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The Concept of ‘Truth’ in Legal Science: A Theoretical Exploration

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Abstract. The author explores the concept of “truth” in jurisprudence, positioning it both as the ultimate goal of legal research and as an autonomous entity with independent value due to its ability to reflect objective reality in scientific knowledge. While the classical correspondence theory (“truth is the adequation of things and intellect”, Latin: *Veritas est adaequatio rei et intellectus*) provides a foundation, its methodological tools are often insufficient for the general theory of law and legal dogmatics. To address this, the article proposes enhancing classical approaches with modern scientific advancements, specifically incorporating the concept of supervenience from contemporary analytic philosophy. Despite the formality, abstractness, and temporality associated with legal reality, these should be recognized as intelligible elements of the objective mental existence of participants in legal relations. The article posits and substantiates the independent ontological status of legal phenomena, emphasizing the priority of rational identification over sensory perception, characteristic of objective idealism. Legal reality objects are categorized as essential, torsion, and fictitious to reflect, distort, or deform the true essence. The article pays special attention to the algorithm for distinguishing between real and apparent phenomena of legal reality. Achieving these goals is feasible through the use of dialectical, systemic, logical, normative-value, structural-functional, historical-legal, formal-legal, and theoretical-prognostic methods of cognition. The research findings demonstrate the relevance of combining the correspondence theory of truth with the concept of supervenience of legal reality to establish the ontological prerequisites for the emergence of legal constructions.

Key words: truth, justice, legal reality, legal phenomena, supervenience, objective idealism, ontology of law, philosophy of law

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Концептуальные подходы к пониманию категории «истина» в юридической науке

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Аннотация. Рассматриваются отдельные аспекты понимания категории «истина» в юридической науке. С одной стороны, истина является целью любого правового исследования, с другой стороны – это автономная сущность, которая обладает самостоятельной ценностью из-за возможности отражения в научном познании объективной реальности. Классическая корреспондентная концепция истины исходит из соответствия рационального знания объективной реальности (лат. *veritas est adaequatio rei et intellectus*). Однако методологических инструментов классических теорий не всегда достаточно для общей теории права и отраслевой догматики. В статье предлагается дополнить классические подходы достижениями современной науки, в том числе рассмотреть возможность использования применяемого сегодня в аналитической философии понятия супервентности. Несмотря на то, что объектам правовой реальности присущи признаки формальности, абстрактности, темпоральности, следует признать факт их существования как умопостигаемых элементов объективного мысленного бытия участников правоотношений. Соответственно, в статье обосновывается самостоятельный онтологический статус правовых феноменов. Отмечается важность характерного для объективного идеализма приоритета рациональной идентификации над чувственным восприятием. Автор классифицирует объекты правовой реальности на эссенциальные, торсионные и фиктивные, которые могут отражать, искажать или деформировать истинную сущность. Особое внимание уделяется алгоритму различения реальных и кажимых явлений юридической действительности. Разрешение поставленных задач достигается с помощью диалектического, системного, логического, нормативно-ценностного, структурно-функционального, историко-правового, формально-юридического, теоретико-прогностического методов. По итогам исследования делается вывод о возможности совмещения корреспондентной теории истины и концепции супервентности правовой реальности для установления онтологических предпосылок возникновения юридических конструкций.

Ключевые слова: истина, справедливость, правовая реальность, правовые феномены, супервентность, объективный идеализм, онтология права, философия права

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Introduction

The concepts of “truth”, “truthfulness”, “true justice” are frequently invoked in philosophical and legal discourse, as well as in the branch of legal dogmatics, where their content and core criteria often remain ambiguous. Challenges arise from the inadequate use of logical and philosophical terms in legal science, leading to confusion between metaphysical and epistemological truth and the truth or falsity of legal facts. This term is often used irrationally to formally justify positive or negative assessments of legislative initiatives and law enforcement actions. The use of truth as a connective proclaims a formal correspondence between knowledge and the facts of reality, though such a predicative connective may conceal a fictitious nature. It is essential that legal institutions prevent the founding prerequisites that determine these concepts, along with the abstract concept of “justice”, from being distorted.

The terms “objective truth”¹ and “absolute truth”² are frequently used in regulations and court decisions. However, the criterion of objectivity is determined by characteristic that are independent of human influence, which need clarification in the context of law as a field of social interaction. Therefore, it is not feasible to declare the attainment of “absolute truth” as exhaustive knowledge about an object, given the ongoing technical, socio-economic, and cultural changes. A scientific background is necessary to distinguish between the concepts such as “absolute truth”, “indisputable truth”, “irrefutable truth”, and “objective truth”.

The proclamation of objective truth is justified in exact sciences, although it is disputable from a skeptical perspective. In social sciences, truth is largely determined by the perception of the subject. Some scholars support the coherence theory of truth (Latin: *cohaerens*, meaning *holding together*), which assesses knowledge based on its correspondence to other true knowledge within a single logical system. However, a significant area of legal research falls outside the framework of universally accepted verification systems, particularly in ethical, axiological, aesthetic, and other aspects. The coherence theory of truth fails to provide sufficient criteria for recognizing certain values, goals, and subjective rights as true or false.

These issues have led to the emergence of theories that consider truth to be relative. Postmodern concepts, including those in legal science, equate knowledge with subjective

¹ Constitution of the United Nations Educational, Scientific and Cultural Organization (Adopted in London on November 16, 1945). Available at: <https://unesdoc.unesco.org/ark:/48223/pf0000382500/PDF/382500eng.pdf.multi> [Accessed 20th April 2024].

² Resolution of the Constitutional Court of the Russian Federation No. 10-P dated July 31, 1995. Available at: https://www.consultant.ru/document/cons_doc_LAW_7552/ [Accessed April 20, 2024]; Determination of the Judicial Collegium for Criminal Cases of the Supreme Court of the Russian Federation No. 80-UD21-7-K6 dated October 28, 2021. Available at: <https://legalacts.ru/sud/opredelenie-sudebnoi-kollegii-po-ugolovnym-delam-verkhovnogo-suda-rossiiskoi-federatsii-ot-28102021-n-80-ud21-7-k6/> [Accessed 20th April 2024].

opinion (Chestnov, 2012). While postmodern characteristics such as relativism, anti-narrative, misreading, deconstruction, and semantic fragmentation may be effective in art, they are less applicable in jurisprudence. Disregarding truth-seeking poses risks of subjective arbitrariness, highlighting the need to establish objective ontological foundations in constructing legal reality.

Certain aspects of the category of “truth” in legal science have been explored by domestic scholars (Przhilensky, 2015:23–43; Antonov & Ogleznev, 2020:42–61; Zakhartsev & Salnikov, 2016:96–100), and foreign academics (Patterson, 1996; Coleman, 1995; Haack, 2003).

Establishing a balance between knowledge and the research object in terms of truth and falsity is crucial for both branch legal dogmatics and the general theory of law, as it verifies the balance between knowledge and facts. However, legal scholars often consider truth in a narrow sense, focusing on identifying the qualitative characteristics of civil (Bonner, 2009) and criminal process elements (Bezriadin, Akinin & Morozov, 2021:133–143).

The concept proposed in this study involves the feasible instrumental use of the category of “truth” to examine the independent ontological status of the basic components of legal reality.

The ultimate goal of the article is to investigate certain aspects of understanding the category of “truth” and to specify a potential methodology for identifying the essential prerequisites for the components of legal reality.

The set goal involves addressing the following tasks:

- 1) Present a synopsis of classical concepts of truth in the history of philosophical and legal thought.
- 2) Conducting an analysis of modern approaches, including those in analytic philosophy.
- 3) Identifying criteria for truth regarding legal phenomena from the perspective of objective idealism.
- 4) Outlining the problem of the independent ontological status of legal institutions.
- 5) Determining the truthfulness of knowledge regarding legal phenomena by correlating it with the category “justice”.

Solving these problems is achievable through the use of dialectical, systemic, normative-value, and structural-functional methods. When analyzing existing legal phenomena, historical-legal, formal-legal, theoretical-prognostic, and normative-value methods of cognition are employed. Functional, logical, and systemic methods are applied to establish the relationship between the foundational elements of legal reality and its phenomena.

A synopsis of approaches to understanding “truth” in philosophical and legal thought

Multiple fundamental concepts of truth have been developed throughout human history, including the coherence theory of truth, conventional truth, pragmatic theory of truth, verificationism, and the pluralist theory of truth. In these contexts, clarity, usefulness, consistency, and general acceptance are regarded as criteria of truth. The

correspondence theory of truth (Latin: *correspondentia*, meaning *mutual agreement*), which dates back to ancient Greek philosophers, retains theoretical and practical significance for jurisprudence. This theory posits that the truth or falsity of a statement is determined solely by its relationship to the world and whether it accurately describes that world. The core adaptation of the correspondence theory is the “classical” concept developed by Plato and Aristotle, which assumes the correspondence of thought to objective reality.

However, when considering legal reality, its specificity regarding formality, abstractness, temporality, and normative-value orientation must be taken into consideration. Legal reality encompasses both descriptive statements to identify certain factual circumstances (e.g., the defendant’s presence at the crime scene) and prescriptive statements about proper, ideal, and mandatory actions. Within the framework of the correspondence theory of truth, it is challenging to assert whether the provisions on the social character of the state are true or false. For instance, Article 7 of the Constitution of the Russian Federation formulates a goal to determine the directions of legal strategy rather than provides a description of reality.

Parmenides was among the first philosophers to consider the true reality. In the introduction to his poem *On Nature*, he discusses the daughters of the Sun, illustrating two viable alternatives for cognition: the way of truth and the way of opinion. Opinion may prove erroneous in contrast to the unchanging unity of true being (Parmenides, 1989).

Similarly, Plato associated truth with eternal *eidos* (Greek: *εἶδος*, meaning *visible form* or *idea*), which possesses timeless properties distinguishing it from conventional wisdom inherent in the earthly embodiment of things (Plato, 1990:609). In Plato’s *Allegory of the Cave* (*The Republic*, Book VII), the phenomenal world perceived by the senses is compared to shadows on the wall. Plato describes the situation of being shackled by ignorance; release from these shackles (realization of truth in the light of the Sun); departure from the cave (understanding the essence of the surrounding world); and return to the cave. The goal of cognition is to find a methodology that allows one to depart the cave and see reality as it truly is. The ascent and the contemplation of things in the world of ideas is “the soul’s ascension to the intelligible realm” (*The Republic*, Book VII, line 517b). The idea of virtue (the cornerstone of beauty and truth) is at the top of Plato’s hierarchy of *eidos*. It is not just true but the brightest existence that illuminates other objects to clarify their true essence.

Originating in Ancient Greek philosophy, the term “ἀλήθεια” is often translated as “unconcealedness”, “disclosure”, or “unclosedness” and it also conveys the meanings of “truth” or “reality”³. Following Plato, truth has been associated with seeking the *essence* of objects rather than analyzing their *existence* manifestations. There is no contradiction here: it is difficult for what is rooted in being to remain hidden from rational identification. In the ancient world, truth was not merely a statement about the presence or absence of facts guided by positivism; it was also a revelation. Although some transcendental reality reveals itself, there is no enduring idea of the mechanism behind

³ However, according to Vladimir V. Nabokov, the word “truth” is among the untranslatable Russian words into foreign languages (Nabokov, 1981).

this process. Consequently, openness to objective and precisely ontological understanding is considered an essential property of truth.

Such ontological understanding of truth is clearly described by Parmenides and Plato when using the noun “ἀληθείη” and the adjective “ἀληθής”. For Parmenides, suitable rendering of these terms would be “reality” and “real”, unlike the more common translations of “truth” and “truthful” found in ancient Greek authors (Palmer, 2009:89).

Martin Heidegger highlights the ontological nature of the term “ἀλήθεια”, interpreting it as unconcealment (German: *Unverborgenheit*) or authentic existence that provides a way for understanding (Heidegger, 1949:22). This raises questions about the relationship between “unconcealment” in terms of self-evident truth and the “obvious”, such as sensory-perceptual experience.

It is worth highlighting the following variations of the considered category: rational truth (feasible in understanding the intelligible world) and sensory-perceptual truth (seeing is believing), which involves establishing truthful facts within the matrix of the phenomenal world of immediate reality. However, the senses cannot perceive the world as a whole; thus, such truth would be fragmentary and require constant mental completion by the subject.

A relevant issue regarding the nature of truth arises from the fact that the comprehension of legal reality is based on two key aspects: the perception of truth and the essence of truth (Freytag, 1905:1). These challenges can be rephrased as follows: “How reliable is sense perception, and how true is it?” and “How dependent is truth on perception in general?”

Additionally, given the influence of external factors on the perception of legal institutions, another core issue in the theory of knowledge: “How does the surrounding world *reveal* itself to human knowledge?” The solution to this challenge would impact the problem of the independent ontological status of legal phenomena.

The independent ontology of legal truths

The conceptual research framework significantly shapes the process of uncovering truth within legal reality. For instance, proponents of subjectivism emphasize the role of individual perception while materialists focus on physical and biological factors in the formation of legal institutions. Meanwhile, representatives of legal idealism influenced by philosophers such as Plato, Immanuel Kant, Rudolf Stammler, explore the ontological authenticity of intangible objects in the surrounding world. Thus, the assertion of truth in any form of knowledge ultimately depends on human perception of the phenomenal world.

On one hand, all cognition is inherently subjective, as it involves the interaction between cognizable objects and human awareness through intelligible (Latin: *intelligibilis*, intelligent) categories accessible to the mind or intellectual intuition, rather than to the senses. On the other hand, these phenomena also possess a degree of objectivity, ensuring a unified perception of their essence by various individuals. This duality highlights a central epistemological problem: the distinction between reality and the appearance of the perceived objects.

Plato's *Allegory of the Cave* provides a foundational framework for this issue, which was later reflected upon by Merab Mamardashvili. He considered the possibility of distinguishing between real and apparent phenomena, stating: "... life is like a cave in which we see only shadows. This metaphor outlines the overall thought, when thinking means operating with the distinction between what appears and what actually is. /.../ If human beings had had experience alone, they would have never known about this. Nevertheless, it remains a mystery to be factually accepted as to how it happened that humans knew where reality is and where appearance is" (Mamardashvili, 2000:55).

Mamardashvili engaged deeply with Plato's concept of truth as *unconcealment* (Latin: *ἀλήθεια*) and the primacy of rational perception over sensory experience. According to Mamardashvili, it is impossible to distinguish reality from appearance based solely on experience. Instead, a component independent of anthropological nature is required to discern the true elements of reality.

The materialistic worldview enables the analysis of any object in the surrounding world through the lenses of matter, form, cause, and purpose. However, when applied to legal reality, abstract constructions take on greater significance. While everyday perception tends to define objects by their physical characteristics, legal reality conceptualizes them as entities within legal relations. These relations encompass civil, administrative, and constitutional matters, with material objects seldom serving as their primary focus. Nonetheless, this does not imply the absence of formal legal relations possessing an independent ontological status.

In virtue of their formal and objective nature, participants in legal relations create objects of legal reality, which are intersubjective abstractions. The existence of these objects cannot be denied simply because they lack a tangible form of embodiment. Yet, they do not exist in the sense of "*existere*" (Latin: *existere*, exist), which implies a physical presence. Instead, they truly "are" in the sense of "*est*" (Latin: to be), functioning as intelligible elements within the objective mental existence of those involved in legal relations.

The objects can be granted the independent ontological status due to both their form and materiality, as well as their universality in characterizing the interior sense. In this context, it is appropriate to endorse the definition of reality as "a quality appertaining to phenomena that we recognize as having a being independent of our own volition" (Berger & Luckmann, 1991:13). The possibility of a shared perception and understanding of legal reality objects serves as the foundation for the interaction among individuals in society.

To explain certain issues regarding the perception of objects in the external world, the concept of "supervenience" (Likhter, 2023:20–32) is often employed in analytic philosophy as an alternative to traditional if/then copula-based implications. To simplify the nature of this concept, it is useful to refer the formulation proposed by David Chalmers: "B-properties supervene on A-properties if no two possible situations are identical with respect to their A-properties while differing in their B-properties" (Chalmers, 2013:55).

Philosophers of consciousness frequently invoke the concept of supervenience to address the persistent relationship between internal mental phenomena and external

physical prerequisites. However, supervenience can also be employed to validate the truth of knowledge about elements of legal reality. The supervenience of legal phenomena on social, economic, cultural or other grounds enables the adaptation of methodologies for studying legal phenomena, which are determined by abstract yet existing ideal objects.

When establishing a supervenience relation to obtain true knowledge in the legal field, it is essential to proceed from the premise that legal phenomena (B-facts) supervene on the real-world facts (A-facts) only if B-facts are identically determined by A-facts. This means that if A-facts are identical, B-facts cannot differ. Here, “no difference” refers to the correspondence between concept classes rather than the numerical identity of facts. For instance, when a house is considered a real estate property in civil law relations, attributes like the color of the walls or the number of windows are irrelevant to its rational identification within the formal transaction structure. What matters is the house’s *affinity* to the real estate concept, even if it can be physically relocated. The attempt to categorize all random properties according to specific criteria leads to the concealment of universals and prevents the establishment of factual truth based by concept classes.

The acceptance of an independent ontological status for legal phenomena opposes the methodological reductionism inherent in materialistic concepts. A materialistic approach in legal science is insufficient, since it is impossible to establish the truth of many legal facts without employing ideal categories and abstractions.

Objective idealism and the pursuit of legal truth

To understand the classical metamorphosis of Plato’s correspondence theory of truth, one must first be familiar with the theory of Forms (*eidos*). This theory can be simplified into elementary questions, such as: Why is the proposition true...? From the perspective of objective idealism, the response would be: The proposition is true because it is truth-preserving. However, such an answer appears to be a mere tautology, offering no new knowledge. According to Plato, though, it is the objectivity of the Forms that endows a proposition with truthfulness.

The truthfulness of a legal phenomenon, therefore, follows from its perception as something that truly exists. Objective idealism posits that the subjects, phenomena, and other components of the surrounding world supervene on higher-level ideas. *Subjective perception does not determine the truth or falsity of elements of legal reality. Instead, an objective scale – composed of ideas independent of individual opinions and acting as the prerequisites of law – legalizes these elements.*

From the perspective of objective idealism, it is essential to perceive ideal universals, as reflected in legal phenomena (e.g., justice, harmony, and virtue), as truly existing entities. The ideal category of “justice”, for instance, allows for evaluation of the correspondence of legal phenomena to the actual state of reality. A law cannot be considered an essential object of legal reality if it merely aligns with procedural formality or the process of adoption. Normative regulation cannot be recognized as an object of legal reality *per se* if it fails to reflect essential ideal categories. For example, the

Nuremberg Race Laws cannot be considered legitimate legal phenomena, as they violated the principle of justice by pursuing anti-human goals.

Understanding the ontological essence of legal structures within the framework of Platonism follows a specific algorithm. Since we can only perceive and identify objects of the intelligible world (accessible to rational intuition), our mind “remembers” the meaning of the supreme *eidos*. When the mind discovers the “co-presence” of truth in the object being studied, the choice becomes obvious. In this context, the idea functions not only as the substance or cause of a particular kind of thing but also as its semantic model. It serves as the ontological structure that establishes the existence of a thing, both in terms of its material reality and its logical implications (Losev, 2000:170).

Plato categorizes the operations of consciousness into those that form true knowledge and those that form correct belief about transient things. Furthermore, “episteme” (Greek: *επιστημη*, knowledge) is divided into the two parts: the rational part, “dianoia” (Greek: *διανοια*, thought), and the intuitive part “noesis” (Greek: *νόησις*, intuition). According to Plato, *noesis* represents the highest level of true knowledge, as it involves pure, non-premise contemplation of the world of ideas, unmediated by the senses. This rational identification enables one to comprehend any given element of the surrounding reality.

However, Plato acknowledges the real sensations experienced by individuals when interacting with objects in the phenomenal world. These sensations, however, cannot serve as criteria for determining truth or falsity, as they are distorted by the imperfection of the senses and the influence of popular opinions. For Plato, truth is perceived rationally rather than empirically, as “like is known by like”.

Victor O. Pelevin would later describe this concept as “formless perfection beyond all experience” in his reflections on a philosopher’s perspective (Pelevin, 2020:369).

Justice: A prerequisite for the elements of legal reality

Let us focus on the likelihood of establishing the truth of certain knowledge about legal phenomena, using their relationship with the ideal category of “justice” as an example.

Plato’s political and legal philosophy, as outlined in *The Republic*, assumes that *justice* is the foundation of any legal institution. According to Hans Kelsen (Kelsen, 1938:367–400), Platonic justice emerges as the sole criterion of inequality in politics and law. Justice, in this context, determines the structure of the state and society, particularly in the process of drafting laws. Kelsen observes that, for Plato, political truth takes precedence over rational scientific truth, even though the theory of ideas posits rational knowledge as the highest and absolute goal in itself. Plato’s social philosophy develops the concept of justice as both a social ideal and a fundamental prerequisite for an optimal legal system. Kelsen highlights the principle of unity in Plato’s ontological, metaphysical, ethical, and political view, which can be understood in terms of the supervenience of legal institutions on the ideal category of “justice”. This principle underscores the interconnectedness of Plato’s philosophical framework and the central role of justice in shaping legal and political systems.

The idea of laws grounded in true justice is best articulated in Plato's dialogue *The Republic*. In this work, a phenomenalist perspective of justice emphasizes its role in cause-and-effect relationships in the formation of legal institutions, as well as its connection to social dimensions. Within an organized human community, the *being* (or ontology) of justice both influences and is influenced by its external *manifestations*, such as legal institutions.

In the context of political and legal activity, this relationship raises the issue of the social dimension of justice. Its hidden (introverted) form must be "strengthened" by an open (extroverted) form to achieve specific goals. Plato refers to the perceived elements of legal reality as a *phenomenology of justice*.

According to Plato, when state legal institutions are dominated by distorted prerequisites, justice becomes "split" at the phenomenal level. This creates a conflict between manifestations of true and apparent justice. Saint Augustine of Hippo later addressed this issue in his discussion of the rulers of the earthly city and their relationship to the City of God. Augustine argued that, at the phenomenological level, true social justice is inevitably defeated by apparent justice (Saint Augustine, 2000). Such distortions carry the risk of legitimizing the apparent justice of anti-humanistic ideologies.

The problem of truth (or unconcealment) is clearly evidenced in Plato's *The Republic* (Book II), where political and legal phenomena are correlated with their essential content. The concept of justice, as presented, presupposes both essential and functional strategies for its understanding. The former is valuable in itself, while the latter is beneficial due to its positive consequences for its bearer. Essential justice is closely related to the idea of the virtue; more precisely, it is co-present within it. Functional justice, on the other hand, serves as a prerequisite for the virtue, performing a utility function for its realization.

The phenomenalist manifestation of the ontological foundations of revealed phenomena underscores the importance of the functional concept of justice for jurisprudence. Glaucon, the ancient Greek philosopher and Plato's older brother, argues why the bearer of apparent justice must often conceal the hidden injustice of their true way of life: "For the extreme of injustice is to seem to be just when one is not /.../ Having hypothesized such a person, let us place the just man in his nobleness and simplicity, wishing, as Aeschylus says, to be and not to seem good" (*The Republic*, Book II, line 361e). This passage is valuable both for guiding the reader's personal life strategy and for establishing a true reflection of essential ideas within legal phenomena. The relationship between true and apparent justice raises the issue of balancing legal ideas and established institutions. Uncovering and bridging the gap between ideal and fictitious justice is a key goal for jurisprudence.

It is concluded that the prerequisites for the formation of state legal institutions must be designed to prevent the regime of delayed justice. The further a state deviates from the *eidos* of justice, the more deformations appear in its legal system. Since any legal phenomenon can reflect, distort, or deform the true essence, these phenomena can be categorized into:

1) *Essential* phenomena: These exhibit a certain entity (essence) and provide true knowledge about the reality of fundamental legal ideas and values. Their perception is

similar to the understanding mathematical rules, which are independent of the subject. While essential legal phenomena may be oriented toward abstract values as virtue, benefit, and justice, they are crucial for legal axiology and form the foundation for the operational social interaction of individuals.

2) *Torsion* (distorted) phenomena: These claim to embody the true “essence” of legal ideas but, in reality, distort them. Such distortion can arise either as an unconscious effect of prejudice or as a deliberate outcome of lobbying for the interests of certain beneficiaries. In either case, torsion legal phenomena fail to meet the criterion of truth, particularly from the perspective of objective idealism.

3) *Fictitious* phenomena: These are the most dangerous for legal reality. A prime example is the so-called Nuremberg Laws of Nazi Germany (e.g., the Reich Citizenship Law and the Law for the Protection of German Blood and German Honor). While formally legitimate, these legal acts were anti-legal in nature, as they subverted the essence of a just law.

Conclusion

Multiple sophisticated methodological issues regarding the understanding of truth have led certain modern academics to blur the distinction between objective knowledge and subjective opinion, arguing that both in natural and social sciences fail to achieve truth.

However, in criticizing the postmodernist disregard for truth-seeking, the academician Andrey A. Zaliznyak defended two fundamental ideas, “...which were previously considered evident and just common, being obsolete nowadays: 1) truth exists, and the goal of science is to search for truth; 2) a professional (provided one is truly an expert, rather than just a holder of state titles) is more accurate in considering issues than an amateur is. These ideas are opposed by current modernistic propositions, such as:

1) there is no truth; rather, there is a variety of opinions; 2) on any issue, no one’s opinion weights more than the opinion of someone else. A fifth-grade girl has the opinion that Darwin was wrong, and it is acceptable to provide this fact as a serious challenge to biological science...”⁴. In conclusion, Zaliznyak expressed loss of hope that this trajectory in science would change on its own. He argued that reversing this trend requires the joint efforts of those who understand the value of truth.

The above critique applies equally to legal science, which struggles to establish hierarchical structures of legal reality (values, principles, and subjective rights). If the truthfulness of all values, goals, and ideals (including legal ones) is determined solely by the individual, what role does the objective world play? The stronger the claims of subjectivism, the emptier and more meaningless the objective world becomes.

Summary of findings

1) *Relevance of ancient concepts of truth*: Several conceptual approaches to the category of “truth”, established during Antiquity, remain relevant today. The priority of

⁴ The Award Ceremony Speech by Andrey A. Zaliznyak at the Presentation of the Alexander Solzhenitsyn Prize in Literature (December 28, 2017). *Rossiyskaya Gazeta*. 296 (7462), p. 4. Available at: <https://rg.ru/2017/12/28/rg-publikuet-otryvok-iz-rechi-zalizniaka-na-vruchenii-premii-solzhenitsyna.html> [Accessed 20th April 2024].

rational identification over sensory perception (as seen in Plato's correspondence theory of truth) is vital for legal science. This approach emphasizes the search for the essence of objects in the surrounding world, rather than merely analyzing their external manifestations.

2) *Perception and essence of truth*: The comprehension of legal reality hinges on two key questions: How reliable is sense perception? and To what extent is truth dependent on the subject? The absence of material properties in legal phenomena does not negate their existence in reality. Such a conclusion would contradict the uniform perception of these phenomena by participants in legal relations, who recognize them as intelligible elements of objective mental existence.

3) *Independent ontological status of legal phenomena*: Legal phenomena possess an independent ontological status, which stands in opposition to the methodological reductionism of materialist concepts. Reductionist explanatory strategies are insufficient in legal science, since it is impossible to establish the truth of many legal facts or properly classify them without relying on ideal categories and abstractions.

4) *Justice as a foundational concept*: Understanding the category of "justice" in legal science is essential for constructing legal reality. A phenomenalist perspective on justice highlights its dual role: it shapes legal institutions and interacts with social, ethical, and aesthetic dimensions. Within an organized human community, the ontology of justice both influences and is influenced by its external manifestations (legal institutions).

5) *Distinguishing real and apparent objects*: The ability to distinguish between real and apparent objects is fundamental to perceiving legal reality. This distinction cannot be achieved through experience alone. Instead, a rational component, independent of anthropological nature, is necessary to discern the true elements of reality.

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