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Russian Intelligentsia toward the Legal Nihilism. Reading the “Landmarks” (1909) and “Out of the Depth” (1918) after February 24, 2022

Abstract: The aim of this paper is to re-read the criticism of the Russian intelligentsia, which was made by authors of *Landmarks* (“Vekhy”, 1909) and *Out of the Depth* (“Iz glubiny”, 1918), in the context of the support given to the Russian invasion on the Ukraine in 2022 by the large part of Russian intellectuals. Instead of perceiving the current “rapprochement” of the Russian intelligentsia to the Putin government as a kind of “aberration” and a departure from its “moral mission”, the author would like to show the arguments concerning long duration of the tradition of their acceptance of the anti-liberal and authoritarian course of the Russian government. This tradition was unveiled by such outstanding Russian liberals and religious thinkers as, among others: Nikolai Berdyaev, Petr Struve, Bogdan Kistyakovski, Iosif Pokrovsky and Sergei Kotlyarevsky. They believed that the susceptibility of the intelligentsia to revolutionary slogans was caused not only by hostility to the Old Regime, but by their instrumental attitude to the state and law. They claimed that the Russian intelligentsia had much more in common with the representatives of Tsarist autocracy than would result from the hostility felt towards it. A common feature of both was “legal nihilism” – a point of view that assumed a distrustful attitude towards rational law. The only way to overcome this distrust was therefore instilling Kant’s personalism and raising the authority of natural law among the broad strata of the Russian intelligentsia.

Keywords: Russian intelligentsia, legal nihilism, personalism, roots of the revolution, Russian invasion 2022-

“The Russian does not feel the inseparable connection between rights and duties, both his awareness of rights and duties is disturbed, he is drowning in an irresponsible collective, in grievances against everyone”.¹

N. A. Berdyaev, 1918

With the beginning of the aggression of the Russian Federation against Ukraine on February 24, 2022, there was a growing number of collective letters against the war on the Russian Internet. These were signed by scientists, teachers, journalists, filmmakers, painters, poets, musicians, publishers, translators and librarians. The scope of these documents – usually created in a bottom-up and spontaneous manner – was soon limited by the so-called “fake news” law prohibiting the expression of any critical opinion about a “special military operation” that would question the Kremlin’s propaganda message and introduce a penalty of up to 15 years imprisonment for the “public dissemination of deliberately false information about the use of the Armed Forces of the Russian Federation”.² The introduction of the new law along with the withdrawal of many Western companies from Russian territory has led to an unprecedented wave of migration of the Russian middle class (primarily residents of Moscow and St. Petersburg), mainly to Georgia, Armenia and Turkey.³

Unfortunately, this activity, which raises hope in the moral opposition of the Russian intelligentsia to the war, cannot be treated as a vote of the entire Russian intellectual elite against the government. The indirect involvement of many Russian intellectuals in government propaganda against Ukraine and signature of the appeal supporting the war published in the first days of the

¹ Nikolai Berdyaev, “Dukhi russkoi revolyutsii”, in: *Iz glubiny. Sbornik statei o russkoi revolyutsii* (Paris: YMCA, 1967), 96.

² “Prezident podpisał zakony ob. otvetsvennosti za feiki o rabote gosorganov RF za rubezhom”, access 8.02.2023, <http://duma.gov.ru/news/53851/>.

³ “«Pri putinizme my zhit’ ne soglasny». Massovaya emigraciya IT-kadrov”, access 8.02.2023, <https://www.sibreal.org/a/massovaya-emigratsiya-it-kadrov/31797774.html>; “FSB: za pervyi kvartal 2022 iz Rossii vyekhali 3,8 milliona chelovek”, access 8.02.2022, <https://www.sibreal.org/a/fsb-za-pervyy-kvartal-2022-goda-iz-rossii-vyehali-3-8-milliona-chelovek/31837483.html>; “FSB raskryla chislo vyezdov rossian za granitsu. Kak mobilizatsia izmenila napravleniya poezdok”, access 8.02.2023, https://www.rbc.ru/society/05/11/2022/6363d2d49a794742e4a5e6cb?from=-from_main_1.

Russian attack in “Literaturnaya Gazeta” testified rather to the split among Russian intellectuals and their deep division into new “Occidentalists” (opposition) and new “Slavophiles” (followers of the “Russian world” idea). The latter are convinced that “the special military operation, which is currently taking place in Donbass and parts of Ukraine, has long been hanging in the balance. The West continues to try to harm Russia in some way and to denigrate it and ultimately dismember it. There is ample evidence of this: from NATO’s declassified military plans to destroy Russia and the constant piles of lies of American TV channels, to the physical elimination of people opposed to fascist ideology in the Ukraine”.⁴

Despite the strong involvement of the opposition, the narrative suggested by the supporters of a decisive crackdown on Ukraine (and the West) has proved to be more attractive to many Russians. Support in the war meant for a part of the intelligentsia a sign of fidelity to the Russian national identity in the face of “anti-Russian hysteria” and a confirmation of loyalty to the state that represented “Russian values”. For many Russian intellectuals, acceptance of Kremlin propaganda, justifying Russian aggression, shifting blame for it to external factors while rejecting the category of personal responsibility proved to be a means of coping with traumatizing information coming from the Ukrainian front.

The attempt to deny this tragedy and to bring the people closer to the government (*vlast'*), which in the Russian tradition is perceived both as a centre of domination (rule and coercion) as well as a carrier of social order,⁵ may be surprising for some scholars who perceived the Russian intelligentsia as inherently hostile to the Russian authorities. In my opinion, instead of contrasting

⁴ “Kto khochet zhertv? – obrashchenie pisatelei Rossii po povodu special'noj operacii nashej armii v Donbasse i na teritorii Ukrainy”, *Literaturnaya Gazeta*, 23.03.2022, access 7.09.2022, https://lgz.ru/article/-8-6822-23-02-2022/kto-khochet-zhertv/?fbclid=IwAR27z1_PswYs0GaY-ablXZ5_cglyEtEWirkxNKEMxKgMzLC-eR5HQSTQQrRM.

⁵ Roman Bäcker, “Rozumienie Rosji jako zadanie dla teorii polityki”, *Środkowoeuropejskie Studia Polityczne* 2: 5–26, access 3.10.2022, <https://doi.org/10.14746/ssp.2008.2.01>; Aleksandr M. Kantor, “Vlast' i strakh v politicheskoy kulture Rossii”, *My i mir: Psikhologicheskaya Gazeta* 1999, access 8.02.2023, <http://www.gazetamim.ru/mirror/psy&polit/Kantor1.htm>; Olga Nadskakuła-Kaczmarczyk, “Podstawy społecznej akceptacji polityki Władimira Putina”, *Cywilizacja i polityka* 15 (2017): 249–263, access 10.10.2022, https://www.researchgate.net/publication/322778890_Podstawy_spolecznej_akceptacji_polityki_Wladimira_Putina.

“authorities” and “society”,⁶ or interpreting the submission of the intelligentsia solely as fear of repression, it is necessary to reflect on authoritarianism as a positive benchmark for the Russian intelligentsia, both in the past and today. For the Russian intelligentsia of the Late Imperial Russia such a benchmark meant a tendency to seize power by authoritarian methods and bypassing the “philistine” liberal-democratic procedures; in the case of the Soviet intelligentsia it meant recognizing totalitarian government as the realization of intellectual dreams of progress⁷ and for the post-Soviet intelligentsia it meant, as Andrei Sinyavsky put it, “intoxication with joy at the sight of government”⁸ – that is, uncritical admiration for the Russian version of capitalism branded by the government of Boris Yeltsin. Therefore, in my opinion, the intelligentsia’s fascination with unlimited power, which is expressed today in the direct or indirect support of the ongoing war in Ukraine, has its tradition in the whole “long duration” of the Russian intelligentsia.

The attempt to interpret the history of the Russian intelligentsia in the ideological (though not social!) *continuum* makes the reflection that emerged at the beginning of the twentieth century extremely timely. The period between the two Russian revolutions, when self-critical analysis of the intelligentsia tradition was increasing, was a time of extremely intense discussion about its social, political and moral role. Since then, the intelligentsia was not only to ask “cursed questions” about the Russian path of development, attitude towards the West and moral assessment of social progress, but also to conduct a critical reckoning of its own past and redefine its place in Russian society. The “right wing” of the Constitutional Democratic Party was particularly involved in the discussion. This milieu gathered intellectuals who had evolved “from Marxism to idealism”, i.e., from the evolutionary, positivist Marxism of the Second International to Kantian personalism: first philosophical and then religiously grounded. Their critique of the intelligentsia appeared in the form of the collection of essays titled *Landmarks* (*Vekhi*, 1909). It was focused among others

⁶ Richard Pipes, *A Concise History of the Russian Revolution* (New York: Vintage Books. A Division of Random House, Inc., 1996), 21–30.

⁷ Benjamin Tromly, *Making the Soviet intelligentsia: universities and intellectual life under Stalin and Khrushchev* (Cambridge: Cambridge University Press, 2015), 3–12.

⁸ Andriej Siniawski, *Rosyjska inteligencja* (Warszawa: Wydawnictwo „Krytyki Politycznej”, 2014), 32.

on the problem of the intelligentsia's "maximalism", i.e., extreme radicalism and utopianism (Sergei Bulgakov), philosophical ignorance (Nikolai Berdyaev), low level of culture (Semion Frank), and last but not least, complete lack of respect for the state and law (Bogdan Kistyakovski, Petr Struve). The philosophical almanac *Out of the Depth* (*Iz glubiny*, 1918–1921) had a very similar character. The group of authors expressed their opposition to Bolshevism, recognizing it as a consequence of the entire Russian legal culture of the eighteenth and nineteenth centuries.

The Roots of "Legal Nihilism"

Instead of perceiving the current "rapprochement" of the part of the Russian intelligentsia to the Putin government as a kind of "aberration" and a departure from the tradition of its "moral mission", I would like to re-read the criticism of this group, which was made by authors of *Landmarks* and *Out of the Depth*. They criticized the revolutionary traditions of the Russian intelligentsia from the perspective of the adherents to the revival of natural law. Although they accused this group of inability to compromise with "historical power", they went far beyond the current assessment of the political and social situation. They believed that the susceptibility of the intelligentsia to revolutionary slogans was caused not so much by hostility to the Regime, but by their instrumental attitude to the state and law. Their attitude towards successive governments and monarchs was therefore of a historical nature. It related to the rivalry of both these groups to the monopoly on the interpretation of Russian reality. However, as the editors of these volumes claimed, the Russian intelligentsia in fact had much more in common with the representatives of Tsarist autocracy than would result from the hostility felt towards it. A common feature of both was "legal nihilism", an attitude that assumed a distrustful attitude towards rational law, which was treated on the one hand as an instrument of the rule of privileged classes and the sanctioning of unjust social relations, and on the other, as an instrument of undesirable liberalization of society. According to Andrzej Walicki, the idea of law was therefore treated "as something peculiarly Western, or peculiar to capitalism, and condemned for various reasons and from different quarters: in the name of autocracy or

in the name of freedom, in the name of Christ or in the name of Marx, for the sake of higher spiritual values or for the sake of a just distribution of material justice”.⁹ With this awareness, it is easier to understand the Russian intelligentsia’s acceptance of the anti-liberal course of the Old Regime; the authoritarian power of the Bolsheviks bringing mass repression also in the ranks of its own representatives; the justification of the political terror of Joseph Stalin, as well as Leonid Brezhnev’s policy of “tightening the course”. Therefore, the greatest contribution of the *Landmarks* community was the dissemination of the thesis that the Intelligentsia’s criticism of the Russian autocracy did not have to go hand in hand with the condemnation of authoritarian power.

The authors of the *Landmarks* were, as I have already pointed out, mostly associated with the Constitutional Democratic Party. After 1905, this party was considered to be a body combining the main postulates of European liberalism with social rights, anticipating the British New Liberalism and German reformist Social Democracy. Pavel Milyukov, the party leader, was fascinated by the parliamentary system of the United Kingdom, believing that it offered the best opportunity for evolutionary changes towards both greater social justice and the gradual emancipation of the lower strata. At the same time, he understood civil rights in an unorthodox way (outside their economic context) as the possibility of the liberation of every person from both the constraints of unlimited power and the economic oppression of the ruling layers.

In his opinion, in Russia a force analogous to the socially tinged liberalism was moderate populism. Its main exponents were Nikolai Mikhaylovsky and Pyotr Lavrov – supporters of the introduction of socialism by peaceful and democratic methods.¹⁰ The apology of populism was linked with a deep attachment to the heritage of the Russian intelligentsia, which Milyukov considered the only group capable of uncompromising struggle against the Old Regime. During the revolutionary events of 1905–1906, this meant his sup-

⁹ Andrzej Walicki, *Legal philosophies of Russian liberalism* (Oxford: Oxford Clarendon Press, 1987), 11.

¹⁰ Stanisław Górka, “O tendencjach do liberalizacji rosyjskiego socjalizmu oraz do socjalizacji liberalizmu na przełomie XIX i XX wieku”, in: *Filozofia rosyjska wobec problemów modernizacyjnych*, ed. Michał Bohun, Włodzimierz Rydzewski (Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego, 1999), 29–39; Melissa Stockdale, *Paul Milukov and the Quest for a Liberal Russia, 1880–1918* (New York: Cornell University Press, 1996), 85–91.

port for the strategy and struggle against the Tsarist Autocracy “until the final victory”. It assumed solidarity with the entire opposition (in practice, with the entire Russian Intelligentsia) in order to convene a Constituent Assembly to ensure that all residents of Russia would have free elections to the Russian parliament, equal political and civil rights, and a clear separation of executive and legislative powers. The turning point for the Kadet community were the events of the Moscow uprising of 1905 – the attempt to seize power by the Moscow workers’ council (dominated by the Bolsheviks) in order to carry out a full political and social revolution¹¹ accompanied by ruthless terror against all representatives of “old Russia”. Although Milyukov’s party did not support revolutionary violence, it was also completely unable to condemn it. In addition, despite some concessions by Nicholas II (signature of the Fundamental Rights and approval to open the first Russian parliament – the State Duma), it continued the policy of confrontation with the Russian government, which resulted in almost complete paralysis of public life. Moreover, due to the declaration of exclusively peaceful methods of political change, the party leadership was constantly pushed by radical parties to make more expressive statements against state power and was accused of “cowardly opportunism” and lack of readiness to support unequivocally revolutionary actions. Such blackmail made the Kadets afraid to criticize their “friends from the Left” and at every step reminded about the unity of the entire Russian intelligentsia, as the only group capable of real political and social changes in Russia.¹²

As I have already mentioned, awareness of these circumstances appeared among intellectuals associated with the right wing of the Cadet Party – later authors of *Landmarks* and *Out of the Depth*. They were afraid that a submissive and indulgent attitude towards the radical left aimed at exerting pressure on the Tsarist power could result in a dictatorship of unlimited “people’s sovereignty” that was dangerous for individual rights. For this reason, it was not so much the democratic transformation of the political system but the protection of citizens against any abuse, both by state power and society, that was essential

¹¹ Pipes, “A Concise History of the Russian Revolution”, 46–47.

¹² Walicki, “Legal philosophies”, 389–403; Janusz Dobieszewski, “Granice Drogowskazów”, in: *Między reformą a rewolucją. Rosyjska myśl filozoficzna, polityczna i społeczna na przełomie XIX i XX wieku*, ed. Włodzimierz Rydzewski, Anika Ochotnicka (Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego, 2004), 51–64.

for them. The basic tool for this purpose was to be the law, understood as the intrinsic value. Although the idea of combining legal science with an ethical idea brought these thinkers closer to the “classics” of the Russian intelligentsia, they believed that the law has no instrumental role (subservient to the state or a specific social group), but is rather designed to protect the autonomy of the individual threatened by the state. Moreover, they understood this autonomy differently from the populists: they were not interested in the ideal of an “integral person” organically linked to the Russian “people”, but they were convinced that every individual has an undeniable value, impossible to undermine by any social or political system.¹³

In their political and editorial activity preceding the publication of *Landmarks*, they pointed primarily to the need to protect human rights. Instead of limiting their political claims to demanding the implementation of parliamentary rule, they believed that the first priority in Russia was the introduction of the rule of law. They took the view that political rights will not be implemented “automatically” with the change of the Russian political system. In order to ensure respect for them, it was necessary to change the legal culture, i.e., to place a person at the centre of jurisprudence. These opinions were obviously directed towards the intelligentsia as the main force capable of educating the Russian lower classes. As Struve wrote, instead of awakening among the latter “anti-cultural passions” and belief in the “right to seize state power”, the intelligentsia should have shaped among the Russian people an awareness of their rights and a sense of their own subjectivity, both in the individual and collective sense. Only then would the intelligentsia be able to carry out its proper “historical mission”, which was to transform those people into a modern nation, and only then would the “childlike masses of the people” become the subject of rights.¹⁴

¹³ Richard Pipes, *Struve. Liberal on the Right, 1905–1944* (Cambridge, Mass.: Harvard University Press, 1980), 85–86; Pavel Novgorodcev, “Ideya prava v filosofii Vl. Solov’eva”, *Voprosy Filosofii i Psichologii* 1(56) (1901): 124–125; Pavel Novgorodcev, “Nravstvennyj idealizm v filosofii prava”, in: *Problemy idealizma*, ed. Modest Kolerov, 522; Pavel Novgorodcev, *Kant i Gegel’ v ich uchenijach o prave i gosudarstve* (Moscow: Universitetskaya tipografia, 1901), 108.

¹⁴ Petr Struve, “Russkaya ideynaia inteligentsia na rasput’e”, in: *Patriotica Politika-Kultura-Religia-Sotsializm* (St. Petersburg: Izdanie E. Zhukovskogo, 1911), 10–12.

The Kant Personalism as the Antidote to the “Rule of Violence”¹⁵

Reflections on the Russian intelligentsia led Petr Struve to take an interest in the issue of the relationship between liberalism and nationalism. For most Russian intellectuals this was a topic that was taken up very rarely. The problem of “nation” was dominated by supporters of “historical power”. In contrast, Struve was convinced that the very foundation of nationalism was absolute respect for the person – a member of the national community who should be protected by the rule of law. The law created space for a social activity and strengthened the mutual responsibility of individuals and social groups in the “supra-class” dimension.¹⁶ However, as time passed, he came to the conclusion that the threat to the rule of law was not only the power of the old autocracy (with the emperor who stood outside the law), but also the radical claims of the Russian intelligentsia striving to carry out the revolution until full victory. In his article “Intelligentsia and Revolution” published in *Landmarks*, this view was the starting point for his criticism of educated Russians. They were accused of detachment from the state, fanatical anti-capitalism, as well as the negation of any religious idea. These features,¹⁷ as he pointed out, were revealed during the “prehistory” of the intelligentsia – that is, in the times of the famous eighteenth-century “rebellions and sorrows”, which were not so much a struggle for freedom as a striving for full anarchy and tyranny of the majority. Hatred of the state and the passion for freedom had its dark “reverse” in the form of a lack of sense of responsibility for the country and its population. In his opinion, the Russian intelligentsia was the continuator of the eighteenth-century Cossacks. Because it was not “properly formed”, it was unable to fulfill its mission of educating the Russian masses.¹⁸ Struve was convinced,

¹⁵ This section is related to my PhD: M. Przeciszewska, “Dyskusje o rosyjskiej polityce liberalnej. Środowisko partii Konstytucyjno-demokratycznej 1905–1914” (Warszawa, 2014), 132–152, access 8.02.2023, <https://depotuw.ceon.pl/handle/item/455>.

¹⁶ Petr Struve, “K kharakteristike nashego filosofskogo razvitiia”, in: *Problemy idealizma*, ed. Modest Kolerov (Moscow: Tri kvadrata, 2002), 319.

¹⁷ Petr Struve, “Intelligencija i revolyutsia”, in: *Vekhi. Sbornik statej o russkoj intelligencii*, (Moscow: Izdatel'stvo V. M. Sablina, 1909), 139, 146, 150.

¹⁸ Struve, “K kharakteristike nashego filosofskogo razvitiia”, 137–138.

that the “education of the people” should not be practiced in a naïve, optimistic way according to Rousseau naturalism, adopted by socialist doctrines of the Russian intelligentsia, where only external conditions (material existence, social and political system) shape the person. Therefore, it was necessary to return to the religious idea of education, which believes not so much in social constructions (*ustroenije*), but only in creativity and in positive work of man on himself.¹⁹ Such an education, according to Struve, would bring much more benefits than the promotion of revolutionary ideas. The latter had nothing to do with creativity, on the contrary relying only on the need to destroy the “old world”, as it offered basically nothing in return. The consequence of this “education” was evident, revealed during the revolution of 1905 in the form of “two general strikes combined with the revolutionary stimulation of the working masses”. Educated society ascribed its own intentions to the people and idealized it with a goal to “fight against Russian statehood and against the ‘bourgeois’ social system”. As Struve concluded, to this fight “the intelligentsia added a great fanaticism of hatred, a deadly simplicity of arguments and constructions, and not an ounce of religious idea”.²⁰

At this point, it should be noted that for Struve the religious idea did not have a strictly confessional overtone. He was rather close to the Protestant religiosity that arose among English political emigrants in seventeenth- and eighteenth-century America. This religiosity, despite secularization, was based primarily “on the idea of man’s responsibility for himself and for the world”, and its main task was to proclaim the religious autonomy of the individual. Such religiosity was closely related to the Struve’s concept of culture.²¹ According to Struve, the goals and values of the individual were the very foundation of culture understood as a belief that each person should do God’s will by his own effort (*podvig*). This effort however, would never be able to lead to the “materialization of the Kingdom of God”. The latter was beyond the reach of man – it was transcendental.²² As he emphasized, the principle of responsibility distinguished liberalism from ideologies based on the conviction that a per-

¹⁹ Ibidem, 150.

²⁰ Ibidem, 145.

²¹ Petr Struve, “Religia i socyализm”, *Russkaia mysl’* 8 (1909): 150.

²² Pipes, *Struve. Liberal on the Right, 1905-1944*, 97-100.

son should submit to the violence, regardless of whether it was the violence of traditional authority (as in conservatism), or the violence of the “sovereign people”, as in revolutionary socialism.

Bogdan Kistyakovski also made similar accusations against the Russian intelligentsia. His article published in *Landmarks* was primarily intended to answer the question “to what extent the intelligentsia could participate in the legal reorganization of the state, that is, the transformation of our statehood from the rule of violence to the rule of law”.²³ He answered this question with pessimism: in his opinion, Russian intellectual history lacked “even one significant work on the law, while those that were created did not really have any impact on the intelligentsia”. The latter was not interested in the law, criticizing its instrumental use by state power, but at the same time glorifying the “right of the people” to limitless power. Moreover, the intelligentsia was completely alien to the principle of law which protects individuals. In this way, it continued the deplorable tradition of “hide the individual behind the family, the rural community, or the state” and denied the sense of the individual right of its members. It was expressed in an idealization of lawlessness and in the belief that Russia did not need any rule of laws. According to Kistyakovski, the “classical” representative of this view was Nikolai Mikhaylovsky, who believed that “freedom is a great and tempting matter, but we do not want freedom if it – as in Europe – increases our eternal debt to the people”. He emphasized that he sees a contradiction between the implementation of the liberal principle of individual rights and the implementation of socialism. According to Kistyakovski, such a vision of law was also reflected in Russian Marxism.²⁴ Marxists believed that the law was only a reflection of the relations between the world of capital and the proletariat and served the domination of one over the other. Russian Marxists, as Kistyakovski noticed, were not interested at all in the “legal character of the constitutional state”. That fact distinguished them fundamentally from Marxists in Western Europe. All of these factors resulted in the Russian intelligentsia not being interested in the “rule of laws” – inde-

²³ Bogdan Kistyakovsky, “V zashchitu prava”, in: *Vekhi. Sbornik statej o russkoj intelligencii* (Moscow: Molodaya Gvardia, 1991), 129.

²⁴ Ibidem, 115–116.

pendent of both the government and public pressure, and led to an extreme decline in the level of the legal culture in Russia.²⁵

De profundis

Criticism of the Russian intelligentsia was even more decisive in the pages of the philosophical almanac *Iz glubiny* (*Out of the depth*, 1918–1922), published in response to the final collapse of the Russian Empire and the tragic civil war after the Bolshevik *coup d'Etat*. That is the reason it had such an emotional and personal character. Nevertheless, the accusation against both the “Old Regime” and the intelligentsia was extremely sober. It was closely related to the idea that the lack of respect for the law was the main reason of the disappearance of the Russian statehood. According to Nikolai Berdyaev,

The hope that the revolution would reveal the human image in Russia, that the human personality would reach its proper measure after the collapse of the Tsarist autocracy were in vain. All the evil and darkness of our lives have been tried to explain with the autocracy. But in this way, the Russians only threw off the burden of responsibility and learned to live irresponsibly. There is no more autocracy but the Russian darkness and Russian evil remain. [...] There is no longer the old autocracy but despotism still reigns in *Rus'*, there is still no respect for man, for human dignity, for human rights.²⁶

According to the Russian thinker, there were several reasons for this: (1) the lack of identification of Russians with their state; (2) inability to eliminate pathologies existing in the country so that it would be possible to “create and build” a “real, non-illusory social life” and (3) the lack of interest in politics understood as concern for the common good, but the desire to “resolve the problem of the destiny of humanity”.²⁷ Utopian thinking and a complete lack of self-criticism led the Russian intelligentsia to perceive itself as part of a col-

²⁵ Walicki, “Legal philosophies”, 383–389.

²⁶ N. Berdyaev, “Dukhi russkoi revolyutsii”, in: *Iz glubiny. Sbornik statei o russkoi revolyutsii* (Paris: YMCA, 1967), 76.

²⁷ Ibidem, 82.

lective rather than a set of responsible individuals.²⁸ This led to a lack of “moral sanity” and releasing responsibility for this state of affairs “to fate, to history, to authorities, and even to the value of culture” that was not achievable for each person.²⁹

A similar diagnosis was made by Iosif Pokrovsky. His article *The Curse of Perun* started with the thesis that part of the Russian intelligentsia was looking for its ideal outside of practical politics. Instead of acknowledging their imperfection and understanding their obvious mistakes, Russian intellectuals continued to move toward unrealistic goals. Unfortunately, the results turned out to be deplorable:

[...] dreaming of absolute truth, we live in a horrific lie; dreaming of sublime purity, we remain in hopeless moral filth. It is for this reason that we disregard and despise the law. We live in the higher realms of ethics, in the world of the absolute, and we care nothing about the highly relative and imperfect order of human relations that law appears to be. Moreover, many people think that in order to remain consistent, they should reject the law. All legal order, as they say, is based on power and coercion; in its very idea it excludes freedom of choice and therefore contradicts the basic requirements of morality.³⁰

Sergei Kotlyarevsky looked at the reasons for the revolutionary catastrophe from a slightly different perspective. In his opinion, the cause of the collapse of the Russian Empire was the extreme psychologization (subjectification) of the law and the conviction that any norm could be justified or rejected depending on its purpose. In fact, this meant rejection of any norms and principles independent of their subjective evaluation and “tendency to replace the real assessments of facts and actions with approval of our or someone else’s likes and dislikes”.³¹ Unfortunately, the subjective understanding of the law easily justified revolutionary violence and directly led to the belief that “the one is right is the one who is stronger”. Even Russian Marxists convinced of their own “scientificity” and “objectivity”, did not escape the temptation to subjectivize

²⁸ Ibidem, 91.

²⁹ Ibidem, 96.

³⁰ Iosif Pokrovsky, “Perunovo zaklat’e”, in: *Iz glubiny*, 274.

³¹ Sergei Kotlyarevsky, “Ozdorovlenie”, in: *Iz glubiny*, 218.

the law. They assumed that law and morals were merely “ideological superstructures” that “abolished all normative significance” because each act was to be considered solely from the point of view of class interest.³²

For this reason, the only solution should be to change attitudes toward the law. According to the Russian lawyer, this meant the adoption of three fundamental assumptions: (1) the law should always prevail over interest; (2) the law is always formed on the basis of ideas about morality and thus results from the belief in ethical duty; (3) respect for the law is a guarantee of preventing conflicts between antagonized social groups, because only the law can be treated as a supra-class instance deciding on the legitimacy of someone’s claims.³³

The lack of respect for the law (even as imperfect as it was in the Romanov Empire) went hand in hand with the lack of respect for the state. In the article “Historical meaning of the Russian Revolution and the national tasks”, Petr Struve recalled the “unfortunate days” of October 1917. He was convinced, that the principal cause of the revolution was the tradition of political disengagement of the Russian elite. The intelligentsia, alienated from the state, did not feel responsible for it in any way because it was deprived of any “active and responsible participation in political life”, as well as the possibility of law-making and became increasingly alienated from the state. For this reason, it “fell prey to all kinds of abstractions”. However – he believed – Russian intellectuals were not only the culprits but also the victims. “They acted that way, because the monarchy, jealous of its monarchical prerogatives, denied them any possibilities that would have taught her different political habits”. In short, “the political and spiritual uprooting” of the intelligentsia “became the spark that ignited the revolution”.³⁴

³² Ibidem, 219.

³³ Ibidem, 217–219.

³⁴ Petr Struve, “Istoricheskii smysl russkoi revolyutsii i nacional’nye zadachi”, in: *Iz glubiny*, 292–298; Pipes, *Struve. Liberal on the right, 1905–1944*, 297–300.

Summary

Although the continuity of the Russian intelligentsia was broken in the dramatic events of the Russian Civil War (1918–1922) and during the Bolshevik and Stalin repressions, the Soviet intellectuals carried over some elements of the old intelligentsia ethos. They believed in a “civilizational mission” toward Soviet society, a striving towards “unlimited” social progress and the belief that they are the custodians of the national culture, including the elite culture. It meant of course entering into relationship with the Soviet authorities. The latter were perceived in an ambivalent way. On the one hand, the intelligentsia saw in Soviet rule the realization of dreams of a Marxist *Zukunftstaat* – a state of the future, the “fulfilment of history”. On the other hand, they were well aware of the regime’s mistakes and even crimes. As the eminent Russian dissident Andrei Sinyavsky proved, such an attitude towards the authorities did not change with the collapse of the Soviet Union and continues to this day. Under Boris Yeltsin, this generally meant a fascination with Western democracy and capitalism, while with Vladimir Putin the intelligentsia turned to great-power and chauvinist tendencies. The outbreak of war in Ukraine was the result of the culmination of such tendencies. According to many Russian intellectuals, Russia was “pushed” into this war because it “had no choice” other than to defend itself against “Western imperialism”. For this reason, part of the Russian intellectual elite, regardless of the (possible) sympathy for the victims of the aggression, supported this war.

It is not difficult to notice that the arguments used to justify the attack on Ukraine were subjective and appealing to collective resentments. Assuming that the main reason for the Russian Revolution was a lack of respect for the law and an indifferent attitude toward the state, *Landmarks* seems extremely timely. As in times of revolutionary chaos, the part of contemporary Russian intelligentsia is also distrustful of law, both civil and international, treating it simply as an instrument of Western domination. Consequently, the idea of human rights, popular among the Russian elite in the 1990s, is perceived today merely as a tool for the subordination of Russia to Western Europe and the United States. The law is therefore not treated as an autonomous value serving the interests of Russian citizens, but as a means of destruction of national unity and the Russian state. Instead of fighting for individual rights,

the intelligentsia – as Bogdan Kistyakovski wrote in 1909 – continues the tradition of “hiding the individual behind the state”, which both then and today means the idealization of lawlessness in the name of reborn empire, with an accompanying “right” to violate the fundamental norms of international law.

References

- Bäcker Roman. 2008. “Rozumienie Rosji jako zadanie dla teorii polityki”, *Środkowo-europejskie Studia Polityczne* 2: 5–26. Access 03.10.2022. <https://doi.org/10.14746/ssp.2008.2.01>.
- Berdyaev Nikolai. 1967. “Dukhi russkoi revolyutsii”. In: *Iz glubiny. Sbornik statei o russkoi revolyutsii*, ed. Petr Struve, 67–106. Paris: YMCA.
- Dobieszewski Janusz. 2004. “Granice Drogowskazów”. In: *Między reformą a rewolucją. Rosyjska myśl filozoficzna, polityczna i społeczna na przełomie XIX i XX wieku*, ed. Włodzimierz Rydzewski, Anika Ochotnicka, 51–64. Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego.
- “FSB raskryla chislo vyezdzov rossian za granitsu. Kak mobilizatsia izmenila napravleniia poezdok”. Access 8.02.2022. https://www.rbc.ru/society/05/11/2022/6363d-2d49a794742e4a5e6cb?from=from_main_1.
- “FSB: za pervyy kvartal 2022 iz Rossii vyezhali 3,8 milliona chelovek”. Access 8.02.2022. <https://www.sibreal.org/a/fsb-za-pervyy-kvartal-2022-goda-iz-rossii-vyehali-3-8-milliona-chelovek/31837483.html>.
- Górka Stanisław. 1999. “O tendencjach do liberalizacji rosyjskiego socjalizmu oraz do socjalizacji liberalizmu na przełomie XIX i XX wieku”. In: *Filozofia rosyjska wobec problemów modernizacyjnych*, ed. Michał Bohun, Włodzimierz Rydzewski, 29–39. Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego.
- Kantor Aleksandr M. 1999. “Vlast’ i strakh v politicheskoy kulture Rossii”, *My i mir: Psikhologicheskaya Gazeta*. Access 8.02.2023. <http://www.gazetamim.ru/mirror/psy&polit/Kantor1.htm>.
- Kistyakovsky Bogdan. 1991. “V zashchitu prava”. In: *Vekhi. Sbornik statei o russkoy intelligencii*, ed. Mikhail Gershenzon, 109–135. Moscow: Molodaya Gvardia.
- Kotlyarevsky Sergey. 1967. “Ozdorovlenie”. In: *Iz glubiny. Sbornik statei o russkoi revolyutsii*, ed. Petr Struve, Paris: YMCA.
- “«Kto khochet zhertv»? – obrashchenie pisatelei Rossii po povodu special’noy operatsii nashey armii v Donbasse i na teritorii Ukrainy”. *Literaturnaya Gazeta*, 23.03.2022. Access 7.09.2022. <https://lgz.ru/article/-8-6822-23-02-2022/kto-khochet-zhert->

- v/?fbclid=IwAR27z1_PswYs0GaYablXZ5_cglyEtEWirkxNKEMxKgMzLC-eR-5HQSTQQRm.
- Nadskakuła-Kaczmarczyk Olga. 2017. "Podstawy społecznej akceptacji polityki Władimira Putina". *Cywilizacja i polityka* 15, 249–263. Access 10.10.2022. https://www.researchgate.net/publication/322778890_Podstawy_spolecznej_akceptacji_polityki_Wladimira_Putina.
- Novgorodcev Pavel. 1901. "Ideja prava v filosofii Vl. Solovieva". *Voprosy Filosofii i Psichologii* 1(56): 112–129.
- Novgorodcev Pavel. 1901. *Kant i Gegel' v ich uchenijach o prave i gosudarstve*. Moscow: Universitetskaya tipografia.
- Novgorodcev Pavel. 2002. "Nravstvennyj idealizm v filosofii prava". In: *Problemy idealizma*, ed. Modest Kolerov, 505–574. Moscow: Tri kvadrata.
- Pipes Richard. 1980. "Break with the Intelligentsia". In: Richard Pipes, *Struve. Liberal on the Right, 1905–1944*, 65–114. Cambridge, Mass.: Harvard University Press.
- Pipes Richard. 1980. "What Happened". In: Richard Pipes, *Struve. Liberal on the Right, 1905–1944*, 297–320. Cambridge, Mass.: Harvard University Press.
- Pipes Richard. 1996. "The Agony of the Old Regime". In: Richard Pipes, *A Concise history of the Russian Revolution*, 3–97. New York: Vintage Books. A Division of Random House, Inc.
- Pokrovsky Iosif. 1967. "Perunovo zaklat'e". In: *Iz glubiny. Sbornik statei o russkoi revolyutsii*, ed. Petr Struve, 269–284. Paris: YMCA.
- "Prezident podpisal zakony ob. otvetsvennosti za feiki o rabote gosorganov RF za rubezhom". Access 8.02.2023. <http://duma.gov.ru/news/53851/>.
- Przeczyszewska Maria. 2014. "Dyskusje o rosyjskiej polityce liberalnej. Środowisko partii Konstytucyjno-demokratycznej 1905-1914". Warszawa. Access 8.02.2023. <https://depotuw.ceon.pl/handle/item/455>.
- Siniawski Andriej. 2014. *Rosyjska inteligencja*. Warszawa: Wydawnictwo „Krytyki Politycznej”.
- Stockdale Melissa. 1996. *Paul Milukov and the Quest for a Liberal Russia, 1880–1918*. New York: Cornell University Press.
- Struve Petr. 1909. "Religia i socyalizm". *Russkaja mysl'* 8: 148–156.
- Struve Petr. 1911. "Russkaja idiejnaja intielligencija na rasput'je". In: Petr Stuve, *Patriotica Politika-Kultura-Religia-Sotsializm*, 7–12. Saint Peterburg: Izdanie E. Zhukovskogo.
- Struve Petr. 1967. "Istoricheskii smysl russkoi revolyutsii i nacional'nye zadachi". In: *Iz glubiny. Sbornik statei o russkoi revolyutsii*, ed. Petr Struve, 285–306. Paris: YMCA.
- Struve Petr. 1991. "Intelligencija i revolyutsia". In: *Vekhi. Sbornik statej o russkoj intelligencii*, 136–152. Moscow: Molodaya Gvardia.

- Struve Petr. 2002. "K kharakteristike nashego filosofskogo razvitiia". In: *Problemy idealizma*, ed. Modest Kolerov, 319–340. Moscow: Tri kvadrata.
- Tromly Benjamin. 2015. *Making the Soviet intelligentsia: universities and intellectual life under Stalin and Khrushchev*. Cambridge: Cambridge University Press.
- Walicki Andrzej. 1987. "Bogdan Kistiakovsky and the Debate about the Intelligentsia". In: *Legal philosophies of Russian Liberalism*, 342–403. Oxford: Oxford Clarendon Press.
- Walicki Andrzej. 1987. "The Tradition of the Censure of Law". In: *Legal philosophies of Russian Liberalism*, 9–104. Oxford: Oxford Clarendon Press.
- Zakharova Nina. 2022. "Pri putinizme my zhit' ne soglasny. Massovaya emigraciia IT-kadrov". Access 8.02.2023. <https://www.sibreal.org/a/massovaya-emigratsiya-it-kadrov/31797774.html>.