

Neo-Kantianism in the Soviet and Post-Soviet Jurisprudence: Life Under an Assumed Name*

Vladimir Przhilenskiy

Department of Philosophy and Sociology
Kutafin Moscow State Law University
Moscow, Russia
E-mail: vladprnow@mail.ru

Irina Przhilenskaya

Department of Culturology
Moscow Pedagogical State University
Moscow, Russia
E-mail: prz-irina@mail.ru

Abstract—The body of the modern Russian knowledge of law as well as of any other particular academic knowledge is complex and heterogeneous. Historical (genetic) and conceptual heterogeneity is sometimes surmounted through various theory reorganizations or terminology adjustments. A special issue, in this respect, is that of the presence of philosophy in a particular academic knowledge which is possible both in an explicit — even declarative — form and in a variety of latent forms. After 1917, the Russian doctrinal jurisprudence declared the absolute domination of the philosophy of dialectical and historical materialism, and, up to 1991, this declaration was supported by means and methods of coercion by the state. However, even without such coercion, there are many who remain true to this philosophy and, most notably, to the corresponding ideology in the present-day system of science and higher education. Meanwhile, beyond any declarations, the presence of Kantian and Neo-Kantian philosophical thought is felt to a much greater degree in both the structure and the content of legal knowledge. Moreover, this applies to both academic research (theses, articles, monographs) and education (textbooks, study materials and lecture courses). Undoubtedly, the fact deserves a wide discussion as well as philosophical and academic reflection.

Keywords—*philosophy of law; legal ontology; legal axiology; legal methodology; formal logic; neo-Kantianism; Marxism*

I. INTRODUCTION

The compendium of the modern Russian legal knowledge, as that of any other specific scientific knowledge, is complex and heterogeneous. Every now and then, historical (genetic) and conceptual heterogeneity is surmounted through various theory revisions or terminology adjustments. A special issue in this area is that of the presence of philosophy in a specific scientific knowledge, which is possible both in an explicit — even declarative — form and in a variety of latent forms.

Thus, after 1917, the Russian science of law (doctrinal jurisprudence) proclaimed the absolute domination of the philosophy of dialectical and historical materialism, and, up to 1991, this proclamation was supported by means and methods of coercion by the state. However, even without

such coercion, there are quite many who remain true and loyal to this philosophy and, most notably, to the corresponding ideology in the present-day system of science and higher education. In this context, the concept of loyalty as such deserves special consideration. The loyalty to the materialist understanding of history or the dialectical method remains a kind of spell, a reminder of a once-given vow or even oath.

Meanwhile, any proclamations aside, the presence of the Kantian and the Neo-Kantian philosophical thought is felt to a far greater extent in both the structure and the content of legal knowledge. Notably, this applies both to academic research (dissertations, articles, monographs) and education (textbooks, study materials and lecture courses). Undoubtedly, this fact deserves a thorough theoretical study, a broad public discussion, and deep philosophical comprehension, since the fact that something “alternative” to Marxism-Leninism “sprouted” in such unfavorable conditions and remains incognito in the conditions of “natural care” for such a long time says a lot not only about the state of legal thought, but also about the true role of law in today’s Russian society.

II. LATENT OVERCOMING OF MARXISM: CAUSES AND CIRCUMSTANCES

It is so happened that Marxism-Leninism — the one and only ideology and (simultaneously) philosophy — was replaced by something else, formed based on the logic of forced denial and as-yet unidentified. Might this new understanding of law be a mechanically formed conglomerate of various theories and concepts including all the well-known schools of the Western philosophical and theoretical legal thought? But then, how can a system of definitions which can be found in virtually any textbook on the theory of state and law — let alone articles and monographs — be built on the basis of such an eclectic set of uncritically borrowed ideas and concepts? No, it is quite the contrary: one can find systematicity and logic in post-Soviet theoretical jurisprudence, as well as — most importantly — continuity as related to the later Soviet legal science. There can be only one explanation for this phenomenon: starting from the late 1960s, under the guise of the Soviet theory of state and law, the outlines of a completely different

*Project: The reported study was funded by RFBR according to the research Project Number: 18-29-16041.

philosophical, scientific, methodological and theoretical legal tradition were becoming increasingly visible — those of the Neo-Kantian tradition.

It is possible to single out the basic lines along which the Soviet jurisprudence was becoming increasingly neo-Kantian. These are: logic, the methodology of science, ontology and axiology. But, first of all, the very structure of the theoretical knowledge formation — ontology, gnoseology (logic + methodology), axiology — is foreign to both the authentic Marxism and the following “Leninism”. The aforementioned set of disciplines attests rather to the influence of the philosophy of Immanuel Kant, who can be rightly considered the author of the new-European classification of philosophical sciences. And although the terms “ontology”, “gnoseology” or “axiology” as such were not introduced by the German thinker, it was he who put them together in line with his own project of philosophical knowledge revision. However, rather than coming to the Soviet jurisprudence in their pure form, Kant's ideas did so after a deep and sometimes bizarre reworking, getting together within the space of theoretical, methodological and didactic thought and creating the unique hybrid that is characteristic of the presence of philosophy in the theory of state and law as well as in branch legal sciences. In addition to Neo-Kantianism, one can certainly see the influence of various forms of philosophical and legal positivism — however, they were interpreted in the context of the dominance of the Kantian intellectual discipline and the Kantian philosophical method as well.

The system of separating the subject space of philosophy created by Kant had no significant influence on either Georg Wilhelm Friedrich Hegel or Karl Marx. Hegel, just like Kant did before him, took the opportunity to structure philosophical knowledge at his discretion in order to establish his own vision of philosophy, including its subject, goals and objectives. As a result, the schemes of the infinite transition of thought from being to knowledge or from nature to spirit and back, introduced by him, rendered pointless any strict demarcations between ontology and gnoseology, anthropology and axiology, which were prescribed by the subject identity of the Kantian thought. Apparently, this circumstance played quite an important role in the future victory of the Neo-Kantian classification of philosophical sciences and the Neo-Kantian idea of methodology.

Even more demonstrative is the fact that Hegel completely dissolved ethics in philosophy of law. This is hardly surprising for the follower of the Stoics and Spinoza in terms of the issue of the essence of freedom. Since the ethics of the Stoics was determined by physics and logic while Spinoza's ethics was even described using the “method of geometry”, it is quite logical that following this tradition led to the “transformation” of ethics into philosophy of law in the 19th century. Hegel, just like Marx, followed the line according to which freedom is intelligence. That is why the definition of freedom as the consciousness (or as cognition) of necessity leaves no room for any kind of ethics apart from a purely formalistic one. And while V.S. Solovyov called law “the minimum of morality”, morality in this context was defined as some kind of a primary and preceding stage of

law. The distinction between the accidental and the necessary in law did not allow talking about the freedom of choice, the “freedom for” or other moral categories. Only the distinction between necessity and accidentality serves as a methodological guideline for articulation in Hegel's ontology of law.

Marx repeatedly turned to legal topics in the years when he was considered a Hegelian. However, when creating *Capital*, he stopped any discourse about law and, in fact, intended to abolish philosophy as well as economy, history, and jurisprudence, replacing them all with a new science — historical materialism. In Marx's opinion, the materialist understanding of history allows to show civil society “in its action as State, to explain all the different theoretical products and forms of consciousness, religion, philosophy, ethics, etc. etc., and trace their origins and growth from that basis; by which means, of course, the whole thing can be depicted in its totality (and therefore, too, the reciprocal action of these various sides on one another)”. [1] According to Marx, social consciousness is a derivative of social being, meaning that law becomes a derivative of a derivative, i.e., the second derivative of social being.

III. REHABILITATION OF THE LOGIC OF REASON AND ITS COEXISTENCE WITH THE LOGIC OF MIND

The first to appear in this series is logic, since the need to return to logic was acknowledged the earliest of all due to impossibility to completely replace it with dialectical logic. Immediately after coming to power, the Bolsheviks opposed the dialectical logic of Hegel (based on contradiction) to the classical logic of Aristotle (based on the prohibition of contradiction). Gradually, the fact that the judicial authorities needed to deliver uncontroversial and demonstrable judgments (verdicts) led to rehabilitation of the traditional logic, which Hegel — as early as in his times — interpreted as the logic of reason, in contrast to the logic of mind (i.e., dialectical logic).

And already in the late 1940's, under a personal order by Stalin, the pre-revolutionary textbook by G.I. Chelpanov for gymnasiums was reissued. Chelpanov was a follower of Wilhelm Wundt, the psychologist in whose works one cannot help but notice the Neo-Kantian influence. [2]

Thereafter, logic in law colleges and universities becomes Kantian in its essence, marvelously mixing the elements of Marburg Neo-Kantianism and understanding of the subject in Wundt's empirical psychologism which goes back to the Kantian one. Simultaneous understanding of logic as a kind of mathematics and a kind of psychology is then reproduced in textbooks of logic for colleges and universities written by such different authors as M.S. Strogovich, a theorist of proof in criminal proceedings, and V.F. Asmus, a historian of ancient philosophy. And while in the works by Strogovich [3] we find a lot in common with Chelpanov's ideas, in Asmus's understanding of logic [4] the influence of M.I. Karinsky is also noticeable. The publication in the late 1940s of these two textbooks, which later became the standard ones for teaching logic in law colleges and universities as well as law departments,

contributed to securing of the Neo-Kantian philosophy. The fact that understanding of a form of thinking became forever linked to the notion of a provision of law might be considered one of the consequences thereof. Besides, the distinction between the material and the procedural truth, which, owing to Strogovich, was so significant for the Soviet procedural law experts, dates back to the Neo-Kantian tradition expressed by Chelpanov as follows: “In order to understand the difference between the formal and the inductive direction in logic, we need to point out the meaning of the material and the formal truth. We consider a statement to be materially true when it corresponds to reality or things. We consider a conclusion to be formally true when it is derived with accuracy (plausibility) from certain statements, i.e., when the way of connecting thoughts is correct, while the conclusion itself might not correspond to reality at all”. [5]

The language used in the textbooks of logic written for lawyers differs significantly from the language in the articles, monographs and textbooks of logic written by philosophers, psychologists or journalists exploring the achievements of the logical thought of the 20th century. However, lawyers carefully preserve their tradition, which goes back to the logic and psychology of the late 19th century. A notion is defined as a form of thinking about certain objects. Judgment and reasoning are also considered in the context of distinguishing between the philosophical categories of form and content. The authors of textbooks of logic for law colleges and universities, such as, for example, V.I. Kirillov and A.A. Starchenko, continued this tradition in late 20th century ignoring the ubiquitous transition to modern or symbolic logic which looks at names and statements rather than at notions and judgments. It should be kept in mind that logic is inevitably followed by elements of the Neo-Kantian “metaphysics”, which, however, remains behind the scenes of teaching and — even more so — does not find embodiment in academic research.

IV. LEGAL EPISTEMOLOGY: RECEPTION OF NEO-KANTIAN PANMETHODODOLOGISM

After logic, comes the emergence of methodology that changes the conceptual background of discourse about cognition and the method. The years of the Thaw even bring about the formation of the Moscow Circle of Methodology (MCM) that reinstates the Neo-Kantian idea of methodology as a special subject domain and a new branch of the theory of knowledge. The circle was founded by A.A. Zinoviev, G.P. Shchedrovitsky, B.A. Grushin and M.K. Mamardashvili who previously created the MCL (Moscow Circle of Logic), the activities of which raised the question of logic in such a way that it turned into a question of methodology. Their actions — intentionally or unintentionally — conduced to emergence of a “bureaucratic” requirement to include a “Methodological Basis for Research” section into introductions to dissertations. Certainly, the growing interest of Soviet physicists and biologists in the methodology of science in the 1960s and 1970s was, to a significant extent, heightened by the influence of neopositivism, postpositivism, cybernetics, etc. However, the first attempts to move from the only

correct method to a situation where there are many methods and one can calmly discuss the strengths and weaknesses thereof, inevitably brought about the need for the Neo-Kantian experience of building a philosophical system centered on a particular science of method — methodology. And, although in those years it was impossible to write about one’s adherence to Neo-Kantianism, their colleagues and themselves were well aware of the importance of their work for the development of methodology as a special sphere of knowledge. As A.P. Ogurtsov mentioned later, “a characteristic feature of Neo-Kantians is panmethodologism, i.e., transformation of methodology into a universal philosophical doctrine determining the form and the content as well as the subject of scientific cognition and the uniqueness of any scientific discipline overall”. [6]

V. LEGAL ONTOLOGY: “DISCOVERY” OF NORMATIVISM

Somewhat different was the fate of the ontology of law, which in course of seven decades underwent the evolution from the denial of law (bourgeois law in the socialist times) and the socialist understanding of law (law as public order, exchange relationship and a combination of orders issued by authorities) to proclamations of a “broad” or “libertarian” approach to law (differentiation between law and legislation). However, behind all the proclamations, there can be seen a very distinct adherence to the logic of the philosophical legal normativism the roots of which are Neo-Kantian as well. Moreover, one can even discover that the most prominent late-Soviet and post-Soviet theoreticians tended to equate consistent normativism to humanism, to the humanistic essence of law. Thus, S.S. Alekseyev both asks a question and finds a very articulate answer to it: “how to assess a regulatory act [a piece of legislation]”, he writes, “which, being formally of a regulatory nature and, therefore, included into the general system of written law, still does not fit into the existing regulatory and legislative system, does not conform either to its principles or to the general regulatory fundamentals, or to some other characteristic features of the content of the existing law? Assessment of such an act must be univocal: essentially, such an act is not legislative (legal) from the point of view of the deep humanistic content of law or the content of the legal system as a whole”. [7]

Certainly, in consistent normativism, it is easier to see legal positivism or the pure doctrine of law by Hans Kelsen, which is generally closer to the present time than Neo-Kantianism. However, it is Neo-Kantianism that stands behind the pure doctrine of law. As Matthias Jestaedt points out, “cognition remains within the boundaries of the subject and the method outlined by itself”, and is guaranteed by that. Kelsen borrowed this starting point from Neo-Kantianism, particularly from the Marburg School: “constituting” the subject of a certain academic discipline through its methods means nothing else but a strict dependence on what is deemed to be the subject, on the means helping to (used in order to) deem something to be the subject... Hermann Cohen, the leader of the Marburg School of Neo-Kantianism, speaks of a “method of purity”, and Kelsen, with his postulate of the “purity of method”, joins that program. Purity means nothing else but the methodological

consistency taking into account the “self-legitimacy” of a subject; therefore, purity can be synonymous with science”. [8]

The definition of the essence of law in the late Soviet period already draws a distinction among legal provisions, legal relations corresponding to such provisions, and social relations constituting a basis for legal provisions. It is not by chance that the distinction between the object and the subject in dissertation research follows the Neo-Kantian scheme: the object is a form of social relations while the subject is a legal provision or even a text of legislation – although this has more to do with legal gnoseology and legal methodology.

VI. LEGAL AXIOLOGY: FROM CLASS-BASED MORALITY TO ETHICAL FORMALISM

Regardless of logic, methodology and ontology, Neo-Kantianism “sprouts” in the Soviet ethics as well, which is terminologically fixed in the term “axiology” itself. The background to it took shape long before the Neo-Kantian “revenge” in logic and ontology. It is well known that the Bolsheviks looked down on ethics as on another “bourgeois” form of knowledge, along with law. For example, in response to accusations of forgetting moral standards and principles, V.I. Lenin asked a rhetorical question: “In what sense do we deny morality or ethics?” and immediately answered it, asserting the inadequacy of any ethics that does not subordinated to the interests of class struggle. The inadequacy of the moral reasoning which was opposed to Marxist propaganda was explained by the fact that it was based — according to Lenin — either on “the commands of God” or “on idealistic or semi-idealistic phrases, which always amounted to something very similar to the commands of God”. [9]

The political circumstances of the formation of the philosophy of Marxism-Leninism had an impact resulting in a negative image of the “moralistic outlook” emerging in course of debates with opponents. Following Lenin, A.A. Bogdanov, E.A. Preobrazhensky, L.D. Trotsky and many others voiced their opinion giving priority to considerations of practicality (rationality) over any moral arguments and reasoning. Nevertheless, there still remained the need to discuss the issues of a moral nature. One may agree with the opinion of V.N. Nazarov stating that the place of the non-existent works on ethics by the Russian Marxists was taken by the works of such German authors as Ludwig Woltmann, Karl Vorländer and, in particular, Karl Kautsky, whose moral doctrine combined the ideas of Marxism, Kantianism and Darwinism. [10] But the debates of the 1920s were followed by a period of oblivion, and it is not until the 1960s that the need for ethics reemerges – albeit it is compliant with the dogmatism of Marxism-Leninism, it is still ethics. “The formation and development of the Marxist ethics”, — V.N. Nazarov writes, — “was influenced by Kant’s ethical ideas; notably, this influence was of a rather covert nature, allowing us to speak about a peculiar Marxist “Crypto-Kantianism”. Formally, Kant’s ethics was intended to make up for the heteronomy of the moral standards of socialism. The foundation for that was the substitution of the empirical subject of the socialist ethics with the transcendent subject of

the communist morality, which made it possible to reduce the Kantian duty to the idea of collective responsibilities and public service. This fact largely determined the similarity of moralistic deontology, Kantian ethics and Marxist ideology”. [11] Such an assessment of the Marxist ethics is extremely important for understanding a certain extent of readiness of the late-Soviet philosophical and theoretical legal community to restore the Neo-Kantian tradition in interpreting society, law and values.

VII. LAW-AS-NATURE AND LAW-AS-HISTORY: THE PLACE OF THE SCIENCE OF LAW IN THE ACADEMIC KNOWLEDGE SYSTEM

Nowadays, when fierce debates about the notion of truth broke out in the community of legal scholars, many interesting facts were discovered which for a long time remained out of sight of lawyers and philosophers. And the main among these facts was the almost complete lack of communication between the former and latter. When, at the boundary between the 1980s and the 1990s, the Marxist-Leninist teaching ceased to function as a kind of a creed or a constitution, it seemed to many that this circumstance would have very significant consequences for the science of law, one of which would be the return of the philosophical thought both into the theoretical space of the legal knowledge and into the legislative and organizational aspects of law enforcement/application practice. A new subject (in line with its Western equivalents) — philosophy of law — started to be introduced in the lawyer training curriculums everywhere. The introduction of this new or rather old (pre-revolutionary), subject symbolized not only a breakthrough of modernization and Westernization, but, at the same time, a return to the origins. Moreover, a new qualification — Philosophy of Politics and Law — was added to the Russian Classifier of Higher Academic Qualifications, indicating intent to encourage research in this area, since the published textbooks demonstrated rather a complete loss of the ability to philosophize on the topics of law at a sufficiently professional level.

Meanwhile, it turns out impossible to get around philosophical issues in discussions between lawyers, including practitioners (legislators or those dealing with law application/enforcement). Thus, in 2013, draft legislation was proposed which stipulated the need to introduce the notion of objective truth into the Code of Criminal Procedure, to give it a rigorous legal definition and to indicate it as the main purpose of legal proceedings. One of the adherents of this idea, G.K. Smirnov, providing a “philosophical justification” for the need to do so, pointed out: “The objective truth does not relate to ideology, but is a basic category of scientific cognition. This also pertains to the methodology of dialectical materialism which dominates the present-day Russian as well as international science. In materialistic dialectics, the possibility of achieving the truth is dependent on the application of a correct, theoretically substantiated methodology — the means of study. Overall, during proving in criminal procedure, these methodological conditions were provided mainly based on such principles as completeness, comprehensiveness and objectivity of

examining all the circumstances relevant to the case in their systemic unity”. [12]

The quotation above shows what the symbiosis of the neo-Kantian panmethodologism with the dialectic ideas in their Hegelian-Marxist interpretation looks like in practice. Law enforcement / application authorities demanded a clear definition of the concept of truth which could be included into the text of legislation. In doing so, they failed to avoid the mistake with which philosophy struggled throughout the 20th century — hypostatizing. The very notion of truth, like other highly abstract theoretical notions, is being increasingly hypostatized, which leads to attributing certain physical (material) properties to it. This has already happened in philosophy more than once. But today the question of the direct impact of philosophical ideas on the minds of law enforcers and of whether law enforcers are ready to enforce (apply) them directly is raised once again. As it turns out, they are ready to do so, but in very different ways. For example, S.A. Pashin points out the erroneousness of any attempts of reification and hypostatization of the notion of truth. Moreover, in his arguments he relies on the ideas of the Neo-Kantians of the Baden School who insisted on a methodological distinction between natural and spiritual sciences. “In criminal procedure, cognition follows humanitarian paradigm rather than the laws of natural sciences. The work is performed not with the natural (objectively predetermined) properties of objects, but with information obtained from incomplete, consciously blurred, contradictory sources. The conclusions in the verdict are the products of the process of proving that has limited capabilities. Investigators and judges are not endowed with omniscience, which means that they can only be demanded to provide justifiable conclusions, rather than true ones. Unlike the objective truth, the procedural [judicial] “truth” is determined using the available means of proving (evidence) as well as artificial arrangements — fictions and presumptions”. [13]

Further development of the situation did not live up to the hopes which had just started to emerge: philosophy of law failed to get a respectable place among other legal disciplines, remaining in a rather marginal state. A decade later, it was removed from the list of the Higher Attestation Commission “without much ado” under the pretext of lack of any significant number of dissertations. The articles with the words “philosophy of law” present in the title are most often indistinguishable from those on the “theory of state and law”, and many Russian lawyers do not see the difference between these subjects. However, a difference exists and it is essential. Philosophy of law is a criticism of any theory of law. Besides, philosophy of law is also a statement arguing that there may and should be more than one theory of law. Lastly — and most importantly — philosophy of law is a body of knowledge and a set of skills allowing the owner thereof to independently assess and choose among alternative theories, arrangements and discourses with regard to law. But even the theory of law is not taught in the present-day higher school — instead the students are offered the theory of state and law which is absolutely not the same.

VIII. CONCLUSION

Summarizing the above, it should be concluded that the Russian philosophy of law needs to accomplish a most important task: to identify and describe the identity of the legal system formed within the experience of the collective and individual activity which takes place outside the boundaries of scientific descriptions, and sometimes even contrary thereto. It is necessary to measure the freedom and to formulate the justice which is born from the everyday life of the Russian people. It is necessary to comprehend the real experience of law enforcement/application practice, and the “technology” of such comprehension should be chosen and substantiated in such a way as not to create a situation when all the effort is anticipatorily hurled into substantiation of the argument explaining why our reality is so distant from law and why it does not comply with the Western model to such a significant extent. Naturally, a critical assessment of the Russian reality is not possible without looking at the historical experience and, in doing so, at the origins of the project within which the Russian political and legal institutions were created during the last three centuries as well as at the systems of philosophical thought which had a decisive impact on them. The hypothesis about the decisive impact of the neo-Kantian philosophy on the Russian legal thought allows us to hope for the successful explication of the legal values corresponding to the systems of legal thought and law enforcement / application.

An ambitious task needs to be set and resolved in today’s philosophical and legal studies — an analysis of the social self-description resulting in a philosophical discourse on law as well as all the other forms of legal science theorizing. Such research makes it possible to distinguish numerous borrowings in the philosophical and theoretical knowledge of law, taking into account that not all such borrowings might be universal and, most importantly, compatible with the Russian experience of law enforcement, theorizing and philosophizing. The arguments set forth in this article make it possible not only to clarify the influence of Neo-Kantianism on the Russian science of law, but also to raise the question about the identity of the Russian system of law followed by the question about the sociocultural and the existential identity as well as the national system of values.

Therefore, it may be concluded that the community of the philosophers of law in today’s Russia should by no means limit themselves only to the search for the “nobody’s land” between the theory of law and the philosophical doctrine of the method or views of the world. The cognitive, reflective and critical resources of philosophy of law allow its adherents to assert their rights to study all aspects of human life and society, regaining the role of a fundamental philosophical discipline serving as a foundation for legal, sociological, socio-historical, and cultural-anthropological sciences — a discipline capable of solving the problem of determining the national interpretation of law.

REFERENCES

- [1] K. Marx and F. Engels Feuerbach, *Opposition of the Materialist and Idealist Outlook*. Moscow: 1966. P. 51-52. [English version:

<https://www.marxists.org/archive/marx/works/1845/german-ideology/ch01b.htm>

- [2] A. Arnold and W. Wundt, *His Philosophical System*. Berlin: Akademie-Verlag, 1980. P. 293.
- [3] M.S. Strogovich *Logic, Textbook for High Schools*. , Moscow: Gospolitizdat, 1949. P. 362.
- [4] V.F. Asmus *Logic*. Moscow: Gospolitizdat (OGIZ), 1947. P. 387.
- [5] V.G. Chelpanov *Textbook of Logic*, Moscow: Nauchnaya Biblioteka, 2010. P. 18.
- [6] A.P. Ogurtsov *Formation and Development of the Methodology of Science / New Philosophical Encyclopedia* in 4 volumes. , Moscow: Mysl, 2010
(<https://iphlib.ru/greenstone3/library/collection/newphilenc/document/HASH01e202fe7b591ef6cabae3e1>)
- [7] S.S. Alekseyev, *Theory of Law*, Moscow: BEK, 1995. P. 87-88.
- [8] M. Jestaedt, *Hans Kelsen's Pure Law. An Introduction*, in: ders. (Ed.), *Pure Law. Study edition of the 1st edition*, S. LIV; pp. 12-21. 1934, 2008. P. 642.
- [9] V.I. Lenin, *Collected works Vol. XXX. September 1919–April 1920*, Progress publishers Moscow, Transl. from the Russian, Ed. by George Hanna, Digital Reprints, 2012. P. 409-410.
- [10] V.N. Nazarov “Russia” in *History of ethical teachings*. Moscow: Akademicheskiiy proyekt, Triksta, pp. 743-858, 2015. P. 851.
- [11] V.N. Nazarov “Russia” in *History of ethical teachings*. Moscow: Akademicheskiiy proyekt, Triksta, pp. 743-858, 2015. P. 852
- [12] G.K. Smirnov “Restoration of the Objective Truth as the Purpose of Proving in the Code of Criminal Procedure of the Russian Federation” in *Ugolovnyy Protsess*. pp. 10-17. Vol 4, 2012. P. 12.
- [13] S. Pashin “The Truth in the Criminal Process” in *Zakon*, Vol. 6. pp. 17–31. 2012. P. 22.