

## LINGUISTIC CHARACTERISTICS OF THE CONSTRUCT “EVALUATIVE JUDGEMENT OF A JOURNALIST” IN THE UKRAINIAN LANGUAGE

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The article outlines lingual features of the “evaluative judgement” construct, being new for the Ukrainian journalistic practices. By means of analysing the structural elements of this construct, the author defines its linguistic features as well as comes up with lexicogrammatical and stylistic means representing the “evaluative judgement” construct in journalistic materials. Considering the data from practical journalistic activities, the author presumes that evaluative judgements of a journalist are based on factual information and manifest themselves via vast linguistic means corpus, being much broader than the lawmaker has defined it. In the context of the problem, the paper suggests to view “the evaluative judgement of a journalist” as his/her subjective point of view, opinion on a certain subject, personal assessment of facts or events on the grounds of knowledge, experience, journalistic standards, and information obtained from open sources, based on factual information that can be introduced into media content with the help of linguostylistic means. As exemplified by media content, the author comes up with the conclusion that apart from using such linguistic means as hyperbole, allegory, satire, which are defined by the law, as well as patterns that express evaluation or uncertainty, emphasising information probability (for example, it seems to me, in my opinion, I think, etc.), the construct under analysis also manifests itself through the use of particular tense and voice forms, impersonal constructions, complex attributive groups, complex sentences, etc. The author suggests applying the obtained results to form professional competence of both students of journalism departments and creative mass media specialists in order to ensure secure implementation of their duty to inform.

**Keywords:** evaluative judgment; the journalist; expressive means; stylistic means.

### Introduction

The subject-matter of the journalistic profession has changed considerably with the shift of the society from industrial to information type. If earlier the main objective of creative media workers was to record facts of reality as well as spread propaganda and idealise regime of the time, these days a journalist is considered to be both an active participant of democratic process and a co-author of media landscape. This led to the change of the scope of this profession, so it acquired a holistic character. Continuous rivalry of two constitutional rights, that is the right to freedom of speech and the right to the respect of person’s honour, dignity and business reputation, is the reason for law actions against journalists. Moreover, in the past of Ukraine, this was also the means of cessation of mass media activity, because they couldn’t compete with the state machine, while a decisional law of the European Court of Human Rights was scarcely applied. As of today, the situation is much better, though there is still some formalism in the way Ukrainian courts deal with this issue. Journalists often find it difficult to prove that the material or its part is an evaluative judgement rather than factual information.

As far as the issue of evaluative judgements is related both to journalism and law, Ukrainian legal scholars write not much on this topic. However, a legal scholar, Luapenyk (2003), made first attempts to single out distinction criteria between evaluative judgements and factual data so that the judges could use them in practice. Later on, these criteria were specified and became more precise in the research done by Mozharovs’ka (2014). As for journalism scholars, they write practically nothing on this topic. Practising journalists are really interested in this question, yet they don’t have enough competence to deal with this problem applying scientific methods.

At the same time, at different times certain aspects of the outlined problem were analysed to some extent. In particular, Donsbach (1981) reconsidered the concept of journalistic professionalism, noting that legitimacy of media content should be achieved by means of high professionalism and not by means of evaluative judgements. Cohen & Wallsten (1992) analysed how the experiment results influence judgements and decision making taking into account linguistic probabilities. Within the context of the problem under study, Pöttker (2004) considered the distinction between facts and judgements as the means of self-censorship under democracy. Fact-value dichotomy and news-opinion dichotomy, objectivity and truth were described by Munoz-Torres (2012). Criticism of the objectivity principle and its alternatives were outlined by Ryan (2001). Historical background, economic and technological reasoning of the origin of professional objectivity norm in the USA were under study by Schudson (2001). Scientific research was generally carried out observing the standards of professional ethics and in compliance with the objectivity norms.

Linguostylistic means of audience impact have been studied by Havrylova (2013). Being in search of the logic of evaluative judgements, BezmEnova (1991, p. 50) pointed out that every argument presupposes a prior selection of facts and values, their description in a relevant linguistic form with certain accents on the categories and concepts as the most important. In the scholar's opinion, every orator's utterance, no matter how impartial it might be, is always a manifestation of a certain choice. Kupina & Mihaylova (2004) pointed out the combination of informative standard and expression as a constructive principle of publicistic style. Instructing how to build a speech (text) properly, Lemmerman (1997) emphasises that "... language is never an aesthetic goal in itself, but always serves to transmit facts and opinions". Examining the most efficient expressive means in modern rhetoric, those that significantly influence the listener, the scholar singles out metaphors, comparisons, allusions, paraphrases, etc.

Thus, considering previous research of scholars into various elements of the issue of evaluative judgements, we can point out that they view it through the prism of implementation of objectivity principles and professional ethics, stressing the importance of high professionalism in information presentation. We believe that such professionalism is reflected in application of linguistic means that can produce a subliminal impact on the audience in the form of evaluative judgement as an important element of media texts within a publicistic register, characterised by consistency and emotionality, figurativeness and evaluativity as well as style relating linguistic means. We are of the opinion that evaluative judgements of journalists are built on factual data and are identified not only through the use of hyperboles, allegories and satire, but also with the help of a wider variety of linguistic means. The research significance lies in defining the notion "evaluative judgement of a journalist", carrying out linguistic analysis of its structural elements, highlighting the corpus of linguistic means that represent it in media content.

The **aim** of this research is to identify linguistic specificities of jurisprudential construct "evaluative judgement" in the course of practical journalistic activity.

The **objectives** of the research are to outline the construct "evaluative judgement of a journalist", to define the subject matter of the notions forming the construct itself ("evaluative" and "judgement") as well as highlight the corpus of linguistic and stylistic means that prevalently represent the given construct in media content.

The research methodology comprises the following steps. Within the first step, it is expedient to ascertain significance and productivity of the "evaluative judgement" construct in regulatory documents with the help of the method of generalisation. The second step presupposes formulation of the essence of the "evaluative judgement" construct in the Ukrainian scientific discourse within the framework of sociocultural and communicative approaches by applying a descriptive method, in particular, its interpretation and classification techniques. The third step includes defining linguistic characteristics of the construct-forming notions "evaluative" and "judgement" in the Ukrainian language by applying linguistic analysis. The final step calls for singling out a set of lexico-grammatical and stylistic means that represent evaluative judgements in media content as exemplified by a number of publicistic articles written in the Ukrainian language. Taking into consideration the interdisciplinary nature of the given issue, it also seems rational to outline the interrelation of legal, journalistic and linguistic aspects of the "evaluative judgement" construct.

Since utterances representing evaluative judgement can acquire either positive or negative evaluation depending on the particular communicative situation, we analysed the Ukrainian "evaluative judgement" constructs as they occurred in the context of publicistic texts. Thus formed, the corpus of the utterances of "evaluative judgement" amounted to 146 units, selected from different open Internet sources.

### **How Ukrainian legislation and case law view evaluative judgements**

Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms was ratified by the Verkhovna Rada of Ukraine on July 17, 1997, and became a part of Ukrainian legislation in accordance with Article 9 of the Constitution of Ukraine, which specifies that "International treaties in force, consented by the Verkhovna Rada of Ukraine as binding, shall be an integral part of the national legislation of Ukraine" (Constitution of Ukraine, 1996). Apart from these documents there are certain legislative acts governing the issues of evaluative judgements in Ukraine, in particular part 2 of the Article 47-1 of the Law of Ukraine "On Information" (Law of Ukraine "On information", 1992) outlines that evaluative judgement, except insult and slander, is a statement, which does not contain actual data, namely critics, evaluation of acts, as well as statement, which may not be interpreted as containing actual data, taking into account character of used lingual means, especially hyperbole, allegory and satire. Evaluative judgements are not subject to be refuted and their truth is not subject to be proved. Therefore, according to the Article 277 of the Civil Code of Ukraine (2003), evaluative judgements, opinions, beliefs, critical evaluation of certain facts and drawbacks are not subject matters of judicial protection. They express defendant's subjective opinions

and views and cannot be proved to be factually correct (unlike facts) or refuted, which complies with the case law of the European Court of Human Rights while interpreting provisions of Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

Appliance of special linguostylistic patterns and devices is essential to classify a certain statement as the evaluative judgement. Such patterns and devices include inserted constructions and adverbs, expressing evaluation or uncertainty, emphasising probability of information (for example, *it seems to me, in my opinion, I think*, etc.), and indicating that the statement is a subjective opinion and view of the author on the event authenticity of which cannot be checked, and reflects his or her personal point of view on the described event. These are the markers most commonly used by the Ukrainian courts for the determination of a journalist's statement as an evaluative judgement. Most often, if there is a conflict, an open court proceedings on defamation, the parties conduct linguistic expert examination in order to confirm or refute that media content or its fragments are evaluative judgements as opposed to factual information. The text is analysed for the occurrence of linguostylistic means and devices that indicate evaluation or, vice versa, factuality of presented data. Semantic and textual analysis is a specific sub-variety of such an expert examination, whose main task is to establish concept content, lexical meaning of words or word combinations, used in the text of disputable material or its fragment, their stylistic nuance, meaning, nature of information, i.e. to solve speech-related issues. In each individual case, a judge may consider or leave out of consideration an expert view. In the end, they won the lawsuit. Currently, the major concern is not that judges do not use the judgements of the European Court of Human Rights in their practice like it used to be some 10 years ago. The major concern lies in a formal approach to differentiation of evaluative judgements and factual data, ignoring that evaluative judgements are built on certain informational background, the source of which is factual information, and are expressed with the help of certain linguistic means.

### **Evaluative judgement in the Ukrainian scientific discourse**

The notion of evaluative judgement is applied in various professions. Let us consider a few of them. Pozharytska (2013b, p. 70) proves that a characteristic feature of evaluative judgements in different professions is the subjectivity of the statement regarding professional issues, based on knowledge, experience and skills specified by professional standards of behaviour and ethics. Moreover, each occasion can have different objects of evaluative judgements, criteria and forms of professional judgement expression. In the author's opinion, the "judgement" appears exceptionally in a positive evaluative aspect, and is used to convey ideas associated with high professionalism of audit experts (Pozharytska, 2013b, p. 92). As noted by Sherstiuk (2015) "appliance of auditor's judgement is based on the fact that he has all the necessary professional qualification, knowledge and experience. Professional judgements are formed on the ground of facts and circumstances known to the auditor and should guarantee the competent application of auditing principles.

Regarding the understanding of the given construct in other professions, we would like to note that, particularly "doctor's professional judgement in clinical diagnostics is based on theoretical knowledge, clinical empiricism, or doctor's experience. Teacher's professional judgement is his/her professional function and lies in the analytical derivation which establishes strengths and weaknesses of a certain action, pupil's answer or level of development, etc. Lawyer's professional judgement is based on specific professional and legal situations and cases" (Pozharytska, 2013a, p. 137). Sokolov & Terent'eva (2001) believes that professional judgement is "a thought regarding business situation, conscientiously expressed by the professional accountant, being useful both for its description and for making efficient managerial decisions" (p. 54). According to Pozharytska (2013a) "journalist's professional judgement is a viewpoint, opinion on any question, certain evaluation of the fact or event; it is exposed in the text of the article with the help of special means in the form of media content" (p. 137).

Summarising the understanding of the "evaluative judgement" construct in different professions, we can conclude that, firstly, there exist various objects of evaluative judgements, and thus, criteria and forms of their expression differ. Secondly, the analysed definitions most commonly use such notions as "opinion", "conclusion", and "point of view". Thirdly, they are based on the knowledge, education, experience, facts and familiar circumstances. We cannot accept the statement by Pozharytska (2013b, p. 92) that "judgement" appears only in the positive evaluative aspect because it is not proved by the practical activity of creative mass media specialists. Besides, the construct definition in regard to a journalist is restricted because such an important element as the basis of their formation (i.e. knowledge, experience, journalistic standards, factuality of information obtained from open sources) is left out of consideration. Taking into account the previous scientific research activity, we can define the "evaluative judgement of a journalist" as his/her subjective point of view, opinion on certain subject, personal assessment of facts or events on the grounds of

knowledge, experience, journalistic standards, information obtained from open sources, based on factual information that can be introduced into media content with the help of linguostylistic means corpus.

### **Linguistic characteristics of the notion “evaluative” in the Ukrainian language**

As previously noted, the term “evaluative judgement” is used in the Ukrainian legislation, in particular in The Civil Code and The Law of Ukraine “On Information”. The Comprehensive Dictionary of the Contemporary Ukrainian Language (Busel, 2009, p. 715) provides three synonymous terms of “evaluative” (“оціночний”, “оцінний”, “оцінювальний”). However, in the Dictionary of Synonyms of the Ukrainian Language (Buryachok, 2001, p. 106) there is only one term (“оцінювальний”) that can be defined as “making it possible to measure the value of somebody or something”, while “evaluation” (“оцінка”) is defined as value or opinion. Some scientists believe that the word “evaluative” (“оціночний”) is a calque from the Russian language because according to the Dictionary of the Russian language (Ozhegov, 1975, p. 415), “evaluate” (“оценить”) means “to express opinion or judgement about the value or significance of somebody or something”. Referring to the Russian-Ukrainian dictionary (Frydrak, 2003, p. 619), we can see that the Russian words “оценивать/оценить” (evaluate) should be used as “оцінювати/оцінити” in Ukrainian, and “оценочный” (evaluative) may be translated as “оцінний/оцінювальний” (evaluative). The fact that in the Ukrainian language suffix “-іст” (-ist) objectifies abstract notions expressed by adjectives supports this opinion. Thus, it is quite logical to form the word “оцінність” (evaluativity) from the word “оцінний” (evaluative). As far as the adjective “оціночний” (evaluative) is concerned, there are different points of view caused by the fact that dictionaries often suggest the word “оцінний” (evaluative) as the synonym (Busel, 2007, p. 871; Movchan, 2009, p. 715; Busel, 2004, p. 45; Bilodid, 1974, p. 828).

In the course of research we found out that the words “оцінний” (evaluative) and “оціночний” (evaluative) are interchangeable, though the latter looks like a lexical calque from the Russian language and is considered to be a mistake, which should be replaced with a stylistically more appropriate variant “оцінний” (evaluative) (<http://onlinecorrector.com.ua>). However, in our legal norms, there are so-called legal constructions in which one cannot use synonyms to change the words or replace them since they convey their meaning only in the way they have been formulated by the legislator. However, in our opinion, it is more accurate to use the term “оцінне судження” (evaluative judgement) instead of “оціночне судження” (evaluative judgement) in the context of the Ukrainian language.

### **Linguistic specificities and structure of the notion of “judgement” in the Ukrainian language**

A judgement is a form of thinking in which connections of objects with their properties or relation between objects is unfolded by means of confirmation or negation (Ivanov, 2007, p. 52). Every judgement has a certain structure (formation, connection of its elements), that depends on what it reflects – characteristic properties or relation between objects (Toftul, 2003, p. 70). The paper emphasises the importance to make a distinction between the notions of “the object of the judgement” and “the subject of the judgement”. The object of the judgement is a real matter referred to in the judgement. The subject of the judgement is the idea of the real matter, which is the object of the judgement. Judgements, like any other forms of thinking, are ideal by virtue of their nature, and for this reason, they exist only in the material form of the sentence. A two-member declarative sentence is the grammatical form of the judgement (Toftul, 2003, p. 72). Complex sentences have several clauses (two or more), for example: *And day will come, and night will wrap us up again, meetings and farewells will go around the circle. Why should the heart beat if no one hears it?* (Avramenko & Blazhko, 2011, p. 153). A judgement is an integral, open opinion with the help of which new notions appear and evolve while the existing ones can manifest their true meaning.

This definition reasonably and consistently answers the following questions:

1. What is judgement? – It is a process (from a psychological approach rather than logical meaning of a judgment, according to which it is just an utterance or a form of thinking);
2. A process of what? – It is a process of applying competence-based characteristics (professional knowledge, skills and experience based on professional scepticism);
3. A process occurring where? – It takes place while solving problems under conditions of uncertainty (points at application-oriented aspect of the judgement and conditions of decision-making under the circumstances where it turns to be impossible to define the sequence of activities);
4. For what purpose? – Its purpose is to form the idea regarding professional matters (the final objective of the judgement process is specified – expression of opinion, making conclusions) (Pozharytska, 2013a, pp. 137-139).

It should also be mentioned that an English term “judgement”, as it is proposed in international standards, has the following linguistic meanings: sentence, court decision, court’s conclusion regarding the

accuracy of procedure, punishment, penalty, view, opinion, outlook, prudence, discretion. Another English term “opinion” is defined as thought, evaluation, and conclusion. The Oxford Learner’s Dictionary (n.d.) defines that “judgement (also judgment)” (of/about/on something) as the opinion that one forms about something after thinking about it carefully; the act of making this opinion known to others. The following synonyms to this term are presented in the above-mentioned dictionary: an opinion on the nature, character, or quality of something. Thesaurus by Merriam-Webster defines “judgment or judgement” as an opinion on the nature, character, or quality of something, and provides the following synonyms “appraisal, appraisal, assessment, estimate, estimation, evaluation, fix, value judgment” (<https://www.merriam-webster.com/thesaurus/judgment>).

In the work “60-second fix: judgement or judgment” Reif (2011) states that in British English the normal spelling in general contexts is judgement. However, the spelling judgment is conventional in legal contexts, and in North American English. The author outlines that “judgment is used in a legal sense, i.e. a High Court judgment. Judgement is used in the general sense, i.e. using your judgement, or making a judgement call” (Reif, 2011, para. 4). The author notes that, according to The Oxford and Collins dictionaries, these terms are interchangeable, though on the basis of top publications’ practice (in particular, The Guardian and The Times) the term “judgement” with “e” looks obsolete. In the research “Judging journalism: how should the quality of news reporting about clinical interventions be assessed and improved?”, Entwistle & Watt (1999) describe a significant role of judgements in medical-related media content, in particular, the problem of oversimplification or excessive sensationalism in presenting medical investigations, which have a great influence on the audience. In the work “Journalists’ moral judgment about children” Coleman (2011) pointed out that journalists are aware of the necessity to limit the application of moral judgements in content about children as against the similar content about adults; the author also noted the nonobservance of such norms in reality. In the work “Defending judgment and context in ‘original reporting’: Journalists’ construction of newswork in a networked age”, Coddington (2014) highlights the increase of the judgement role in the activity of professional journalists as opposed to traditional methods of news formation with the help of documents, interviews, and observations.

Modern Explanatory Dictionary of the Ukrainian Language (Dubchy`ns`ky`j, 2008) defines the judgement, thought and statement as follows: *judgement* is a thought about something; a view on something; a statement of one’s thoughts and views (p. 839); *thought* is something that comes out as a result of consideration, a product of thought; hypothesis, prediction; intention, project, plan; knowledge in a specific field (p. 271); *statement* is an opinion, point, expression underlying something (p. 850). Linguistically these three terms are synonymous, though, actually, the meaning of all of them comes down to “thought”. Thus, judgement is derived from the word “to judge” – form an opinion about someone or something, make a conclusion, reflect. Among the synonyms of the term “thought” there are “idea”, “reflection”, “consideration”, “view”, “understanding”, and “statement”.

Thus, we can state that researchers consider the journalist’s decision to present his/her own point of view, thoughts and views as very important and responsible one. These judgements always contain a certain degree of evaluation since any judgement, being a form of reasoning, is structured and formed on the basis of knowledge, experience, professional competence, and is manifested in the form of a sentence. The easiest way to make and thus define a judgement as an evaluative one is by using expressive language means and stylistic devices.

### **Linguistic means and stylistic devices presenting evaluative judgements in media content (as exemplified by the content of publicistic articles written in the Ukrainian language)**

Every style of the Ukrainian language has its characteristic features being manifested in corresponding genres. As is known, the informative function of language is typical of the media style while its appealing function, or the function of influence, is realised in publicistic texts. Media style is applied in the sphere of mass communication (mass media, the Internet) and is intended to inform about objective facts or events. According to Horodylovs’ka (2002), media style is characterised by a standard pattern of text organisation, high frequency of terminological vocabulary, active personification, the usage of expressive means alongside with emotionally-neutral means of language expression.

Colloquial and popular scientific vocabulary makes the basis of media style. The language of media style is defined by the fact that it expresses integral information that has been thought over and organised in advance. Since its task lies in the necessity to tell the facts that require the accurate definition of notions and phenomena, the role of terms, names and titles is of great significance as they indicate the subject matter of the idea directly with no ambiguity. As far as phraseology is concerned, the newspaper and media style is characterised by the wide use of standardised formula or clichés as well as metaphoric statements of

colloquial nature, figures of personification, synecdoche, metonymy and periphrases. According to Havrylova (2013), among the chief means of audience impact employed by journalists in newspapers are the thematic and stylistic shifts of the vocabulary when the word of a certain social life sphere is transferred to another one, acquiring the metaphoric meaning.

The analysis of linguistic and stylistic means typical of Ukrainian publicistic articles proves that the main manifestation of a journalist's mastery lies in the ability to influence the reader not only by means of factual information but also with the help of expressive means used in various genres including media content. Linguistic and stylistic means in media style are distinguished by particular tenses and voices, the usage of impersonal constructions, numerous complex attributive groups, the way of introducing direct speech and transforming it into reported speech, a wide use of complex sentences, etc.

Apart from that, there are examples of expressing the evaluative judgement by thematic and stylistic shifts (*почуваються "на коні" [to be on a roll]*), metaphoric statements of a colloquial nature (*небачені статки [unseen fortunes]*), figures of personification (*Феміда не виносила будь-яких рішень [Femida didn't impose random judgements]*), synecdoche (*відмивають гроші [to launder money]*), metonymy (*"кришталево чистій" біографії" [a "crystal-clear" biography]*).

The usage of such linguistic units as *"підприємства-метелики" (enterprises-butterflies)*, *"десятки мільйонів державних коштів" (dozens of millions of public money)*, which do not belong to the terminology used in jurisprudence, cannot be interpreted as factual information because they represent subjective judgements of the article authors. In addition to this, they are emotionally coloured, based on logical assumptions only. Consequently, the usage of the outlined corpus of linguistic and stylistic means makes it possible to claim that the information presented in articles is not always factual and may be considered as an example of evaluative judgement of a journalist. Thus, linguistic means that enable us to regard the whole material or its certain disputable parts as evaluative judgements are rather numerous and cannot be limited only to those defined within the Law (i.e. hyperboles, allegories and satire).

### Conclusions

The carried out research proves that the term "evaluative" has a several synonyms in the Ukrainian language ("оціночний", "оцінний", "оцінювальний"). According to the results of the study, it is evident that linguists prefer the term "оцінний" (evaluative). Thus, in our opinion, in the Ukrainian language, it would be more accurate to use the term "оцінне судження" (evaluative judgement) rather than "оціночне судження" (evaluative judgement).

The Ukrainian notion "judgement", derived from the word "to judge" (to form an opinion on someone or something, draw a conclusion, think), has several synonyms, in particular, "opinion" or "statement" and corresponds to the English term "judgement" that has been proposed in the international standards as the most accurate one.

Linguistic and stylistic means characteristic of media style are distinguished by particular tense and voice forms, the usage of impersonal constructions and complex sentences, numerous complex attributive groups, the way of introducing direct speech and transforming it into reported speech, metaphoric statements of colloquial nature, figures of personification, synecdoche, metonymy, periphrases etc. Among the chief means of audience impact employed by journalists in newspapers are thematic and stylistic shifts occurring when the word of a certain social life sphere is transferred to another one, acquiring a metaphoric meaning.

Having examined the notion of "evaluative judgement" suggested by legislators, we have all the grounds to believe that journalist's professional judgement is a subjective point of view, opinion on a certain subject, personal assessment of facts or events on the basis of knowledge, experience, journalistic standards, information obtained from open sources. Deviation from traditional linguistic means typical of publicistic texts makes it possible to expand its formal frames as well as helps the reader distinguish factual data from evaluative judgements.

We are of the opinion that the results obtained in the paper, in particular the evidence of the linguistic means extension in media content alongside with the factuality of given information, have significant theoretical and practical value as they may be used to form the journalists' professional competence in the course of study and to increase opportunities for legal defence of practising journalists.

At the same time, we believe that this issue calls for further investigation, in particular in terms of classification of journalist's evaluative judgements, in the course of research into linguistic and stylistic means for making the text of media content more expressive depending on the genre and a thematic scope of material.

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