

## About General Philosophical Methods of Knowledge of Legal Phenomena and Processes

**Vladimir Valentinovich Kozhevnikov**

Department of Theory and History of State and Law, Omsk State University Dostoevsky, Omsk, Russia

Email: kta6973@rambler.ru

### ***Abstract:***

*In this scientific article, emphasizing the special importance in the studies of law of general philosophical methods that determine the content of the methodology as a whole, the method of existentialism is considered as one of them, which is analyzed in great detail from the standpoint of its supporters, and is also critically evaluated by modern scientists.*

### ***Keywords:***

*general philosophical method; philosophy of law; methodology of law; existentialism; legal law; human existence*

## **I. Introduction**

It seems that the relevance of the named scientific article, in general, is determined by the importance for scientific knowledge of the methodology, an invariable component is the appropriate method that disciplines the search for truth, allows (if correct) to save time and effort, to move towards the goal in the shortest way. The true method serves as a kind of compass, according to which the subject of knowledge and action paves its way, allows you to avoid mistakes [1].

It is now generally recognized that any fruitful independent research, including in the field of the theory of law and the philosophy of law, inevitably involves reliance on thoroughly developed methods of cognition and the corresponding methodology.

In our opinion, the statement of Nikolai Nikolayevich deserves attention. Tarasov, according to which “methodological studies for our jurisprudence today are perhaps more practically significant, because the reliability and validity of the latter, the correctness and applicability of their results directly depend on the degree of development of the methodology of legal science” [2].

From the title of this work it is clear that we are talking about one of the general philosophical methods of cognition of law. This circumstance necessarily leads to the following fundamental remarks.

Firstly, that philosophical methods (methodological approaches) are those philosophical postulates that exist in any scientific discipline, being present in the course of scientific research quite tangibly as general initial guidelines and universal fundamental principles that generally form the methodological basis of scientific research.

Secondly, the methodology of law, constituting a variety of general scientific methodology, at the same time has its own specifics, predetermined by the characteristics of

the object, the function and purpose of knowledge. Legal methodology, from the position of Dzhangir Abbasovich Kerimov, is developed mainly by the philosophy of law, which, “being one of the main directions of the general theory of law, is nothing more than the integration of the entire set of principles, methods, techniques and means of knowledge developed by it itself, philosophy and a complex of legal sciences used in the process of studying the specifics of legal reality, its development and transformation” [3].

## II. Research Methods

When preparing a scientific article, the following methods were used:

1. General philosophical (dialectical-materialistic), which is used in all social sciences;
2. General scientific (analysis and synthesis, logical and historical, comparisons, abstractions, etc.), which are used not only by the theory of state and law, but also by other social sciences;
3. Special methods (philological, cybernetic, psychological, etc.), developed by special sciences and widely used for the knowledge of state and legal phenomena;

Private scientific (formal legal, interpretation of law, etc.), which are developed by the theory of state and law.

## III. Discussion

### 3.1 Existentialism as a Philosophy of Existence

The existentialist method, to the law, was formed in the 20th century. influenced by existentialism as a philosophy of existence. The founders of various areas of philosophical existentialism themselves (Martin Heidegger, Karl Jaspers, Jean-Paul Sartre, etc.) [4] did not specifically deal with legal issues and did not leave the corresponding concepts of the existentialist doctrine of law and the state. However, the ideas and provisions of philosophical existentialism developed by them became the initial basis for the formation of a number of philosophical and legal concepts of an existentialist profile.

In existentialism, the true existence of a person (existence, being-in-the- world) is opposed to his inauthentic existence in the world of objectifications – in the sphere of established culture, society, state, law, etc. At the same time, existence is interpreted as the original (pre-rational and pre-reflective) experience and comprehension by a person of his being in the world. Man, according to existentialism, is a lonely, unique and finite (mortal) being, which is “thrown” by fate into this situation (situations) of being, preoccupied with it, doomed to reckon with it, find its place in it and make its choice.

In other words, existentialism is a philosophical direction, where the focus is on a person who solves meaningful life problems for himself. The essence of this direction is that a person experiences are comprehended regarding the finiteness of his physical state, his loneliness in the world, his inability to know the world. Existence is intentional, that is, it is directed to something else, aspiring to something (thus, according to Martin Heidegger and Jean-Paul Sartre, it aspires to nothing, to death, and in the interpretation of Jaspers it transcends to God). In existence, a person acts as a subject, as a true personality and is himself. Outside this existential state, he appears “like everyone else”, as “other” for himself and for others, turns out to be an impersonal object (“man” in Martin Heidegger) in the world of objectified values, relationships and forms of communication. In such an impersonal world, a person only in situations of the

deepest shock (“boundary situations” by Karl Jaspers) comprehends the essence of his existence, the meaning of his being in the world.

If we talk about the etymology of the word existentialism, the latter is understood as a trend in philosophy that recognizes only individual spiritual life, human existence and seeks to prove the meaninglessness of life, the futility of social activity, etc. [5].

In the Soviet Encyclopedic Dictionary, this concept is revealed much more widely, noting that existentialism (from late Latin - *existentia* – existence (philosophy of existence). Here the central concept is existence (human existence) as an undivided integrity of an object and subject, and the main modes (manifestations) of a human existence - care, fear, determination, conscience, which are determined through death. A person sees existence as the root of his being in boundary situations (struggle, suffering, death). Comprehending himself as existence, a person gains freedom, which is the choice of himself, his essence, imposing responsibility on him for everything that happens in the world. The characteristic features of existentialism are pessimism, a subjectivist interpretation of freedom, the denial of rational knowledge and the assertion of the intuitive (direct) comprehension of reality [6].

### **3.2 General Philosophy about Existentialism**

In works on general philosophy, which is a methodological science in relation to jurisprudence, this phenomenon is also given some attention. Thus, in the Philosophical Dictionary, it is noted that existentialism reflected the crisis of bourgeois liberalism with its superficially optimistic worldview, with faith in the progressive development of bourgeois society, which could not stand the test of the turbulent events of the century. Existentialism arose as a pessimistic worldview that posed the question: how can a person who has lost liberal-progressive illusions live in the face of historical catastrophes?

According to existentialists, the main feature of rational thinking is that it proceeds from the principle of opposition between subject and object. As a result, the whole reality, including man, appears before the rationalist only as an object of scientific research and practical manipulation, which is why this approach has a faceless character. Existentialism, opposing philosophy and science, on the contrary, must act as the opposite of impersonal, objective scientific thought.

Being is comprehended not indirectly (the turn of rational thinking), but only directly, opening up to a person through his being, his personal existence, i.e. through existence, in which the undivided integrity of the subject and object is contained, which is inaccessible to either rational-scientific or speculative thinking [7].

Existentialism is a philosophy that involves a person understanding of reality through the prism of his individual existence. Existentialism, whose main representatives were Karl Jaspers, Gabriel Marcel, Jean-Paul Sartre, Albert Camus, Nikolai Alexandrovich Berdyaev, Lev Isaakovich Shestov, arose as a manifestation of an individualistic worldview, which reflected disappointment with the fruits of Western culture, in particular, democracy, the rule of law, bourgeois justice.

Proponents of this approach saw the main task of the individual in the conditions of bourgeois society in becoming himself, understanding his destiny, moving on to true existence (existence), which is found in a borderline situation (for example, in front of the threat of death). The Philosophical Encyclopedic Dictionary draws attention to other characteristics of the

analyzed phenomenon. Thus, as previously noted, existentialism is anti-rationalistic, because it considers the mind an unsuitable tool for the study of truth and attributes value to the process of cognition only if cognition is considered as a natural mode of action of the individual as a whole, but not as a spiritual function taken in isolation. Existential thinking is a kind of thinking in which, as needed, the physical-psychological-spiritual person participates as a whole, together with his feelings and desires, with his premonitions and fears, his experience and hopes, his worries and needs. Only such a “thinker” discovers the truth that is essential in things [8].

The authors draw attention to the fact that existence is “always mine”, it is my possession and my burden, it is abandoned in its “here”, permanent-being-in the world, it is characterized by abandonment; it is needed as it is. Existence has the possibility, and at the same time the freedom, to assimilate facticity to itself and, thanks to the understanding comprehension of this freedom, to become a “genuine” existence, or else close its eyes to this facticity and not find itself. True existence is existence as existence. “It is always about its own possibility of being, it is directed to the future and is constantly repelled from the present; the characteristic of being is to be-aspiring-forward; this is existentiality in the true sense” [8].

Finally, representatives of philosophy emphasize that “factuality, the imposition of responsibility for oneown existence, is revealed to each person thanks to the state of existence and understanding; the basic state is fear, the basic structure of the very existence of worries, “being-with” is preoccupation, being together with others is a common concern” [8].

So, the main problem of existentialism is, as already shown above, the problem of existence. Essence can be abstract, existence is always concrete. You never know what virtues I possess, I still have to exist in the full sense of the word, and then all my virtues acquire meaning and significance. Life, Otto Friedrich Bolnov wrote, can be stronger or weaker, richer or poorer, nobler or coarser, it can change, grow or decrease. Existence lies on the other side of these definitions. It can only be wholly gained or lost. It is essentially indivisible and ceases only when a person is dead or completely mentally ill. Existence, from the point of view of Otto Friedrich Bolnow, is not internal, which in this sense would be opposed to the external, it is, strictly speaking, located “beyond” all meaningful data. There is no knowledge about him that could be preserved as a kind of possession. Existence disappears as soon as it is considered to be grasped, and is present only in the endless accomplishment of negation. Just as there is no house in a board or a nail, so there is no existence in consciousness or morality. The richness of creative possibilities often so touches a person in his depths that the possession of moral or spiritual values seems to him to be sufficient criteria for his own existence. But any knowledge, any values are external for a person, not final, not replacing and not replacing the act of existence. A person can lose himself if such a substitution occurs. It contains something beyond that, which is not found in all these transient or core definitions of its being. “If a person,” wrote Otto Friedrich Bolnov, “truly internally goes through this whole path of experience to the end, which is in itself incomprehensible, then what is released in him to a certain extent due to the precipitation of any mental meaningful evidence and will be an experience of existence in a strict existential-philosophical sense” [9]. To exist, for a person, means to be alive. Moreover, existence is not an automatic process, but a constant birth, it is worth freezing in one image, and the world becomes ordinary, boring and prosaic. Pure existence is not existence in some form, it is simply the feeling of being alive. The main thesis of the existentialism of the twentieth century, expressed by Jean-Paul Sartre, sounds like this: the essence of man is his existence. This means that a person does not have an essential nature: he only has the ability to make of himself whatever he wants. Man himself creates what he is. And nothing is given to him, which conditions this creative process [10].

Considering a person as a person, Nikolai Alexandrovich Berdyaev wrote that if a person were not a person, he would be similar to other things in the world, and there would be nothing unusual in him. However, the appearance of a person who is born from God indicates that the world is not self-sufficient, that it can be overcome and surpassed. When a person enters the world, the world process, Nikolai Alexandrovich Berdyaev believed, is interrupted and forced to change its course, although outwardly this is imperceptible.

From the standpoint of Nikolai Alexandrovich Berdyaev, it is a naturalistic prejudice to think of a person as a substance, a rationalistic prejudice is to think of it as a bearer of reason, because reason in itself is not personal, but universally impersonal. Personality is not only a rational being, but also a free one. Personality is not a ready-made reality at all, it is a task, an ideal of a person. Personality is the never-fulfilling striving to be human. It is developed by a long process, by the displacement of what is not I in a person. The problem of personality is a problem of a different order than the relation of soul and body. Personality is not a soul, but a holistic image of a person, in which the spiritual principle takes possession of all the mental and bodily forces of a person [11].

Modern representatives of general philosophy believe that the main thing for existentialists is a way of being, which can be authentic or not genuine: either we exist as part of society, as members of a herd, as cogs in a large and complex social mechanism, and then we have no responsibility and no guilt for the fate of the world and our own fate; or we live a genuine life, and then we live in a state of fear of losing ourselves, not being ourselves (i.e., living according to patterns and standards not created by us), in a state of anxiety and despair, because life never works out, we live in front of the face of death, because a person must live as if this day were the last.

Man, unlike the rest of the world, is trying to find existence, to be alive, to exist, being a unique, inimitable product of himself. If I am unique and unrepeatable in my work, in my work, then I also acquire an existential necessity. The whole problem is to find such a thing, to find such a place, standing on which, a person will take his unique, inimitable position. It is necessary to “squeeze” into this frozen world, where all the places are already occupied, to push its blocks apart.

Scientists emphasize that uniqueness and originality, inexhaustibility and irreducibility are inherent in a person only potentially. Constant and life-long renewed efforts are needed in order for this potentiality to become actual [10]. To exist, from the point of view of existential thinkers, means to feel alive. And this is not at all easy, also because life exists only now, here and now. A person is full of either memories of the past or hopes for the future, he can never stop the present moment, no matter how beautiful it may be. Therefore, most people are only going to live in the future or remember the past when they were young and healthy, and it seems to them that only then they are alive in the full sense of the word [10].

### **3.3 Existentialism and Legal Problems**

According to existentialism, the main task of the philosophy of law is to understand and interpret law as an existential phenomenon in its distinction and relationship with official law (positive law). In this context, existential law acts as a genuine law (as an expression of “genuine existence”, existence), and law (positive law) as something inauthentic, alienated from a person and opposed to his existential essence, as an impersonal objectified form of expression of “inauthentic existence”.

This general idea of existentialist legal understanding is refracted and implemented in various legal concepts of existentialism in different ways [12]. Various aspects of the existentialist approach to law are set forth in the works of the famous German lawyer Werner Maihofer "Being and Law" (1954), "The Nature of Things" (1958), "Natural Law as Existential Law" (1963) and others. The existence of a person in the world, according to its interpretation, includes two moments: the moment of singularity and uniqueness of human being and the moment of influence on human being of the world in which this being is realized.

Such an understanding of human existence, in which individual being is connected with social being, is expressed by Werner Maihofer with the help of the concept of "Als-Sein" ("being-in-quality"). In various specific situations of his existence, a person, according to this interpretation, acts in various existentially determined social roles (father or son, husband or wife, buyer or seller, creditor or debtor, etc.). In these role manifestations of human existence, the "self-existence" of one individual is realized in relations with the "self-existence" of other individuals in the general context of the social "event" of people.

In relation to such specific situations of role manifestations of human existence, Werner Maihofer speaks of "concrete natural law", which essentially means the existentialist interpretation of the traditional natural law category "the nature of things". At the same time, he reveals the meaning of such a "concrete natural law" as a concretization of the "golden rule" ("treat others as you would like them to treat you") in the form of maxims of the role behavior of people in existentially conditioned specific situations of their being in the world.

### **3.4 Existentialism and Legal Problems**

According to existentialism, the main task of the philosophy of law is to understand and interpret law as an existential phenomenon in its distinction and relationship with official law (positive law). In this context, existential law acts as a genuine law (as an expression of genuine existence, existence), and law (positive law) - as something inauthentic, alienated from a person and opposed to his existential essence, as a depersonalized objectified form of expression inauthentic existence. This general idea of existentialist legal understanding is refracted and implemented in various legal concepts of existentialism in different ways [12].

Various aspects of the existentialist approach to law are set forth in the works of the famous German lawyer Werner Maihofer Being and Law (1954), The Nature of Things (1958), Natural Law as Existential Law (1963) and others. The existence of a person in the world, according to its interpretation, includes two moments: the moment of singularity and uniqueness of human being and the moment of influence on human being of the world in which this being is realized.

Such an understanding of human existence, in which individual being is connected with social being, is expressed by Werner Maihofer with the help of the concept of "Als-Sein" ("being-in-quality"). In various specific situations of his existence, a person, according to this interpretation, acts in various existentially determined social roles (father or son, husband or wife, buyer or seller, creditor or debtor, etc.). In these role manifestations of human existence, the self-existence of one individual is realized in relations with the self-existence of other individuals in the general context of the social event of people.

In relation to such specific situations of role manifestations of human existence, Werner Maihofer speaks of "concrete natural law", which essentially means the existentialist interpretation of the traditional natural law category "the nature of things". At the same time, he

reveals the meaning of such a “concrete natural law” as a concretization of the “golden rule” (“treat others as you would like them to treat you”) in the form of maxims of the role behavior of people in existentially conditioned specific situations of their being in the world.

The task of natural law as the right of existence, according to Werner Mayhofer, is to give a model of the existence of individuals and their relationships that corresponds to the dignity of man and the values of human life. At the same time, he interprets the traditional natural law position on human dignity as a requirement of the order of the maximum possible freedom of all people while maintaining their safety, satisfying their needs and developing their abilities. Such a natural-legal order, corresponding to the dignity of a person, underlies his concept of the rule of law.

In general, in the philosophical and legal doctrine of Werner Maihofer, law (in its distinction with law) means existential law (the law of existence), interpreted as a concrete situational manifestation of the requirements of rationalistic natural law. The correlation of such existential law with the law (positive law) in principle remains within the traditional model of the correlation of natural and positive law [13].

Based on a number of provisions of the existentialist philosophy of Karl Jaspers, Erich Fechner interprets the “meeting” of a person with law and the associated need to choose and make one of many possible decisions as a “boundary situation” that actualizes existence and contributes to “extraction of being from its hiddenness”. Erich Fechner considers the true decision sought and accepted by an individual in such a situation (i.e., existential law in a given situation) as a living, natural law “with becoming content” arising from human existence.

Such a living, natural law generated by existence, in contrast to positive law with its mechanical, dead norms, does not lend itself, according to Erich Fechner, to normative coverage and expression [14]. Vladik Sumbatovich Nersesyann once noted that the existential legal decision of an individual, a legislator, a law enforcer, is, according to Erich Fechner, always a subjective-volitional decision calculated on the generation of existence “in a borderline situation” of the expected living, natural law with an adequate given legal situation (anna legal conflict, conflict, etc.) content.

Only such a legal decision, i.e, existential in its content, Erich Fechner recognizes as true. This means that true law is always and only existential law. Vladik Sumbatovich Nersesyants did not ignore the problem of the relationship between law and law (positive law) in the interpretation of Erich Fechner, which last looks like this: existential law as true law (that is, living, natural law with becoming content) is sharply opposed to mechanical and dead positive law. Erich Fechner believed that in order for the law (positive law) and its application to comply with the requirements of law (i.e. existentially generated natural law), the legislator and law enforcer must make legal decisions (i.e. create law and apply it) in such a way that as does an existentially preoccupied individual “in a borderline situation”[15].

Existentialist legal thinking, appealing to individual existence and timed to a specific situation, initially rejects the universality and general validity of the legal principle (legal principle, legal form, norm, etc.), without which there is no law at all, and essentially replaces law with arbitrary rules individually situational. This is clearly manifested in the existentialist approach of the Swiss lawyer Hans Kohn. “According to our conception,” he states in *Existentialism and Legal Science* (1955), “the center of gravity is in the concrete situation. It has meaning and right.

It is she who gives the law and other sources of law significance and very existence. It is she who draws them to her and, on the contrary, leaves them inactive when she does not need them.

Argentine lawyer Carlos Cossio interprets existential law (intuitive experience by an individual of his free act as “existentially proper”) as an “individual norm of behavior” [14]. From the position of Vladik Sumbatovich Nersesyants, a significant drawback of various existential concepts of the philosophy of law lies, in particular, in the fact that the distinction between law and law (positive law) carried out in them and arbitrary concrete situational (“existential”) legal understanding essentially rejects the very idea legal law. In these conceptions of legal understanding, the gap between situational law and general law, in principle, excludes the possibility of any internally consistent concept of their mutual connection and correspondence. The anti-universality, anti-universality, concrete situational nature of existential law essentially testifies to its non-legal nature.

Therefore, the corresponding existentialist freedom, that is, freedom outside and without the universal requirements of law, appears in its essence as arbitrariness. The same is the case with existentialist ideas about justice, which, outside and without legal universality, inevitably turns out to be a privilege, at best, a situational one [15]. Existentialism makes the main focus in research on issues of human existence, freedom and choice (law as a measure of freedom; law as a choice option; legal ideals and their implementation, etc.). However, the infinite freedom of choice, on the basis of which the individual chooses the course of his life by an effort of will, is not always consistent with the law. The starting point is the position that human existence does not have a predetermined purpose or reason (in the extreme case, it is meaningless), but a person himself must create his own life.

In many respects it is based on idealism, on the construction of legal phenomena through abstract schemes. The method of existentialism in theoretical and legal science (Werner Maihofer, Erich Fechner, Hans Kohn) [16] is to consider the state and law from the point of view of their correspondence to the true existence of a person (genuine existence is most often understood as an individualistic, detached from society existence). The state and law, by standardizing social life, enclosing it in abstract norms that are binding on all, destroy the uniqueness of the individual, impose on a person an autotatism that destroys him. The purpose of the existential method is to prove the fundamental possibility of the existence of law as the sum of one-time unique solutions to resolve conflicts that do not harm the identity of the individual.

The individualistic approach casts doubt on the possibility of knowing the social nature of law [17]. It seems interesting to note that existentialism can, one way or another, weave into other theoretical schemes. Thus, Jens Kersten, analyzing the concept of the German lawyer-statist Ernst Forsthoff, believed that here the concept of ensuring existence is the central concept, which contains a deep socio-political, socio-psychological and existential meaning [18].

### 3.5 Result

Here we note that, although in theoretical terms, the method of existentialism is called and analyzed accordingly as a general philosophical (universal, ideological method), along with the dialectical-materialist methods of pragmatism, positivism, psychoanalysis, etc., it plays a nominal role in the methodology of domestic legal science.

## IV. Conclusion

In conclusion, we emphasize that this method, as noted above, is often criticized. So, Vyacheslav Nikolaevich Zhukov, noting that the experience of the nineteenth, and especially the twentieth century, showed that not all philosophical schools were methodologically fruitful for the philosophy of law. According to the author, often lawyers artificially, quite arbitrarily tried to combine philosophy and jurisprudence, thereby proving not so much the possibilities of philosophy in the matter of knowing law, but their own abilities in constructing their own schemes. The scientist believes that concepts built on the basis of phenomenology and existentialism look strained, invented [17].

With regard to the latter, Vyacheslav Nikolaevich Zhukov rightly wrote that the philosophy of existentialism is an endless groan of a person about the futility of his existence, about the relativism of the so-called basic values, about the illusory nature of material and spiritual goods, about the ephemeral nature of human life itself. Using figurative expressions, the scientist claims that existentialism strongly resembles the monotonous music from a street hurdy-gurdy, which performs the same melody in different ways [17]. From the position of the scientist, “countries, authors, texts are different, but the essence is the same: an endless analysis of the painful reflections of an intellectual who is unable to understand himself and determine his attitude to reality. In a sense, existentialism is a model of the entire world philosophy: it is an endless running around in circles without the prospect of getting a clear answer to the fundamental questions of human existence. An array of sources, ideas and concepts is growing, but all this is built on a narrow patch of several fundamental problems of human existence. Summarizing, the author claims that in philosophy there is an understanding that it is impossible to unequivocally solve most of these issues, but the need to solve them does not disappear from this » [17].

## References

- [1]. Kokhanovsky Valery Pavlovich, Leshkevich Tatyana Gennadievna, Matyash Tamara Petrovna, Fatkhi Tatyana Borisovna. Fundamentals of Philosophy of Science: textbook. Rostov n/D: Phoenix, 2010. P.368.
- [2]. Tarasov Nikolai Nikolaevich. Methodological problems of legal science. Ekaterinburg: Publishing House of the Humanitarian University, 2001. P.9.
- [3]. Kerimov Dzhangir Abbasovich. General scientific methodology and methodology of law /Social and humanitarian sciences. Domestic and foreign literature. Ser. 4. State and law. Abstract journal / RAN. INION. Center for Social Science and Information Research. Department of jurisprudence. No. 1. Moscow, 2008.Pp.8-9.
- [4]. Lukacs Georg Existentialism // Bulletin of the Moscow University. Series 7. Philosophy. 2005. No. 5. Pp.23-43.
- [5]. Efremova Tatyana Fedorovna Modern explanatory dictionary of the Russian language in 3 volumes. Moscow: Astrel: AST, 2006. V.3. // <https://www.efremova.info/> (date of access: 09.09.22)
- [6]. Soviet encyclopedic dictionary / chapters. ed. Alexander Mikhailovich Prokhorov. Moscow: Sov. encyclopedia, 1987. P.1542.
- [7]. Philosophical Dictionary / ed. Ivan Timofeevich Frolov. Moscow: Political Literature, 1986. P.555.
- [8]. Philosophical encyclopedic dictionary. Moscow: INFRA-M, 2000. P.533.
- [9]. Bolnov Otto Friedrich. Philosophy of existentialism (Philosophy of existence). St. Petersburg: Lan, 1999. P.38.

- [10]. History of world philosophy: textbook / ed. Valery Dmitrievich Gubin and Tatyana Yurievna Sidorina. Moscow: Astrel: GUARDIAN, 2007. Pp. 372, 373-374, 376.
- [11]. Nikolay Alexandrovich Berdyaev. The Kingdom of the Spirit and the Kingdom of Caesar. Moscow: Respublika, 1995. P.18.
- [12]. Zheltova Violetta Petrovna. Philosophy and bourgeois legal consciousness. Moscow: Nauka, 1977. Pp. 46-99.
- [13]. Grafsky Vladimir Georgievich. History of political and legal doctrines: a textbook. Moscow: Norma, 2009. P.714
- [14]. Chetvernin Vladimir Alexandrovich. Modern concepts of natural law. Moscow: Nauka, 1988. Pp. 76, 81.
- [15]. Nersesyants Vladik Sumbatovich. Philosophy of law: textbook. Moscow: Norma, 2005. Pp.626, 627.
- [16]. Tumanov Vladimir Alexandrovich. Bourgeois legal ideology. To the criticism of the doctrines of law. Moscow: Nauka, 1971. Pp. 360-366.
- [17]. Zhukov Vyacheslav Nikolaevich. Philosophy of law: textbook. Moscow: World of Philosophy, Algorithm, 2019. Pp.19-20, 39-40, 37.
- [18]. Kersten Jens. The evolution of the concept of ensuring existence in the works of Ernst Forsthoff // Social and Humanitarian Sciences. Domestic and foreign literature. Ser. 4. State and law. Abstract journal / RAS. INION. Center for Social Science and Information Research. Department of Law. Moscow, 2008. No. 2. P.8.