness as an element of the socio-cultural system of society is influenced by two factors. On the one hand, the consequences of the spiritual and moral crisis of society are influencing, manifested in the confusion of the concepts of good and evil, just and unjust, a decrease in the role of morality and ethics as regulators of human behavior in society, the cult of profit, contempt for national ideas and values. On the other hand, there is a rapid growth in the social significance of information and telecommunication technologies, their spontaneous influence on human consciousness. The danger of such a situation lies in the fact that the traditional socio-cultural mechanisms of control and prevention of deviant behavior are leveled in society. The possibilities of society in the ideological, moral, ideological, value confrontation are significantly reduced.

Studies [8] have shown that Russian youth is significantly differentiated in terms of critical thinking and the ability to determine the degree of reliability and significance of Internet resources and media products. A significant part of young people do not see the importance of ensuring information and social and psychological security in the digital space. Lack of critical perception of digital content negatively affects the legal consciousness of the younger generation. Fake news, information stuffing, digital fraud, the cultivation of Western ideology and the devaluation of national ideas and other side effects of the virtual space form a negative attitude towards the legal system and the activities of law enforcement agencies. Multiculturalism as a phenomenon of virtual reality gives rise to legal nihilism and leads to a distortion of the legal consciousness of the individual. This transformation is taking place against a certain binary background: on the one hand, some of the previous norms of legal consciousness, conditioned by the value orientations of Russians, are being destroyed and abolished; on the other hand, they are being replaced by Western "standards." Under these conditions, the devaluation of the highest principles of human existence is also observed. Kindness, love for one's neighbor, justice, mercy, compassion in the legal consciousness are replaced by the moral ideals of a Western person (rationality, expediency, pragmatism, utilitarianism, etc.). Thus, the spiritual content of the norms of the law is emasculated, the gap between the content of formal (law) and informal norms (tradition), between the law itself and law enforcement practice is aggravated. As a result, this gave rise to protest divergence (alienation, delimitation) of law, which was clearly manifested in the late 90s of the XX century, and strengthened legal nihilism [9, p. 14].

Considering the phenomenon of legal consciousness of the individual, we proceed from the fact that it is a consequence of the ethnic self-identification of the individual. Therefore, the restoration and preservation of tradition is a primary measure to harmonize relations between an individual, society and the state. Modern institutional changes taking place in Russian society significantly devalue ethnic identity and prevent the individual from realizing his self-identification and self-determination. Digitalization processes lead to unification in the field of national legislation, displacement of original national legal ideas and the imposition of thinking patterns; legalization of legal consciousness is expressed in the substitution of truly legal ideals and principles by the dogma of legalism and formalism;

the complication and overproduction of legal information lead to the inaccessibility, incomprehensibility and immensity of modern law for legal consciousness. Substitution of ethnic patterns and values with universal values, norms and standards destroys the historically formed spiritual and moral code of ethnic groups and violates the conditions of its existence [9, p. 12]. Instead of the interaction of cultures, such a substitution provokes their conflict, the expansion of one culture and the assimilation of another. There is an increase in intolerance, aggression of one social group in relation to another. This is evidenced by the statistics figures (Figure 3). In 2022, 2,233 terrorist crimes were registered in Russia, which is 4.5% more compared to 2021. The number of registered extremist crimes increased by 48.2% and reached 1,566 [10]. The indicators of persecution under administrative articles on displaying prohibited symbols and disseminating extremist materials have not decreased. So, according to Art. 20.3 of the Administrative Code on the demonstration of Nazi symbols and symbols of banned organizations, sanctions were imposed 5,270 times in 2022. In 2021, 4, 119 sanctions were imposed under this article. The number of sanctions under Art. 20.29 of the Administrative Code for the dissemination of extremist materials remains approximately the same: in 2022, they were appointed 869 times. In 2021, there were 1319 of them.

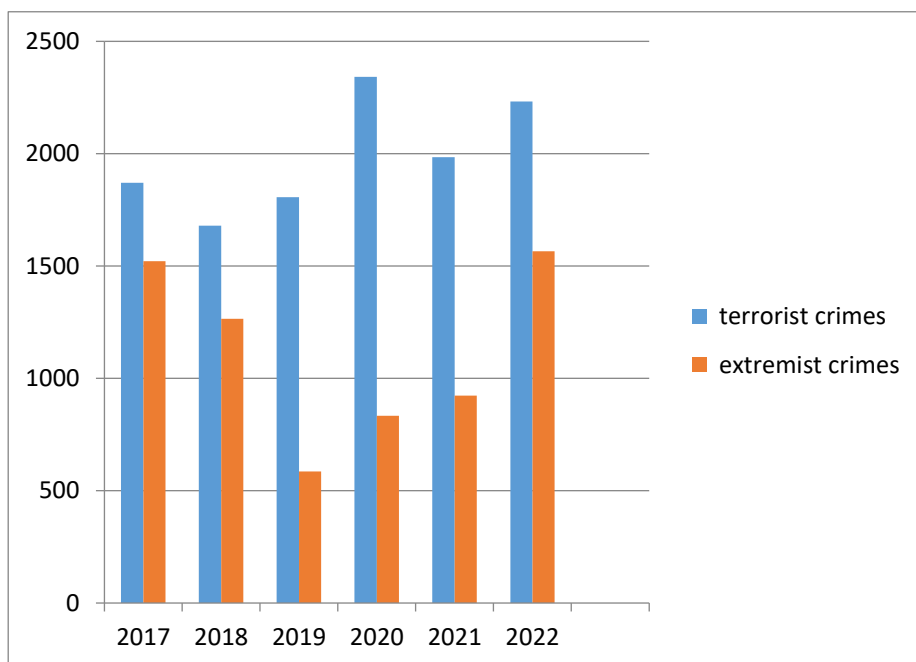


Fig. 3. Dynamics of extremist and terrorist crimes

5 Conclusion

In order to somehow reduce the level of influence of unfavorable factors causing distortion of legal consciousness, it is necessary to tighten state control over the dissemination of socially dangerous information in the Internet space. Despite the fact that the state made attempts to strengthen control (the Federal Law of 27.07.2006 No. 149-FZ (as amended of 02.07.2021) “On Information, Information Technologies and the Protection of Information”, the Federal Law “On the Protection of Children from information harmful to their health and development "dated December 29, 2010 No. 436-FZ, Decree of the

President of the Russian Federation dated December 5, 2016 No. 646 "On the approval of the Doctrine of information security of the Russian Federation"), this issue remains open and requires a delicate solution. Undoubtedly, the strengthening of control does not mean the introduction of total censorship on electronic media, social networks and the blogosphere, which, not being a media, perform a communication function, represent a source associated with the replication of information and influence the formation of public opinion. Suppression of the dissemination of socially dangerous information in the global network should be carried out not only by law enforcement agencies (Ministry of Internal Affairs, Federal Security Service), Roskomnadzor, but also supported by civil society.

In our opinion, measures aimed at leveling the negative impact of digitalization on the transformation of the legal consciousness of an individual should be implemented in the following directions:

- continuously improve the regulatory framework in the field of information and telecommunication technologies;
- monitor network resources and inform the competent authorities about the detected illegal content;
- to introduce in universities and vocational schools the study of topics within the taught disciplines aimed at mastering by students the competencies of independent and conscious selection of media products, the ability to differentiate digital media products in terms of reliability and social significance;
- to implement state programs, both for teaching "digital" literacy of the population, as well as for legal education and increasing legal culture.

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