

## THE SPIRIT OF THE LAW VERSUS THE LETTER OF THE LAW: THE NATURE OF CORRELATION

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The subject of the research is the categories “the spirit of the law” and “the letter of the law” in their regulatory sense.

The purpose of the research is to confirm or disprove hypothesis that the concept of “the spirit of the law” fundamentally impacts the methodology of legal research, legal consciousness and the mechanism of legal regulation.

The methodology for researching the spirit of the law presupposes an adequate selection of means of knowledge. It is impossible to study the spirit of the law with the tools of materialism or economic determinism. The spiritual-moral, axiological, metaphysical, systemic methods and the method of synthesis are preferred for the study of the spirit of the law. The legal system of society ceases to meet the elementary requirements of the formation of a person's legal consciousness, his improvement and spiritual health when the spirit of the law is denied. It is generally impossible to understand how law functions and achieves a regulatory effect using the dogmatic, positivist approach to law as a dominant method of cognition.

The main results, scope of application. The problem of the operation of the spirit of the law is one of the ignored problems of legal practice. If the legal act is at odds with the spirit of the law, the law enforcer faces a difficult choice: either morality or law. This dilemma is fraught with serious conflicts both in the mental, psychological sphere of the law enforcement officer himself, and between all participants in the legal process. Every person has an internal imbalance if he makes decisions and performs actions that are contrary to his conscience. Jurisprudence, which adequately perceives the subordination between the spirit of the law and the letter of the law, warns against the temptation to consider law as a sphere independent of spiritual absolutes. The current law is not exactly what is set out in the texts of regulatory acts. Distinguishing between the spirit of the law and the letter of the law, therefore, requires special types of interpretation of texts (broad, restrictive), as well as analogies of legislation and analogies of law.

Conclusions. Ultimately, the research perspective we have chosen allows us to understand not only the real anthropological meaning of law, but also to adequately assess the meaning of all legal phenomena associated with spiritual and moral discourse. We must always remember that our main concern is people when we are engaged in state development, contributing to the self-organization of society. This orientation is teleological and not deterministic; creative and not naturalistic; value and not formalist it determines the nature of the Russian legal system.

The spirit of the law is the absolute beginning of the law, the criterion of truth, goodness and beauty in the legal sphere. The spirit of the law represents divine energy and subordinates to it the originality of national legal consciousness. The spirit of the law is present in all legal phenomena and processes and is embodied in meaning-generating and meaningful revelations, the religiosity of a person, his mind, legal worldview, principles, conscience, legal intuition and other forms of direct communication with God. The spirit of the law is objectified in such phenomena that do not at all require formal legal consolidation in the letter of the law.

The regulation of the law has limited capabilities because of virtue of its rational and state nature. While the regulation of the spirit of the law is much richer in content and value of social energy, since the higher authorities of the spirit take part in the formation of real legal decisions. There are a number of relations that are not regulated by means of the letter of the law, but at the same time are regulated by the spirit of the law and have legal expression and dimension. Thus, the letter of the law is only one of the aspects of the implementation of the spirit of the law.

### 1. Introduction.

It is noteworthy that even in Soviet times, during the time of militant atheism, lawyers actively used the concept of "the spirit of law" in their activities. This was a necessity that was obvious to everyone.

Lawyers were not able to resolve disputes about the law, guided solely by the letter of the law. There are always situations in life that are not regulated by law, no matter how plentiful the legislation. Appeals to the principles of law and legal values, as well as the process of interpreting law, inevitably involve a departure from the letter of the law in favor of the spirit of law.

The desire of law enforcement officers to learn the spirit of law has always meant the desire for the truth, the desire for fair decisions, the search for the truth in the case. Everyone had a hunch that truth and justice were only superficially imprinted by the letter of the law. And if you rely on formal adherence to the letter of the law, it is possible to ignore the most important circumstances of life, and therefore making an unjust decision. The concept of "the spirit of law" all this time was hiding a very real phenomenon, which was impossible to be ignored in the legal reality.

It is also surprising that the concept of "the spirit of law", which is in demand in legal practice, has never been the subject of a special monographic study. There are no articles on this topic.

And yet this is a fundamental problem of jurisprudence, which is not only theoretical, but also of key practical importance. Without a proper understanding of the role and place of the spirit of law in relation to the letter of the law, we will not be able to ensure legal order, we will not pacify society, we will not properly orient law enforcement agencies.

Since 2010, the Russian state authorities have turned to the rhetoric of spiritual and moral education of citizens. The Federal Law "On Education" was one of the first to emphasize the importance of studying the foundations of the

spiritual and moral culture of the peoples of Russia. The regional authorities, judging by the legislation of the subjects of the Federation, also realized their mission in this area of activity. So, in the Lipetsk region there was a law that raises the question of "Spiritual, moral and patriotic education of the inhabitants of the region". In the Altai Territory, the law "On the protection of public Morals" was adopted. The law of the Krasnodar Territory mentions "Measures to promote the physical, intellectual, mental, spiritual and moral development of children". At the subordinate level, an order was issued by the Governor of the Novosibirsk Region, dedicated to the formation of conditions for the development of spirituality, high culture and moral health of the population of the Novosibirsk region. The Government of the Rostov region issued a Decree dated November 15, 2012. No. 1018 "On the approval of the Concept of spiritual, moral and patriotic education of students in educational institutions of the Rostov region with a cadet and Cossack component" (it reflects "1. Mission, ideology, essence and features of spiritual, moral and patriotic education in the subjects of cadet (Cossack) education in the Rostov region").

Part of the Russian scientific community is still skeptical of arguments that are far from normativism, but the circle of scientists who consider the spiritual and moral problems of law to be the most important is expanding. A. I. Kosarev wrote in his monograph: "The foundations of the rise of the Russian economy also lie in the spiritual and moral sphere" [1, p.233]. In the works of N. S. Malein, we find the following thesis: "A person has the right to demand satisfaction of those legitimate interests that are not directly provided for by legal forms of implementation and protection, but follow from the spirit and principles of the law" [2, p. 30].

The spirit of law is higher than the letter of the law. This legal postulate requires clarity of legal awareness of all generations of lawyers, regardless of their procedural roles and belonging to different schools of law understanding.

Any legal system in the world has an initial

basic reference point, which sets the content of the norms of law, the form of law, the types of legal relations and the corresponding features of legal consciousness. The initial basic reference point is the spirit of law, perceived by specific communities of lawyers, politicians and ordinary people. It is expressed in legal ideals, principles of law, legal style, and in many other spiritual and moral manifestations. Therefore, it is completely incorrect to identify legal culture with the spirit of law or to consider the spirit of law as an expression of culture. The spirit is the basis, the basis of the legal culture of every society.

Literally every event that takes place within the legal system (from the adoption of a new legislative act to the election of power) demonstrates the paramount importance of the spirit of law and the impossibility of effectively solving other social problems without overcoming the moral crisis of society.

The methodology of the study of the spirit of law presupposes an adequate selection of the means of knowledge. It is impossible to study the spirit of law with the tools of materialism or economic determinism. For the study of the spirit of law, spiritual and moral, axiological, metaphysical, systematic methods and the method of synthesis are preferred.

I. A. Ilyin came closest to the spiritual and moral problems of jurisprudence in the twentieth century in his writings. The scientific direction outlined by I. A. Ilyin could not be continued in the Soviet state. By the twenty-first century, notable scientific works appeared in the Russian legal science, in which law was considered mainly as a spiritual phenomenon. The authors of these works were V. N. Sinyukov, O. I. Tsybulevskaya, V. A. Bachinin, A. M. Velichko, R. S. Bayniyazov, V. A. Tomsinov, V. P. Malakhov, A. A. Ter-Akopov, I. D. Mishina, V. Ivanov, A. Kupriyanov, A. Borisov, V. Melnik.

Shortly before his death, S. S. Alekseev, who for a long time headed the normative direction of law understanding in the USSR, published a monograph entitled "The Most Sacred Thing that God has on Earth" (Moscow, 1998), which he devoted to the spiritual

justification of law. We must pay tribute to N. I. Matuzov, V. V. Lazarev, V. D. Perevalov, T. N. Radko and V. M. Strykh, who contributed to the actualization of the spiritual and moral foundations of law. Studying the moral foundations of law, the problem of the spirituality of law was raised by G. V. Maltsev and V. G. Gafsky.

Nevertheless, legal experts state from time to time that the spiritual and moral foundations of law are undeveloped. As noted by A. A. Ter-Akopov, the cause-and-effect relationships of a spiritual and moral nature, acting at the level of specific human behavior, are practically not studied by science, which seems to be a significant omission; ignoring spiritual and moral determinism significantly impoverishes the general idea of causality and its manifestations, in particular in criminal law, leaves in the shadow a whole block of issues related to combating crime. The question of spirituality as a cause and its role in the mechanism of specific behavior, including criminal behavior, is not raised [3, p. 418].

## **2. The dialectic of the spirit of law and the letter of the law.**

The principle of "what is not prohibited by law is allowed" ensures the primacy of the letter of the law over the spirit of law. The implementation of this principle presupposes the rule of law not only over other normative legal acts, but also over the goals and principles of law, too. Meanwhile, the formation of legal principles is not only through their written consolidation in the norms of legislative acts. The principles of law are most often discovered by legal scholars on the basis of an in-depth study of various legal phenomena and processes. At the same time, the principles of law are not invented by the power of scientific intelligence, but are discovered by scientists as objective laws of the existence and functioning of the legal system, codes of its potential development.

With the denial of the spirit of law, the legal system of society ceases to meet the elementary requirements of the formation of the legal consciousness of a person, his improvement and spiritual health. Under the rule of the dogmatic,

positivist approach, it is generally impossible to understand how law functions and achieves a regulatory effect.

The normativist type of legal understanding recognizes the state power as the social force of law-making. This attitude to legal education excludes the spirit of law from the field of view. It is no accident that normativism has become the ideology of authoritarian regimes. The theory of natural law relies on the inalienable rights of man from birth, which are granted to him by "nature". The theory of natural law deals with the justification of the rights of private owners, and the spirit of law has remained unattainable for it. The sociological theory of law is inclined to search for law not in norms, but in relations. In particular, it discusses the formation of law from judicial debates, but, alas, in a dispute, Truth, Love and Beauty are not always born. For state machines, it does not matter what standards to implement (legislative or judicial). The identification of law with norms is a common mistake of many types of legal understanding. The Psychological school of Law seeks to derive law from the mutual psychological experiences of people about their objective obligations to each other. But outside of the spirit of law, psychologists have failed to find a common basis for legal experiences. In the historical school of law, they appeal to the spirit of the people, but in general this approach lands the meaning of the spirit to the level of everyday customs. The essence of the legal discussion is not the confrontation between the schools of natural and positive law, but the struggle of formalists with legal scholars.

What still prevents lawyers from rising above the letter of the law and learning the spirit of law? The formal approach does.

This is largely due to the fact that a purely secular, atheistic tradition has been formed in jurisprudence, burdened by a state-centered legal policy. In such conditions, the state appears confident in its self-sufficiency, but it cannot cope with the chaos of the moral disintegration of society. Betting on the letter of the law generates such "law enforcement officers" who are characterized by formalism,

unscrupulousness, cynicism, and careerism. Such an attitude of practitioners to their duties entails the separation of legal practice from the real goals of legal regulation.

The existing law is declared to be a closed system of formal rules that exclude considerations that arise directly from the merits of the case in the course of its consideration, and even more so leave the principles and goals of the law unclaimed. The effect of any norm is limited by the area of facts and known fragmentation.

The advantage of the Constitutional Court is that, as such, it was designed by legal thought to reconcile the letter of the law with the spirit of the law. The very structure of this court, its jurisdiction provides for the possibility of repealing illegal laws and bylaws, both normative and individual. The practice of the Constitutional Court has proved its commitment to the spirit of law and general legal principles in particular. The Constitutional Court demonstrates that it is not bound by the provisions of written legislation.

The letter of the law is not self-sufficient, because it is not self-valuable. It assumes compliance with the spirit of law. A rule of law is a rule that, by its nature, form and functional meaning, must conform to the spirit of law, and only for this reason must it be adhered to. If a rule contradicts the spirit of the law, it is subject to cancellation.

The dualism of the spirit of law and the letter of the law lies in the mismatch of their nature. The spirit of law expresses ideas, principles, symbols, and values that can be regulatory. Whereas the letter of the law is a set of documented norms that have a constitutive essence. On the basis of and in accordance with the spirit of law, a system of formalized and officially adopted norms is built – legislation.

The form of law should not absorb its content, destroy the idea of law, and with them the purpose of law. The spirit of law and the letter of the law are in fact in a position of strict subordination. Instructions and procedures are designed to promote the spirit of law, not stifle it. The legal technique should not be confronted with the idea of law. When the letter of the law displaces the spirit of law, the letter of the law

begins to be stifled by legal technique and legal casuistry.

Is it permissible to reduce the higher to the lower? Of course, it is not allowed. Therefore, lawyers cannot tolerate the fact that the entire substance of law is reduced to its lowest material and technical level? The position in which the legal technique defines the law is not normal. The process of replacing law with legal technology must be stopped by appealing to the spirit of law.

The letter of the law is necessary if it is given the right place in the hierarchy of law. With its help, society regulates the direction of people's behavior. However, the legal behavior of people is carried out within the limits set by the system of spiritual values.

Apologists of positive law (that is, the letter of the law) consider any adopted law legitimate by virtue of its very existence. So, if the legislator is ready not to consider abortion a murder, abortion is not such formally and legally. But in this case, the unjustified elevation of the letter of the law is trampled on by the spirit of law. And the low and the low are passed off as the high.

Apologists for the letter of the law claim that the legal action was the importation of Negroes from Africa to Europe and America. Apologists of the letter of the law claim that the Holocaust of Jews in Europe was legal on the basis of the racist laws of Germany. Apologists of the letter of the law consider the atomic bombings of Hiroshima and Nagasaki in Japan a legitimate matter, since they were carried out in strict accordance with the order of the US President G. Truman. The most heinous crimes against humanity are usually justified by the letter of the law that was in force at the time of the inhumane actions.

Considering the history of Russian law, it can be noted that the periods of strengthening and effectiveness of the law fall on the approach to the spirit of law. The ancient "Russkaya Pravda", princely charters and charters, judicial charters and judicial books, the Stoglav and the Cathedral Code of 1649, Peter's articles and decrees, legislative acts of Catherine II and

Alexander I, the reforms of Alexander II and the Main state Laws of 1906 represent the trajectory of the development of the spirit of law in the Russian legal system. Thus, the rule of law in Russia over the millennia gradually developed and became more complex only together with the complication of ideas about the spirit of law and the actualization of the spirit of law.

Any most technologically advanced letter of the law cannot serve as an absolute and permanent measure of legality. Archives store a lot of obsolete, outdated norms. The letter of the law is always rather vague and conditional, and its meaning is always temporary and relative. The erroneous impression that law is also something relative (both in its content and in its binding nature) arises only from the triumph of the letter of the law over the spirit of law.

There are frequent contradictions between the abstractness of individual prescriptions of the law and the concreteness of the regulated sphere of public life, where the individual uniqueness of life situations prevails. This contradiction is often overcome by the adoption of new laws and / or the specification of the general provisions of the law in the subordinate rulemaking. As a result, one norm produces dozens more norms. In addition to regulatory inflation, the problem is that the legislative norm is too abstract, and the subordinate norm is too casual, for the regulatory regulation to be suitable for public relations. The scope of any normative act implies schematism, which is not always correlated with reality. Accuracy and unambiguity in the definition of a legislative act always simplifies and schematizes polysyllabic and unique relationships, so it does not guarantee the realization of the truth at all, but it deforms and adapts social relations to the scheme drawn up by the legislator.

Both casual and abstract forms of regulatory regulation in modern society have reached such a limit of inefficiency, beyond which there is an objective need for informal self-regulation of people's behavior. The transition to such an effective type of legal influence is possible with the actualization of the spiritual and moral foundations of law.

It is important not only the letter of the law

(the formal side of the law), but also those fundamental ideas and principles that determine the ideological, axiological, target and other orientation of legal regulation.

The regulations themselves are just a tool. They do not create themselves, they are a derivative of cultural and historical forms. They must be based on the spiritual and moral values of a particular tradition, otherwise they become instruments of arbitrariness, and not the basis of a just order. Without the highest morality and love, the letter of the law revolts against its creator – man – and destroys him. Jurism is one of the variants of a technocratic society, where technology acts as a panacea.

It should be noted that the activity of the Constitutional Court as the highest judicial instance is generated by contradictions between the spirit of law and the letter of the law.

Even in ancient Rome, lawyers thought about the correspondence of the spirit of the law to its letter. Even then, the idea was expressed that the categories "spirit" and "letter" of the law are close categories, but not at all identical with the paired categories of form and content, essence and phenomenon. Unfortunately, among modern authors there are many who exhaust the problem of the quality of laws with technocratic rules of rule-making and legal technology.

Jurisprudence, which adequately perceives the subordination between the spirit of law and the letter of the law, warns against the temptation to consider law as a sphere independent of spiritual absolutes. The current law is not quite what is set out in the texts of normative acts. The distinction between the spirit of law and the letter of law, therefore, requires special types of interpretation of texts (expansive, restrictive), as well as the analogy of law and the analogy of law.

It is noteworthy that the Russian word "zakon" comes from "kon" – "beginning" and "end", originally, probably, a stake, a post (serving for various purposes, for example, as a milestone of an earthen plot or for a hitching post). Therefore, the word "law" among the Russians was conceived primarily as a "limit",

beyond which lies a different sphere of life or spirit. The law, in the national legal consciousness of our ancestors – is not the highest category to which everything that lies in this sphere is subordinated, but only a certain boundary within a broader sphere. The view "from the other side" of this limit, the desire to "look from there" – this is the main feature of this cultural concept.

The law in general is a rule or a set of rules that determine the action of a force. For example, the mechanical law of gravity determines the effect of gravity. The legal law determines the mode of action of the spiritual and moral power of people. Legal law is only harmonious when it expresses the power of the spirit of law. This means that it is legally possible to recognize the law that specifies how a person should live, what he should do in order to achieve his purpose or purpose of existence.

The well-known work of the monk Hilarion, which is conventionally called by our contemporaries "On Law and Grace", contains very significant constants for the domestic legal consciousness. Hilarion writes about the distinction between the law as an external institution – a prescription that regulates the behavior of a person in society by violent measures, and the truth, which is expressed in a high moral state of a person who does not need the regulatory activity of the law due to spiritual perfection. In addition, the relativity and variability of the law are obvious. The law determines the external actions of people at the stage when people have not yet comprehended the truth; it is given to people only "to prepare for truth and grace, so that human nature will become accustomed to it", because humanity, as a soiled vessel, must first be washed with water – the law, and then it will be able to receive the "milk of grace".

In any European culture, the concept of "law" is opposed to "lawlessness". But in the Russian mentality, "the law" is opposed to something, not bad, but something good, kind, positive.

The judicial reform of the Russian Emperor Alexander II appealed to the meaning of the legislation, overcoming the primacy of the letter

of the law. Thus, article 9 of the Statute of Civil Procedure and Article 12 of the Statute of Criminal Procedure required the judicial authorities to base their decisions on the exact meaning of existing laws, and in the event of their incompleteness, ambiguity or contradiction, the court had to base the decision on the general meaning of the laws. Consequently, the court recognized not the right, but the duty to interpret the letter of the law in favor of the spirit of law. A court that denies a sentence under any pretext whatsoever is liable for a denial of justice.

During the formation of the Russian statehood, the antithesis "the letter of the law – the spirit of law" was the property of the public legal consciousness. In such monuments of Russian thought as "The Word of law and Grace", "Praise of Leontius", "The Life of Simeon", "Reading about Boris and Gleb" contains the idea of the predominance of the spirit over the letter.

The scope of the spirit of law and the letter of the law are incommensurable. No matter how numerous the legislation is, it does not cover all the incidents of life, and the spirit of law allows you to resolve any dispute about the right. Laws that do not have an objective basis (the spirit of law) are subject to repeal, and their legal force is disputed until the repeal.

The letter of the law acts as an organizational form of law. The letter of the law cannot restrain the mercy of the judge, the forgiveness of the injured party. The law cannot close the path of correction to the criminal. A significant group of legal scholars today actively opposes legal formalism.

E. N. Dubinina, expressing a negative attitude to the continuous legalization of public relations, noted that the law is directly in the power of the state only in its one form – normative acts [5, p.10]. But the law surpasses the normative material in its scope. It can be said that even an excessive number of regulations can be reviewed, but no one can review the law as a whole. It is no accident, therefore, that even without pronouncing the concept of the spirit of law, lawyers constantly

appeal to it through an expansive interpretation of norms, the analogy of law, the use of legal principles, and much more.

Due to its rational and state character, the regularity of the law has limited possibilities, while the regularity of the spirit of law is much richer in content and the magnitude of social energy. There are a number of relations that are not regulated by the letter of the law, but at the same time are regulated by the spirit of law, have a legal expression and dimension. Thus, the letter of the law is only one of the moments of the implementation of the spirit of law.

B. P. Vysheslavitsev noted that the law, trying to overcome the resistance of the individual, proceeds from the presumption that all evil is in the person, and all good is in the law [6, p. 40]. This assumption characterizes the tragedy of the law, which wants and cannot, demands and does not fulfill, promises and does not give.

The domestic way of thinking puts man, humanity and the soul above the law. Not a man for the law, but the law for the man. And when the law comes into conflict with humanity, the Russian legal consciousness refuses to obey it. Russian russians called their first legal monuments "Russian Truths", because the truth is the other side of love, there is its protecting power.

The law is a template, and the essence of law is in the living spirit. Modern philistines live by patterns. For many, they mean more than common sense and personal excellence.

The level of development of the spiritual life of people determines the nature of the legal reality in a given society. All the written laws of the past are cross-sections of the features of the legal psychology of former societies, "archaeological layers" of spirituality. Legal reality allows the spirit of law to be a creative beginning for the subjects of law, to influence the quality of the legal culture of society.

### 3. Conclusions.

The development of the visible legal reality can be in sharp contradiction with the simultaneous development of evil in society. The traditions of law do not create a normative legal act, but the spirit of law, which expresses the

reality of law in the human being. The spirit of law resides precisely in the phenomena of the supra-positive nature, and this spirit is always inclined to leave its even technically perfect "body" at the slightest inattention and misunderstanding of the spiritual nature of law.

The laws of the state can be contradictory, blank, inaccessible to understanding, and in all these cases, the spirit of law comes to the rescue of the subjects of law. The spirit of law calls for reasonable and expedient actions, not for random tossing and turning. He does not accept anything that introduces the legal consciousness into a twilight state of misunderstanding the meanings of what is and what is due.

The spirit of law is the fundamental basis of the legal consciousness of society. In law, as in art, which affects the consciousness and behavior of a person, the main thing is his spirit, meaning and image: only then does the form of law acquire the fullness and integrity of its functional characteristics.

As you know, in law, the form cannot be separated from the content and essence. The same spirit must embody the material and procedural laws. The significance of a legal law depends on the extent to which it expresses the universal spirit of law. The spirit of law is a priori higher than the "letter".

The right cannot be felt on the objective-material level, it is possible only on the spiritual-psychological level. Outside of the spiritual, law is no longer a phenomenon of being.

The ministry of a lawyer is primarily an activity in the realm of the spirit. To the extent that a lawyer has spirituality in himself and what is the nature of this spirituality, he can also arouse it in others. Not the good lawyer who has studied the theoretical models of legal relations perfectly, but the one who has found in his soul in advance the possibility of psychological application of his knowledge to the work of service, that is, he has carried out the struggle of evil and good in his own spirit.

Only through the spirit of law forms its own content, which is not reducible to the economic, political, cultural, etc. Thanks to the spirit of law, law as such is produced. In the simple

formalization of political and economic phenomena by legal means, only the external appearance or "appearance" of law arises.

The spirit of law is invisible. It can be comprehended by the mind and perceived by the senses of the subjects of law. It is a force that calls upon the legal system of society to conform to God's commandments. It is the divine energy that draws people to justice, goodness, and mercy, from the temporal to the eternal, from the love of the creature to the love of the Creator. The spirit of right, as a power emanating from God, is found by the regularity of similarity where everything is divinely obtained and receives peace in God. To seize another's property is satanic, to defend one's own is human, to sacrifice one's own is divine. The spirit of law obtains its absolute authority only through union with the infinite, uncreated, and unlimited God.

A lawyer who knows the letter of the law can be an erudite, but superficial, and also cynical. A lawyer who understands the spirit of law has lofty qualities and knows the law deeply. The thirst for justice and mercy expresses the demand for the spirit of law. This universal thirst confirms that there is a power in people that demands its spiritual satisfaction. The spirit is the highest, insubstantial principle through which people know God. People can feel the spirit of law through the desire for the highest and perfect, which nothing material can compare with, through conscience. It is in the spirit that a person receives the highest ability through which he can enter into communion with God. Violence has never expressed the spirit of law. The spirit of law in its absolutes is love, goodness, and beauty. Where there is violence, there is no spirit of law.

Law can still act as a fundamental way of being a person, as long as it remains a phenomenon of the spirit within the framework of legal practice.

The concept of "spirit of law" is the most important and important legal category, through which lawyers are able to learn and build a regulatory hierarchy. The actualization of the spirit of law contributes to the effectiveness of legislation and the reduction of its volume. The regulatory capabilities of the spirit of law are



related to the mechanism of self-regulation of the subjects of law of their behavior. The more productive self-regulation is, the less need there is for the external coercive power of the state. The spirit of law opens up a resource for modern states to manage society without overproduction of laws and law enforcement structures.

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