

PHILOSOPHICAL REFLECTION ON HISTORIOGRAPHICAL AND PROSPECTIVE TASKS OF CONTEMPORARY PUBLIC LAW

Collection of Scientific Papers
Based on the Outcomes
of the Second International Scientific Conference
to Mark the 80th Anniversary
of the Soviet Victory over Nazi Germany
(Ekaterinburg, November 10, 2025)



Ural Branch of the Russian Academy of Sciences
Institute of Philosophy and Law,
Ural Branch of the Russian Academy of Sciences
Institute of State and Law, Russian Academy of Sciences

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Editor-in-Chief V.N. Rudenko



Ekaterinburg – 2025

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P 57 Philosophical Reflection on Historiographical and Prospective

Tasks of Contemporary Public Law : Collection of Scientific Papers Based on the Outcomes of the Second International Scientific Conference to Mark the 80th Anniversary of the Soviet Victory over Nazi Germany (Ekaterinburg, November 10, 2025) / Editor-in-Chief V.N. Rudenko; Ural Branch of the Russian Academy of Sciences; Institute of Philosophy and Law, Ural Branch of the Russian Academy of Sciences; Institute of State and Law, Russian Academy of Sciences. – Ekaterinburg: Institute of Philosophy and Law, Ural Branch of the Russian Academy of Sciences, 2025.– 360 pp.

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This collected volume of scholarly works has been prepared following the Second International Scientific Conference "Philosophical Reflection on Historiographical and Prospective Tasks in Contemporary Public Law" (Ekaterinburg, November 10, 2025). The published studies explore various aspects of Russia's historiographical model of political and legal thought, examining prospective directions and resources for consolidating the civilizational, national, and regional identity of Russian society. Particular attention is given to the philosophical and political-legal dimensions of establishing a Russian cultural-civilizational canon. The contributions present research findings on public-legal and value-institutional mechanisms that reinforce the resilience of the Russian state amid the evolving challenges of a multipolar world. The volume includes scholarly and practical proposals, along with expert recommendations intended for specialists, federal and municipal legislative and executive authorities, as well as institutions and organizations engaged in public law, legal philosophy, political science, and social historiography.

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Ideological, axiological and legal discourses around the formation of the Russian nation: The Second International Conference in the Urals

Preface by the Editor-in-Chief

On November 10, 2025, the Second International Scientific Conference “Philosophical Understanding of Historiographic and Prospective Tasks of Contemporary Public Law”, dedicated to the 80th anniversary of Victory in the Great Patriotic War of 1941–1945, was held in Ekaterinburg at the Ural Branch of the Russian Academy of Sciences. The conference was organised by the Institute of Philosophy and Law of the Ural Branch of the Russian Academy of Sciences, the Institute of State and Law of the Russian Academy of Sciences, and the Ural Branch of the Russian Academy of Sciences.

The conference was held as part of the second year of implementation of the scientific project “Creating a Russian historiographical model of political and legal knowledge and its application for the development of prospective means of counteracting ideological distortions of the civilisational development of Russia”, carried out with the financial support of the Ministry of Education and Science of Russia (agreement of 12 July 2024 No. 075-15-2024-639).

The stated problem seems particularly relevant at the current stage of development of the Russian state. It is associated with strengthening Russia’s scientific and cultural sovereignty in a changing global world.

The following issues and areas were discussed at the conference:

- Historiographic problems associated with applying the civilisational approach in political and legal studies;
- Models for the reconstruction of political and legal knowledge and methods of their analysis;
- Mechanisms for the political and legal regulation of values and institutions that ensure the effective reproduction and social cohesion of the Russian civic nation;
- Features and contradictions of the formation of a general civil narrative in the public sphere;
- Development of Russian political and legal culture;
- Ideological distortions in existing historiographic models and methods for the protection of historical truth.

The direct aim of the conference was to apply developed theoretical and methodological approaches to a broad range of problems related to the need to enhance the civic Russian narrative as a means of protecting the Russian legal and ideological sphere from the destructive impact of ideological discourses that distort the consolidating Russian national-cultural identity.

Approximately 80 researchers from research organisations and higher education institutions participated in the conference, including representatives from the Institute of State and Law of the Russian Academy of Sciences, the Institute of Philosophy and Law of the Ural Branch of the Russian Academy of Sciences, the Institute of History and Archaeology of the Ural Branch of the Russian Academy of Sciences, the V.F. Yakovlev Ural State Law University, the Institute of Philosophy of the National Academy of Sciences of Belarus (Minsk), the University of Belgrade (Serbia), the Abylai Khan Kazakh University of International Relations and World Languages (Kazakhstan), the Institute of Humanitarian Research of the Ural Branch of the Russian Academy of Sciences, the Ufa University of Science and Technology, the Russian State Agrarian University – Timiryazev Moscow Agricultural Academy, the Saratov State Law Academy, the Udmurt Branch of the Institute of Philosophy and Law of the Ural Branch of the Russian Academy of Sciences, and others.

The conference encompassed the direct participation of scholars from Belarus, Kazakhstan and Serbia. The geography of Russian participants was represented by the following cities: Moscow, Yekaterinburg, Izhevsk, Omsk, Perm, Saratov, Ufa, Chelyabinsk. The event was held in the format of three plenary sessions, each of which was moderated by a separate moderator. The plenary sessions were devoted to the following areas: “Values of the Philosophy of Law: Contexts of Reinterpretation” (moderator – V.S. Martyanov, Doctor of Political Sciences), “Historiography and Prospects for the Development of Modern Public Law” (moderator – S.V. Malikov, Doctor of Law), “Interdisciplinary Integration of Contemporary Public Law: Problems and Solutions” (moderator – N.V. Pankevich, Candidate of Political Sciences).

During the discussions, considerable interest was aroused by ***the problem of the formation of the Russian civic nation and its civilisational identity***. Within its framework, some aspects of the development of the civilisational approach in Russian philosophy were examined. An original thesis was formulated, according to which a much narrower circle of authors than is usually considered can be attributed to the actual civilisational direction in Russian philosophy and history. According to Candidate of Philosophical Sciences R.R. Vakhitov, only N.Y. Danilevsky and V.I. Lamansky can be considered as proponents of the civilisational approach “in its purest form” due to their non-dialectical approach, adherence to positivism and rejection of the universality of humanity.

Various opinions were expressed regarding the formation of the Russian civic nation. For example, it was argued that the failure

to form a unified Russian civic nation can be equally attributed to the Bolsheviks as to the tsarist regime that preceded them. Due to the fact that this civic entity only began to take shape during the post-Soviet period, it becomes rather difficult to talk about the traditional values of the Russian nation. Therefore, the Russian Federation remains, at best, a *deferred* civic nation (according to Doctor of Political Science V.S. Martyanov). The incipient common civic identity, for which the culture of the nation-forming majority is a practical necessity, remains largely structured by a spectrum of institutionally entrenched particular identities, which are often in conflict with each other and with the culture of the majority (among which regional identities should be included). However, as research by another conference participant (Doctor of Political Sciences M.V. Nazukin) argues, the institutionalisation of regional identity does not necessarily threaten the general civic identity, but, on the contrary, creates a favourable basis for the use of identity resources in the development of both regions and the country as a whole.

Special attention was paid to the demographic factors underlying Russian civilisational development during the 20th century. In particular, the factors that twice led to a change in the political system in the country were highlighted: agrarian overpopulation and the predominance of youth as a factor in the destabilisation of the political system of the Russian Empire at the final stage of its development; the role of urbanisation as a key process of the Soviet era was reflected (Candidate of Historical Sciences V.T. Sakaev).

In connection with the factors listed above, ***ideological and axiological aspects of the formation of the Russian civic nation acquire great significance***. As part of the reconstruction of the value coordinates of Russian civilisation, three groups of traditional values were identified: personal, social and state values. It was substantiated that state and social values are organically linked with the high personal value of spiritual freedom (Doctor of Philosophy A.L. Anisin). Russia's current civilisational path was also interpreted in the context of a modern interpretation of Russian religious personalistic philosophy. The latter is contrasted with modern Western individualism, which contributes to fragmentation and the disintegration of the common cultural space. However, the Western axiological sphere should not be reduced to a triumph of individualism, since the true picture is far more multidimensional and complex. Developing this theme, a comparative analysis of American and Russian traditional values reveals, despite all the differences in their historical genesis, a common modern background (Doctor of Political Sciences L.G. Fishman).

Of particular interest was the excursus into the history of philosophical reflection on the ideological transformations of Russian society. A conclusion was presented about the demonstration by the philosophical community of various reactions to the active state-supported processes of re-ideologisation in Russia: from escapism and fears

of total re-ideologisation to participation in the discussion of national issues (Candidate of Social Sciences I.V. Suslov).

The present clash with the West raises the issue of ***Russia's defence of its values and identity in the face of ideological discourses that are clearly hostile to it***. Against this backdrop, the radicalisation of Russia's image in Europe was analysed. The role of historiographic strategies in the formation of European identity was considered through the prism of the "Russian question". It was shown that Eastern Europe's current role as the most significant mnemonic actor consists in an instrumentalisation of the resource of historical trauma for the purposes of nation-building (Candidate of Political Science N.V. Pankevich). In this way, the current confrontation with Russia can be concluded to be a consequence not so much of current pragmatic interests or geopolitical confrontation as of deep processes of identitarian division, within which historiography becomes a significant instrument of exclusion. The theme of Russia's exclusion from the European cultural space is closely connected to the broader issue of "cancellation", to which Russia and Russian culture have repeatedly been subjected in the West. However, practices and discourses of cancelling large communities can be used to clarify certain aspects of the manifestation of collective responsibility in the changed socio-political conditions (Doctor of Philosophy O.V. Golovashina).

Participants also focused on ***current issues in the history and theory of both Russian and foreign law***. A number of publications and speeches are devoted to various issues arising in the conception of public law.

In particular, public law and its historiography were examined from the perspective of contemporary logic of meaning-making. From the perspective of a discipline's content and socio-practical significance, it was shown that the theory of public law can only be effective when grounded in historically-specific logics of meaning-making that unfold across the entirety of phenomena arising within a national culture (Doctor of Law V.S. Gorban). The prospects for introducing a historiographic model of political and legal knowledge in Russian legal education were also analysed. It was concluded that courses on philosophy of law must be structured on the basis of a combination of the chronological principle and the identification of paradigms of views with an emphasis on Russian philosophy of law (Candidate of Law V.V. Rudenko). Assumptions were formulated about the future transformation of private and public law in the context of changing the economic paradigm underlying Russian society. Thus, for example, in the ideological structure of scientific specialities that has developed in Russian jurisprudence, which is not based on basic economic needs, it can be assumed that specialists in the field of labour law will be distributed among different councils. Measures for preventing such a development were proposed (Doctor of Law S.Yu. Chucha). Issues of an interdisciplinary nature were also considered. Among them are the problem of separation of powers

in public law from the point of view of the Boolean algebra of natural law, epistemological characteristics of judicial knowledge in civil proceedings (Doctor of Philosophy V.O. Lobovikov).

The conference participants also paid attention to certain aspects of Russian and Soviet legal history. A number of aspects of the scholarly legacy of Academician A.V. Venediktov were analysed to draw conclusions about the thinker's contribution to the theory of property rights under socialism (state socialist property), the definition of the essence of a legal entity in Soviet law, and the study of the organisational and legal aspects of the economic activities of state enterprises. The work of A.V. Venediktov had a significant influence on the development of domestic legal thought and on the formation of Soviet civil and commercial legislation (Doctor of Law A.V. Gabov). An analysis of the scientific heritage of Alexey Andreevich Blagoveshchensky, one of the prominent representatives of the historical school of law in Russia, was presented. Blagoveshchensky's ideas about comparative law were discussed in terms of the definition of diachronic comparativistics he formulated as part of a methodology for conducting comparative legal research (Doctor of Law S.V. Malikov, Doctor of Law A.I. Chuchaev).

The contribution to the development of criminology made by the Russian criminal anthropological school of the late 19th – early 20th centuries, which developed the ideas of Cesare Lombroso, was considered. It was shown that in the Soviet era criminal anthropology became the object not so much of impartial research as of distorted and ideologically biased interpretations or simple silence (Doctor of Philosophy V.Yu. Vasechko).

Some of the presentations were devoted to ***phenomena accompanying the process of formation of modern societies***. Global civilisational trends and challenges accompanying the formation of a new sociality in the digital age were analysed on the example of Belarus. The new sociality was considered taking into account the changes occurring at the state-administrative, socio-economic, socio-cultural and subject-anthropological levels (Candidate of Philosophy A.A. Lazarevich). The politics of impressions was considered as a system of discourse methods for constructing, interpreting and promoting images (pictures) of political reality aimed at forming emotional and sensory ideas about political phenomena in the mass consciousness as determined by certain communicative attitudes. The analysis revealed a close relationship between the politics of impressions and the politics of post-truth and post-journalism (Doctor of Political Sciences O.F. Rusakova).

As part of the conference, a seminar with youth participation was held: "Interdisciplinary Perspectives in Political and Legal Research: Historiography, Identity, Civilisation". The round table was moderated by Candidate of Political Science E.A. Vakhrusheva and Candidate of Philosophy E.S. Kochukhova. The round table discussed a range of interdisciplinary issues similar to those discussed in the plenary sessions. In particular, an analysis was conducted of the methodological

foundations and theoretical concepts of the civilisational approach in domestic and Western historiography (L.Z. Bagandova). Reports were presented on the legacy both of relatively recent times, in particular, the legal views of N. Pulanzas (Candidate of Law A.K. Duben), and the ancient legal views of the Holy Apostle Paul (Candidate of Law A.V. Nersesyants). Of no less interest to the conference participants was the study of the search for ways in which a state can protect its national identity that are acceptable from the point of view of international law. The most high-profile cases adjudicated in recent years by the European Court of Human Rights connected with issues of protecting historical memory and traditional values were the subject of evaluation. It was concluded that the effectiveness of protecting national identity is determined not by the principled position of the state in terms of the regularity or categorical nature of its objections, but rather by the effectiveness of its participation in international legal communication, including judicial proceedings. In addition, the historiographical contexts of the issues of criminal-legal protection of the family were discussed (Candidate of Law A.V. Kapustina). Participants and listeners also learned about China's experience in developing mechanisms for protecting historical truth, which contribute to the formation of the historical memory of the Chinese nation along with the strengthening of national identity (Candidate of Law A.S. Konopiy).

While many of the papers presented at the conference are of a speculative nature, they all form a useful basis for taking another step towards implementing the outlined scientific aims. Following the conference, the resolution of the Second International Scientific Conference "Philosophical Understanding of the Historiographic and Prospective Tasks of Modern Public Law" was published in the presented collection. It includes scientific and practical proposals and expert recommendations for specialists, federal, state and municipal legislative and executive authorities, interested institutions and organisations.

With respect and best wishes to all authors and readers,
Academician of the Russian Academy of Sciences

V.N. Rudenko

Values of Legal Philosophy: Contexts of Reevaluation

UDC 130.2

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Civilizational Thought in Russian Philosophy: Beyond Hegelianism, Toward Structuralism (Danilevsky, Lamansky, Trubetskoy)

Abstract. This article examines the civilizational approach in Russian philosophy. In the West, this approach was first formulated in the 19th century by historian Heinrich Rückert and later developed by Oswald Spengler and Arnold Toynbee. According to their perspective, there is no singular universal civilization or history; rather, humanity consists of distinct local cultures and civilizations, each following its own developmental path. Those who founded the civilizational approach in Russian philosophy are mistakenly considered to be early Slavophiles. While Slavophiles were indeed influenced by Georg W.F. Hegel, they upheld a universalist view of history, merely positing that historical progress would not culminate with the German people but would instead extend to the Russians as the next historical nation. The first true representative of the civilizational approach in Russia was Nikolay Danilevsky. In his theory of cultural-historical types, he rejected the notion of a unified human history or humanity as a singular subject, grounding his argument in the metaphysics of nominalism and a positivist-rationalist methodology. Danilevsky's follower, Vladimir Lamansky, likewise employed a positivist approach, which contributed to the further decline of neo-Slavophilism. By contrast, Nikolai Trubetskoy, the founder of Eurasianism, applied not a positivist but a structuralist

method – effectively, a modified dialectic – to philosophy and cultural history. This allowed him to successfully theorize the assemblage of peoples into distinct cultural-geographical worlds. However, the limitations of his dialectical framework became apparent in his outright denial of humanity as a unified entity.

Keywords: civilizational approach; dialectical understanding of history; positivism; structuralism; humanity; Hegel; Slavophiles; Danilevsky; Lamansky; Trubetskoy; Eurasianism

Relevance of the Problem, Purpose of the Article. During the Soviet period, Russian philosophy was dominated by the formational approach, characteristic of official Soviet Marxism. Any attempt to analyze the particularities of non-European civilizations – even within the Marxist paradigm (such as debates on the “Asiatic mode of production”) – was firmly suppressed by the Communist Party leadership, as such discussions were viewed as dissent and a critique of “real socialism”. It is hardly surprising, then, that after the USSR’s collapse, the previously ostracized civilizational approach gained immense popularity and was embraced by a significant portion of the philosophical community – many of whom were former “unwilling Marxists”. At the same time, it must be acknowledged that throughout the 1990s and even partially in the 2000s, the civilizational approach retained an aura of *oppositonality*. The philosophical foundation for liberal reforms in early post-Soviet Russia was rooted in various iterations of American modernization theory, which posited Russia as a nation lagging behind the West due to specific historical-cultural factors. According to these views, Russia’s task was to “catch up” with the leader of global progress rather than nurture its supposed “uniqueness”, which was frequently cited as a key reason for its backwardness.

The realization that this “catch-up modernization” was a losing proposition led to the rise of the *clash of civilizations* theory (a more rigid version of the civilizational approach) as the intellectual mainstream in Russia during the 2010–2020 period. Unfortunately, this perspective often took on overly simplistic forms. Once again, the civilizational approach risked becoming a caricature – not as an object of critique, as in Soviet times, but as an almost official political philosophy. This makes an objective scholarly analysis of the civilizational approach all the more pressing,

particularly within domestic philosophy¹. In our view, it is crucial to elucidate methodological foundations and the evolution of Russian interpretations for this approach, which is precisely the focus of this article. We will examine how Nikolai Danilevsky's positivist theory of *cultural-historical types* emerged from earlier *Slavophile* and dialectical historiography, how it was developed by his disciple Vladimir Lamansky, and what methodological revolution led to its eventual displacement by the *Eurasianism* of Nikolai Trubetskoy and Pyotr Savitsky.

What is the Civilizational Approach, and is it Linked to the Slavophiles in Russia? Before proceeding – and to avoid falling prey to Bacon's *idol of the marketplace* – it is essential to establish clear definitions. The civilizational approach today is characterized as a school of thought in the philosophy of history that examines history as the coexistence of distinct, internally coherent types of civilizations, where each civilization develops according to its own unique laws and there exists no mutual conditioning, continuity, or sustained forms of cultural exchange between separate cultural-historical wholes that would meaningfully shape their internal structures. From the perspective of the civilizational approach, there is no universal human history, nor does humanity constitute an integral whole; rather, it is merely the sum of local civilizations (or cultures). Thus, the civilizational approach stands in opposition to universalist conceptions of history, such as: the Christian philosophy of history (originating in St. Augustine's *The City of God*); Georg W.F. Hegel's idealist philosophy of history; and of course, Karl Marx's formational theory; as well as 20th-century modernization theories. As one scholar notes, the civilizational approach is antithetical to the formational and modernization paradigms, both of which proceed from the assumption that every social

¹ For an attempt at such a review, but not reaching the Eurasians, see: Panchenko A. *Supranationalism in the Era of Nationalism: a Civilizational Approach from N.Ya. Danilevsky to the V.I. Lamansky*, 31.03.2021, available at: <https://politconservatism.ru/arhiv-publications/nadnatsionalizm-v-epohu-natsionalizma-tsvivilizatsionnyj-podhod-ot-n-ya-danilevskogo-dov-i-lamanskogo> (accessed September 02, 2025). (in Russ.).

² Gutov E.B. Cultural and Historical Types Theory (Civilizational Approach), V.E. Kemerov (eds.), *Modern Philosophical Dictionary*, 2nd ed., corr. and augm., London et al., Panprint, 1998, pp. 433–440. (in Russ.).

phenomenon primarily reflects a certain stage in the development of a unified civilization³.

Unlike universalist theories, the civilizational approach is relatively recent in origin. Its emergence is often attributed to the German historian Heinrich Rückert (1823–1875), who was the first to reject the notion of a single human civilization, instead dividing it into five principal cultural types (ger. *Kulturtypen*): Germanic-Christian (Western European); Eastern Christian (Slavic); Arabic (Islamic); Indian, and Chinese (McMaster 1995: 61, 63, 65–66). The most prominent Western proponents of the civilizational approach include Oswald Spengler and Arnold Toynbee, while its founder in Russia was Nikolai Yakovlevich Danilevsky. His critics (particularly Vladimir Solovyov) accused him of merely echoing Rückert's ideas⁴, though likely without justification. Nikolai Strakhov demonstrated that Danilevsky arrived at his conclusions independently, noting that Danilevsky had not even read or been aware of Rückert's work⁵. Danilevsky's ideas were later developed by Vladimir Lamansky, who, in turn, influenced the Russian *Eurasianists* – Pyotr Savitsky, Nikolai Trubetskoy, and others.

Nikolai Danilevsky is often labeled a *neo-Slavophile* and associated with the tradition of the early *Slavophiles* (Alexei Khomyakov, Konstantin Aksakov, Ivan Kireevsky, etc.). However, in the context of the civilizational approach, we observe a clear divergence rather than continuity. The *Slavophiles* adhered to a universalist understanding of history. Alexander Kizevetter, a historian, aptly noted that the Slavophiles, much like the Westernizers, were Hegelians and they firmly upheld the unity of the world-historical cultural process (Kizevetter 1993: 273–274). According to Hegel's philosophy of history, a universal human idea unfolds progressively across historical epochs, each manifesting a distinct aspect of this idea.

³ Mezhuhev B.V. The Civilizational Approach, *The Great Russian Encyclopedia*, available at: <https://bigenc.ru/c/tsivilizatsionnyi-podkhod-0d3333?ysclid=mei9hexjna143619420> (accessed September 02, 2025). (in Russ.).

⁴ See: Strakhov N.N. *Historical Views of G. Rückert and N. Danilevsky*, available at: [https://ru.wikisource.org/wiki/Исторические_взгляды_Г._Рюккерта_и_Н._Я._Данилевского_\(Страхов\)](https://ru.wikisource.org/wiki/Исторические_взгляды_Г._Рюккерта_и_Н._Я._Данилевского_(Страхов)) (accessed September 02, 2025). (in Russ.).

⁵ Ibid.

Hegel identified three such epochs: the ancient Eastern, the Greco-Roman (classical antiquity), and the Germanic-Christian (spanning the Middle Ages and the modern era). In each epoch, only certain nations assume historical significance, embodying humanity at large. It is thus the revelation and actuality of its essential and completed essence, whereby it becomes to the outward eye a universal spirit – a world-mind (Hegel 1977: 365-366). This is the dialectic of history: *particular* (a nation) reveals *universal* (a human), not as an abstract, impoverished logical category, but as a *concrete-universal*, rich in meaning. Hegel, famously, regarded the German nation as the final historical nation.

The *Slavophiles* fully embraced this historiosophical framework. Alexei Khomyakov, in his polemics against the *Westernizers*, argued that universal cannot exist without national: “Service to nationality is, in the highest degree, service to the universal human cause. <...> The pan-European, the universal!.. Yet it never appears in an abstract form. Everywhere, it is alive, everywhere it is national” (Khomyakov 1900: 229-230). Moreover, following Hegel, they acknowledged the Germans as the historical people of their own era – only differing in their belief that this epoch would not be the final one. They anticipated a subsequent Slavic epoch, with the Russian people inheriting the mantle of the universal idea. Thus, the early *Slavophiles* cannot be classified as adherents of the civilizational approach, despite later proponents frequently claiming them as intellectual forebears. As defined earlier, the civilizational approach rejects the notion of humanity as a *concrete-universal*. For its theorists, humanity is merely an arithmetic sum of civilizations – discrete, unconnected entities – rendered as an abstract, general concept. This shift reflects an abandonment of dialectics in favor of a positivist, metaphysical view – a transition exemplified by the post-1860s *neo-Slavophiles*.

The 1850s marked a profound shift in Russian philosophy. The generation shaped by German idealism and French conservatism gave way to a new cohort influenced by Western materialism and positivism – a transformation epitomized in Ivan Turgenev’s *Fathers and Sons*, which dramatizes the clash between the 1840s-era liberal Kirsanov and the nihilist Bazarov of the 1850s. Yet not all nihilists remained loyal to their revolutionary creed after the turbulent 1860s. Some returned to religion and even declared themselves

heirs to *Slavophilism*. However, their *Neo-Slavophilism* differed undoubtedly from the doctrines of its founders (Khomyakov, Aksakov, Kireevsky). Gone was its “dialectical nature” inherited from Schelling and Hegel. Even upon reclaiming religious worldviews, figures like Nikolai Danilevsky remained positivists at their core – much like their former revolutionary peers (e.g., Pyotr Lavrov, Pyotr Kropotkin). Danilevsky’s theory of *cultural-historical types* exemplifies what Mikhail Lifshitz termed a “clamor of Orthodoxy and positivism”.

Positivist Philosophy of History in Nikolai Danilevsky’s Thought. Nikolai Yakovlevich Danilevsky was well aware of the Slavophile position on this issue. He noted that the *Slavophiles* believed that the Slavs were destined to resolve a universal human task, one that their predecessors (the representatives of Germanic-Roman culture) had failed to accomplish (Danilevsky 2008: 141). However, Danilevsky himself rejected the notion of a universal mission for the Slavs, as he denied the very existence of a universal human culture or the idea of humanity as an integral entity. Regarding the so-called “universal task”, he argued: “Such a task, however, does not exist at all... The purpose of humanity consists in nothing other than manifestation, across different times and peoples, of all those aspects and particular orientations that lie virtually... within the idea of humanity” (Danilevsky 2008: 141-142). As a biologist by training and profession, Nikolai Danilevsky drew an analogy from the life sciences: “Which form of the plant kingdom most fully embodies the idea – or, if one prefers, the purpose – of a plant: the palm or the cypress, the oak, the laurel, or the rose? Clearly, no such form exists... The complete realization of the plant’s essence lies only in the full diversity of its possible manifestations—in all types and at all stages of the plant kingdom’s development...” (Danilevsky 2008: 142). In his view, the same principle applied to humanity: “For a collective yet finite entity like humanity, there is no other purpose, no other task than the temporally and spatially (that is, ethnically) diverse expression of the various facets and directions of vital activity embedded in its very concept...” (Danilevsky 2008: 144). Thus, Danilevsky rejected the reality of the universal, affirming instead the reality of the particular – the specific. This philosophical stance is known as nominalism, arising from a metaphysical and non-dialectical resolution of the relationship between

the particular and the universal. It reduces the general to an empty concept (a mere name – hence the term), while recognizing only the particular as genuinely real, viewing it as the concrete (in contrast to Hegelian dialectics, for which the concrete was also the universal). Danilevsky elaborates: “Humanity and the people (nation, tribe) relate to one another as a genus does to a species – thus, their relationship should generally be the same as that between genus and species. <...> The concept of genus encompasses what is common among all species. <...> Clearly, we cannot truly conceive of ‘raspberries’ or ‘cats’ as genera. These are abstract, incomplete notions; to attain actual existence... they require supplementation. <...> A genus, understood in this sense, is merely an abstraction obtained by excluding everything particular in species... and thus, the genus is something that cannot truly exist – it is, in its incompleteness, something poorer than any individual species...” (Danilevsky 2008: 146-147).

By acknowledging the existence of a certain pan-human element, Nikolai Danilevsky does not alter his position. He mentions that pan-human must be distinguished from universal-human: “...without doubt, it is higher than any particular or national human element, yet it consists solely in the totality of all national expressions... It cannot be contained or realized within any single nationality...” (Danilevsky 2008: 149). For Danilevsky, pan-human is manifested not in the culture of individual peoples but in the works of singular individuals – supreme geniuses. Such a figure is one who “...while fully expressing both his own national distinctiveness and something transcending the universal-human, also incorporates certain traits or aspects characteristic of other nationalities...” (Danilevsky 2008: 150). As examples of pan-human geniuses, Danilevsky cites Homer, Sophocles, and Shakespeare. Yet these rare individuals, no matter how extraordinary, cannot constitute an entire civilization. Thus, according to Danilevsky, “humanity” does not exist – neither as a universal-human civilization nor even in the pan-human sense.

What, then, exists? Instead, there are *cultural-historical types*, analogous to living organisms (such as the Egyptian, Chinese, Assyrian, Indian, Greek, Roman, Arabic, Germano-Roman, and Slavic). These types emerge, develop, perish, and may or may not transmit their achievements to subsequent types. Their succession does not

unfold any universal-human idea because there is no subject to carry it – no such thing as “humanity”. Humanity is merely the sum total of *cultural-historical types*. As noted earlier, Danilevsky rejects the dialectical resolution of the universal-human question advanced by Hegel and the *Slavophiles*. But in abandoning dialectics, he restricts himself to a discursive, formal-logical mode of thinking. This approach, however, inevitably lapses into positivism. Moreover, from a positivist standpoint, the problem of universal-human culture and civilization remains insoluble. Alexei Fyodorovich Losev justly defined positivism as a doctrine that relies exclusively on isolated facts while denying the independent existence of the general. Positivism leads to the dead end of subjective idealism, fragmenting reality into atomic particulars. Nikolai Alexandrovich Berdyaev, in his critical essay on the *Eurasianists* (whose ideas he viewed as “reproductions of the thoughts... of the Slavophiles”), rightly observed that if only the particular exists and the general does not, then why reject the existence of humanity while affirming that of cultural-historical types and nations? After all, these too are general categories relative to the individual. Consequently, one might reduce humanity and cultural types to mere aggregates of individuals. Berdyaev found the historiosophical views of Danilevsky and the *Eurasianists* representing a philosophically unjustified and naïve form of nominalism, a nominalistic denial of humanity’s reality. The *Eurasianists* were realists regarding nationality but nominalists regarding humanity. Yet nominalistic dissolution cannot be arbitrarily halted at a chosen point. Nominalism cannot consistently acknowledge the reality of nationality any more than it can affirm the reality of the human individual – the decomposition of real unities proceeds ad infinitum (Berdyaev 1993: 295). This is the price of abandoning dialectics. The metaphysical, formal-logical methodology precipitates the disintegration of *Slavophilism* – a tendency evident in the theory of Vladimir Lamansky.

Decline of Slavophilism in the Work of Vladimir Lamansky. Vladimir Ivanovich Lamansky (1833–1914) was a Russian historian and Slavist, a follower of Danilevsky. Developing the latter’s theories, he advanced the concept of the *Third World of the Eurasian continent*, thus anticipating the later Eurasianist movement. Lamansky largely adhered to Danilevsky’s philosophy of history, with whom he was closely acquainted – it is known that Danilevsky al-

lowed him to read *Russia and Europe* in manuscript form prior to its publication (Seliverstov 2009: 119). Lamansky praised Danilevsky's work as a "magnificent achievement" and a "foundational study" (Seliverstov 2009: 120). As Seliverstov rightly observes, Lamansky's principal work, *The Three Worlds of the Asian-European Continent*, opens with the fundamental postulate of his geopolitical concept, which he treats not as something requiring proof but as an axiom: "Europe is, in fact, a peninsula of Asia" (Lamansky 1916: 1). Notably, this is essentially a quotation from Danilevsky's *Europe and Humanity*, which states: "In reality... there is no such thing as Europe; rather, it is the western peninsula of Asia..." (Danilevsky 2008: 74).

Nevertheless, Lamansky's theory of *cultural-historical types* differs in some respects from Danilevsky's. For Danilevsky, the Slavic cultural-historical type encompassed the region from the Baltic Sea to the Adriatic, uniting Slavic peoples regardless of religious affiliation – including both Orthodox (e.g., Russians and Serbs) and Catholic or Muslim Slavs (e.g., Poles, Croats, and Bosnians). Danilevsky himself acknowledged this, stating that cultural-historical types correspond to the great linguistic-ethnographic families or tribes of the human race (Danilevsky 2008: 151). As contemporary scholar Alexey Panchenko notes, this approach effectively equates the concept of a "linguistic branch with that of an ethnic group"⁶. By contrast, Lamansky's classification prioritizes religious affiliation, grouping Orthodox Slavs together with Orthodox Greeks and Romanians under a single civilizational banner. This shift reveals how Lamansky diverged even further from traditional *Slavophilism* than his mentor Danilevsky – himself a Neo-Slavophile. It is no surprise, then, that Lamansky is widely regarded as a precursor to *Eurasianism*.

Why did this disintegration of *Slavophilism* become possible? It seems that a positivist approach fails to furnish objective criteria for delineating the boundaries of civilizations or cultural worlds that constitute humanity. As we have previously observed, the positivist approach is grounded in analytical, formal logic – which divides rather than unites. Hegel noted that empiricism labors under the delusion that, in analyzing objects, it leaves them as they are; in reality, however, it transforms the concrete into something abstract.

⁶ Panchenko A. Op. cit.

“As a result, the living is rendered lifeless – for only the concrete, the unified, is alive. <...> ...analysis does not advance beyond the stage of division...” (Hegel 1977: 150). Even if one were to employ formal logic in an attempt to identify some essential quality – one that naturally coincides with what is common among objects of a given class – such a quality would remain abstract, and its selection would still be subjective, a point also emphasized by G.W.F. Hegel. Thus, when applying the positivist method, we might take ethnic affinity as the criterion for grouping peoples into civilizations (worlds) – or we might instead select religious affinity. In either case, the choice remains fundamentally arbitrary. To those who might object that Danilevsky distinguishes between artificial and natural classifications, asserting that the latter accounts for a greater number of traits, we would respond that the issue lies not in the quantity of traits but in their arbitrariness. This appears to constitute an *Achilles’ heel* of the classical civilizational approach. (However, this does not imply that vulgar universalism – itself a product of the disintegration of the dialectical view of history – becomes in any way preferable.)

Structural Method in Nikolai Trubetskoy’s Philosophy of Culture. Nikolai Sergeevich Trubetskoy (1890–1938), the founder of *Eurasianism*, was also one of the pioneers of phonological theory and a leading theorist of structuralism in linguistics – alongside Roman Jakobson (1896–1982), who was likewise associated with the Eurasianist movement for some time and contributed to its linguistic theories. A number of contemporary scholars Patrick Seriot (Sériot 2001), Natalia Avtonomova (Avtonomova 2001: 24), Aleksei Gryakalov (Gryakalov 2004: 62), among others – argue that Trubetskoy’s ideas of Slavic structuralism emerged during his Eurasianist period and are linked to the Eurasianist conceptual framework. We would go even further: Trubetskoy had already begun applying the structural method (which he encountered through the works of Ferdinand de Saussure) in his early publications. This may have been an unconscious development, as he did not articulate his structuralist doctrine clearly and systematically until the latter half of the 1920s – but it is evident nonetheless. As early as *Europe and Humanity* (1920), he analyzed culture as a structure that interconnects cultural values, while conceiving these values themselves as syntheses of even more fundamental, primary elements. He writes that

the emergence of each new cultural value may be described by the general term “invention” (following Tarde’s usage). Each invention represents a combination of two or more existing cultural values or their constituent elements; however, the new invention cannot be fully decomposed into its components and always retains an irreducible surplus (Trubetskoy 1999: 64). This marks a clear departure from the positivist methods employed by Trubetskoy’s predecessors in civilizational studies, advancing instead a distinctive – even quasi-dialectical – understanding of culture as a system of elements that transcends their mere sum.

Naturally, such an alignment of structuralism with dialectics may invite objections. Soviet philosophical literature frequently criticized structuralism for its non-dialectical character, while French structuralists (such as Louis Althusser) themselves contrasted their method with Hegelian dialectics. Indeed, dialectics describes development through contradictions resolved in synthesis (their “identity”, as Althusser would say), whereas structuralism emphasizes static configurations where elements coexist in opposition rather than fusion. This presents a peculiar form of dialectics, but a “negative” one, antithetical in nature (corresponding to what Hegel termed negative-rational thought, the only form he explicitly identified as “dialectics”, whereas Marxist tradition conflated it with his “speculative thinking”). This distinctive dialectic of structuralism (“a dialectic without synthesis”) was noted and elaborated by Yuri Lotman. We concur with Sergei Zenkin’s observation that Lotman’s invocation of dialectics as the “methodological foundation of structuralism” is neither a perfunctory nod to Marxist orthodoxy nor “the kind of dialectics that consists of reciting general philosophical incantations only to be forgotten the moment actual research begins”. Lotman genuinely conceives of text and culture as a dynamic interplay of generative contradictions – though it must be noted that in this dialectic, synthesis is absent, and development is not an inevitable outcome (Zenkin 2019).

Later, in *The Legacy of Genghis Khan* (1925), Trubetskoy articulated the idea of a fundamental opposition between Forest and Steppe in the cultural-geographical world of Russia-Eurasia – a conceptual framework that would serve as the basis for Pyotr Nikolaevich Savitsky’s (1895–1968) structural geography of Eurasia. Central to this schema was the concept of *mestorazvitie* (place-development),

itself a matrix of such oppositions. However, neither Trubetskoy nor Savitsky in the 1920s fully reverted to a dialectical conception of history – i.e., a completed dialectic, or a dialectic of synthesis⁷. Trubetskoy consistently maintained that no universal human culture – nor even humanity as a unified whole – could be said to exist. In *Europe and Mankind*, he echoed Nikolai Danilevsky’s argument from *Russia and Europe*: “...consider what meaning European cosmopolitans assign to the terms ‘civilization’ and ‘civilized humanity’. By ‘civilization’ they mean the culture developed through the collective labor of the Romance and Germanic peoples of Europe. As for ‘civilized peoples,’ they refer first and foremost to those same Romance and Germanic nations...” (Trubetskoy 1999: 32). For Trubetskoy, humanity was nothing more than the sum total of distinct peoples and civilizations: “If humanity – not the ‘humanity’ so beloved of the Romano-Germans, but true humanity, composed primarily of Slavs, Chinese, Hindus, Arabs, Africans, and others...” (Trubetskoy 1999: 85). In his 1923 article *The Tower of Babel and the Confusion of Tongues*, Trubetskoy provided a theological justification for the impossibility of a universal civilization: the inescapable law of linguistic and cultural fragmentation. In his view, this law was divine retribution for humanity’s ancient defiance – the biblical narrative of the Tower of Babel – and the evolutionary laws governing peoples are structured in such a way that they inevitably entail the emergence and preservation of national distinctions in language and culture (Trubetskoy 1999: 367).

Finally, in one of his later essays from the 1930s – *On the Governing Idea of an Ideocratic State* (1935) – Trubetskoy furnished a structuralist foundation for his rejection of a universal human culture. He argued that unity and wholeness exist only where there is a system, i.e., a structured opposition of elements. For instance, Russia-Eurasia stands in opposition to Europe – a confrontation that

⁷ By the 1930s, Pyotr Savitsky would revise his stance on the matter, advancing the idea of humanity as an integrated whole – one divided into distinct *worlds-place-developments* yet irreducible to their mere mechanical sum. A similar intellectual evolution was undergone by other Eurasianist theorists – except for Nikolai Trubetskoy. The most vivid manifestation of this return to a universalist understanding of history among 1930s Eurasianists can be seen in the works of Georgy Polkovnikov. In contrast, Trubetskoy remained steadfast in his 1920s views until the end of his life.

consolidates Eurasian civilization and grants it internal cohesion. By contrast, humanity lacks an antithesis; there is no “other” humanity to oppose. Consequently, humanity cannot be said to exist as an “individual being” (Trubetskoy 1999: 521). Thus, the civilizational approach of the classical Eurasianists – especially Nikolai Trubetskoy – entailed a structural, limitedly dialectical understanding of civilizations (*place-developments*), in contrast to the positivist-subjective interpretation found in the works of Nikolai Danilevsky and Vladimir Lamansky. It also opposed any dialectical conception of humanity as such. Precisely for this reason, we can speak here of a civilizational approach rather than a reversion to a dialectical-idealist interpretation of history. This latter shift was exemplified by Leo Karsavin, who joined the Eurasianist movement and led the Parisian faction of left-wing Eurasianists in 1928, as well as by other Eurasianists of the 1930s. However, an analysis of their theories lies beyond the scope of this study.

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Reconstructing the Traditional Value Framework of Russian Civilization

Abstract. The relevance of this study stems from the escalation of ideological, value-based, political, and economic confrontation between Russia and the West to a qualitatively new level. The object of research is the spiritual and moral culture of Russia's peoples, while the subject of philosophical reflection is the value foundations shaping the formation and development of an all-Russian civic identity and the unified cultural space of Russian civilization. Methodologically, it is essential to note that values are not derived from "what is" – rather, they reflect "what ought to be". The universal core of traditional values lies in human moral consciousness, while general ethical ideas acquire cultural-historical specificity within the values of a particular civilizational model. Three groups of traditional values are provisionally distinguished: *personal*, *societal*, and *state-oriented values*. It is argued that state-oriented and societal values are organically linked to the high personal value of spiritual freedom. When examining societal traditional values, emphasis is placed on *justice*, which in Russian culture is associated not with legal consciousness but with moral truth and religiously infused righteousness. A distinctive feature among traditional Russian values is the "primacy of the spiritual over the material." This value is of paramount importance as a necessary condition for overcoming the global crisis of our time. The value foundations of the Russian state are shaped by the fact that Russia has historically been built as a common place for numerous tribes and peoples. A defining characteristic of Russian patriotism is the dual unity of "Rodina" (*homeland*) and "Otechestvo" (*fatherland*): the sense of connection to native land and belonging to the national spirit are organically combined with the primacy of spiritual freedom and personal service. A key direction for further research on this topic could be the conceptual justification of value priorities in state-building and cultural policy in contemporary Russia.

Keywords: traditional values; is; ought; civilizational values; freedom; justice; ideational ethics; the value of family; spiritual foundations of the state; the value of service; Russian patriotism

The discourse surrounding Russia's "cultural code" traces its roots at least to the debates between *Slavophiles* (rus. *славянофилы*) and *Westernizers* (rus. *западники*); though earlier origins of these discussions may also be identified. However, in the 21st century, the theme of traditional Russian spiritual and moral values has gained particular urgency. This is undoubtedly linked to the intensification of ideological, value-based, political, and economic confrontation between Russia and the West, elevating it to a new level. The productivity of our response to this *civilizational challenge* – using Arnold Toynbee's terminology – will determine our historical future. This response must not only be articulated on the so called external front but also – and this is the only possible foundation for external success – through the reinforcement of the internal value foundations of our own historical existence.

It is no coincidence that shortly after the confrontation with the West entered a hot phase in February 2022, the Executive Order of the President of the Russian Federation No. 809 (09.11.2022) *On approving the Fundamentals of State Policy to Preserve and Strengthen Traditional Russian Spiritual and Moral Values*¹ (hereinafter, referred to as the Fundamentals) was issued. The fourth paragraph of the Order provides a definition of traditional values, while the fifth enumerates them. For the purposes of a strategic planning document, these provisions are sufficient. The Fundamentals elaborate in detail and clarity on the goals, tasks, instruments, and expected outcomes of efforts to preserve and strengthen traditional values. However, a substantive unpacking and conceptual analysis of these values themselves could not fall within the scope of this document. The aim of this article is to clarify the philosophical foundations of the political-legal concept of state-building oriented toward traditional Russian spiritual and moral values. The object of study is the spiritual and moral culture of Russia's peoples throughout history and in the contemporary era, while the subject of philosophical reflection is the value-based foundations for the formation and development of an all-Russian civic identity and the unified cultural space of Russian civilization.

¹ *Executive Order of the President of the Russian Federation No. 809 from 09.11.2022 "On approving the Fundamentals of State Policy to Preserve and Strengthen Traditional Russian Spiritual and Moral Values"*, available at: <http://www.kremlin.ru/acts/bank/48502> (accessed July 21, 2025). (in Russ.).

When undertaking a conceptual analysis of this topic, several key issues must be addressed. First and foremost, even within academic discourse, there is often a conflation of the terms *tradition* and *traditional values*. This problem frequently goes unnoticed, yet such confusion contributes to more visible and practically significant challenges in systematically understanding the essence, hierarchy, and interrelations among various “traditional Russian spiritual and moral values”.

For instance, it is evident that Russia – understood broadly in accordance with Articles 1 and 2 of Section 67.1 of the Russian Constitution – underwent two revolutions in the 20th century, each entailing radical changes in its political system and ideological foundations. However, to what extent is it accurate to claim that “the 20th century saw the collapse of old value orders and the emergence of new ones on our grounds” (Shaveko 2024: 67)? Undoubtedly, the Communist regime sharply opposed the old order of the Russian Empire, while post-Soviet democratic Russia, despite its legal continuity with the USSR, was largely built on a rhetoric of rejecting Soviet legacies. State-mandated historical narratives, contemporary assessments, and social norms underwent dramatic shifts throughout the 20th century – not only during these two revolutions but also across the Soviet era. Yet the critical question remains: *How deeply and how quickly did societal value orientations actually change?*

Upon closer examination, it becomes apparent that “Soviet upbringing and education often cultivated either distinctly bourgeois traits or virtues indifferent to high ideals” (Martyanov, Fishman 2020: 143). Continuity with pre-revolutionary Russia can be traced in the foundational principles of the Soviet state, and even in post-Soviet Russia, “the reproduction of stable social practices and interaction mechanisms has shaped the system’s functioning far more than structural reforms, leadership changes, or state programs” (Ilchenko 2011: 60-61). A shift in the state’s ideological direction does not automatically alter the value systems of the populace. Even profound transformations in lifestyle do not necessarily signify an abandonment of prior existential frameworks. Changes in value consciousness do occur, but they rarely synchronize with shifts in social practices or even folk traditions.

The meaning of the term *tradition* depends on the context and purpose of its usage, but in any case, it denotes a specific form

of social life characterized by the reproduction of cultural patterns – the deliberate and recurrent enactment of certain practices. The semantic range of this concept extends from “regularly performed activities” (within families, communities, or institutions) to sociocultural scripts and stereotypes. Regardless of the specific interpretation, *tradition* refers to something empirically observable – a recurring, socially embedded form of organized activity.

Values, however, possess a different ontological status. When the term *values* is used with theoretical rigor, it pertains exclusively to the transcendental dimension of existence. One need not fully endorse Neo-Kantian skepticism toward *things-in-themselves*, yet it must be acknowledged that the conventional dichotomy of objective versus subjective does not hold in this domain. Values represent both a mode of human self-actualization within being and a structuring principle of the cultural space in which this self-actualization unfolds – and which it simultaneously shapes. Frequently, these two aspects are conceived separately: on one hand, there is a pre-existing cultural framework that serves as the predetermined field for human agency; on the other, there is the act of self-realization itself, whose strategy is determined by free choice – albeit within the constraints of that given field. However, the axiological model of culture developed by Wilhelm Windelband and Heinrich Rickert clarifies that no “objectively predetermined cultural field” exists as such. Rather, cultural space is constituted precisely through *value-reference* (ger. *Wertbeziehung*) – an active process of ascribing meaning and significance.

The conjunction of the *objective* and *subjective* dimensions of human existence in culture – or more precisely, their unified foundation – is secured by the category of *ought* (ger. *Sollen*). Beyond desires and possibilities, beyond pleasure and displeasure (which often monopolize attention), human beings possess an awareness of duty. Moreover, upon serious reflection, one must agree with Kant that this awareness occupies a central place in human life: “Man lives only out of a sense of duty, not because he finds any pleasure in life” (Kant 1965: 415). Similarly, Wilhelm Windelband observes: “The three fundamental philosophical sciences² reveal, across the three domains of mental life, an opposition everywhere between the

²Windelband means *logic, ethics and aesthetics*.

psychologically actual and the normative³, between the real and the ideal, between the temporally unfolding and that which possesses timeless validity. We see that our consciousness is subject to two legislations – neither fully reconcilable nor absolutely separable – between which there exists a necessary, inevitable, and inherent antagonism” (Windelband 2007: 303). The tension between “what is” (ger. *Sein*) and “what ought to be” (ger. *Sollen*) – or, in Windelband’s terms, between *norms* and *the laws of nature* – constitutes the core of human spiritual and mental life. The deepest characteristic of human existence is the assertion of the *ought* in opposition to *what is*.

Thus, phenomena that have always existed, continue to exist, and likely always will (such as various forms of evil) are declared *unjust* – stripped of their right to exist. Conversely, that which may never have been, certainly does not exist now, and may never be realized in reality (such as the complete triumph of good and love) is affirmed as “what ought to be” – not merely possessing the right to exist, but *obligated* to exist. This opposition between “what is” and the “ought” expressed in value systems reaches particularly sharp and unconventional formulations in Neo-Kantian value theory. Heinrich Rickert, for instance, asserts: “Not only is it impossible to understand cultural values as positive life-values, but culture must even be placed in a negative relation to life” (Rickert 1998: 410).

The criteria of what constitutes the “ought” are articulated at the social level in various ways – primarily through the moral consciousness of individuals and society, but also through social institutions such as the family, religious organizations (referred to here as *churches* in the broad sense, encompassing diverse doctrines and forms of belief), and the state. In this context, it is necessary to clarify the significance of formally declaring certain values in state legislation – and particularly, of assigning them the status of traditional values.

Lawmaking serves as a fundamental mechanism for establishing the “ought” and rectifying “what is” at the societal level. Legal norms, of course, do not invent values; rather, they (1) reflect them to varying degrees and (2) provide support and protection for those values – both within public consciousness and in social practice.

³Windelband means the requirements of norms, *normativity*.

Typically, legal regulation fulfills this axiological function without explicitly proclaiming the values it upholds, instead operating implicitly on their basis. However, in certain cases – particularly when the state and society perceive a destructive threat to their foundational values – such a declaration becomes necessary. Labeling these upheld values as *traditional* serves to emphasize the need to preserve historical continuity and cultural identity within societal life. Conceptually, it would be more precise to speak not merely of “traditional values”, but rather of “traditional value coordinates of cultural space”, where *cultural space* is understood as “the domain of values that generate the content of a society’s spiritual and material culture” (Kasatkin 2017: 145). Equally important here is the systemic-conceptual approach to interpreting *cultural space*, as advanced by a number of scholars (Khilko, Gorelova 2023: 28-29).

It is within this framework that the subject of value consciousness in general – and traditional spiritual and moral values in particular – should be examined. Methodologically, it is crucial to note that values are not derived from “what is” but are instead anchored in “the ought” – the concepts, convictions, and ideals reflecting the proper order of being. By turning to the concept of *duty*, one can elucidate the essence, status, and interrelation of both universal human values and civilizational values. The foundation of universal values lies in the awareness and experience of moral duty in its truest sense. Significantly, in defining traditional values, the Fundamentals identify “moral precepts”⁴ as their genus (rather than simply “life principles” or “worldview orientations”). The core of traditional values – their universal essence – resides in human moral consciousness, in the sense of *duty* perceived as the “voice of conscience”.

Indeed, this moral consciousness is shared across all humanity. Differences in customs, national mentalities, and social norms do not negate this underlying moral unity. Even “amid the global civilizational and values crisis leading to the loss of traditional spiritual and moral bearings”⁵ – this fundamental cohesion remains intact. However, the propagation of what is termed “a destructive ideology” (explicitly: “fostering of egoism, permissiveness and im-

⁴The Fundamentals, Section 4.

⁵The Fundamentals, Section 11.

morality, rejection of the ideals of patriotism, service to the Fatherland, the natural progression of life, the values of a strong family, marriage, raising multiple children, productive labour, and Russia's positive contribution to global history and culture, as well as the erosion of the traditional family through the promotion of non-traditional sexual identities"⁶) is paradoxically carried out under the banner of the very same – albeit perverted – absolute moral values. The higher the value, the more grotesque its distortion becomes. *Selfishness*, the first item listed and being a corruption of the true worth of the human person, inverts any moral value it touches, ultimately leading – through the assertion of self – to self-destruction.

Beyond universal values rooted in human moral consciousness, an essential role in culture belongs to civilizational values, which form the unique spiritual constitution of particular local cultures. These values are grounded in the awareness and experience of belonging to a people's historical existence and shared historical roots. It can be argued that within the values of a specific civilizational model, universal moral principles acquire cultural-historical substance and vitality.

Regarding the role of normative-legal activity in articulating, sustaining, and safeguarding such values, previous discussions have already touched upon this subject. In reference to Presidential Decree No. 809 (09.11.2022), the Minister of Justice of the Russian Federation, the Rector of St. Petersburg State University (Corresponding Member of the Russian Academy of Sciences), and an Associate Professor of Constitutional Law at the same university have noted: "These Fundamentals are inherently linked to what may be termed an *absolute constitution*, one that defines the very existence of the core identity of Russian statehood and the multinational people of Russia" (Chuychenko et al. 2024: 161). To our knowledge, the term *absolute constitution* has not been used elsewhere and is likely an original conceptual innovation. The term carries significant theoretical potential: unlike the somewhat amorphous yet ostensibly universal notion of *natural law*, it expresses the unique spiritual foundations of a local civilization, endowing them with an absolute status – yet without any claim to imposing them upon others.

⁶The Fundamentals, Section 14.

When examining traditional Russian spiritual and moral values as an *absolute constitution* of Russia, it is essential to classify them into three primary categories: those pertaining to an individual's personal life-world, those guiding societal priorities, and those underpinning the foundations of statehood. Though this division is somewhat arbitrary, it serves to clarify the systemic interconnection of these values. The enumeration of traditional values in Section 5 of the Fundamentals illustrates this interdependence, though it does not facilitate a substantive understanding. The sequence begins with personal values, abruptly shifts to state values, reverts to personal, lists several societal values, returns once more to personal, shifts again to societal, and concludes with state values.

Section 5 opens with the enumeration of values such as “life, dignity, and human rights and freedoms”. While these principles are undoubtedly rooted in universal moral consciousness, they acquire substantive meaning only within the framework of a specific cultural tradition. The concept of *freedom* warrants particular attention – unlike *life*, *dignity*, and *rights*, it is frequently subject to ambiguous, even contradictory interpretations, sometimes leading to a complete misapprehension of its essence. Indeed, a distorted notion of *freedom* forms the basis of most manifestations of what is termed “destructive ideology”.

Assessing the notion of *freedom* within the context of Russian culture and its traditional value system requires addressing the accusations levied against Russia by Russophobic propaganda. A recurring theme in such rhetoric is the alleged “slave mentality” of the Russian people, purportedly evidenced by the despotism of historical figures like Ivan the Terrible, Peter the Great, and Joseph Stalin, as well as Russian statehood more broadly. However, as Nikolai Lossky observed regarding the character of the Russian people: “One of the reasons why an absolute monarchy – at times verging on despotism – emerged in Russia is that governing a people with anarchic tendencies is inherently difficult. Such a people imposes excessive demands on the state” (Lossky 2005: 106).

The argument here is not merely that strong authority was necessary to suppress anarchic impulses but, more importantly, that the power of the state in some way responds to the very nature of this distinctive Russian anarchism. Much has changed since Lossky wrote these words (mid-20th century), both in practi-

cal life and in the value systems of the Russian state and people. Yet these transformations have preserved the historical continuity of Russia's civilizational model, leaving its fundamental value orientations intact. In this regard, it is crucial to emphasize that statist values in general – and the principle of strong state authority in particular – are organically linked to the high appreciation of *spiritual freedom* upheld in Russian culture. Authentic freedom is realized through the acceptance of responsibility, and genuine freedom in its highest spiritual sense is founded upon fidelity to moral duty.

“High moral ideals” of humanism, mercy, and justice, as outlined in Section 5 of the Fundamentals, may rightfully be classified as universal values. However, in the Russian context, they possess a distinct historical foundation. Russian life and history present a complex tapestry – marked by both the sublime and the ordinary, joy and sorrow – yet this does not negate the fact that the ideal of *Holy Rus'* (rus. *Святая Русь*) shaped by Christian dispensations, served as one of the defining spiritual forces in the formation of Russian civilization. Admittedly, the lived reality of the people often fell far short of this ideal of holiness – a fact readily acknowledged by any honest scholar of Russian history. Yet the term *rupture*, which might instinctively come to mind here, would be imprecise. In truth, Russian life never experienced a complete abandonment of this ideal; it persisted as a guiding presence, even when motives starkly opposed to it prevailed.

This duality is poignantly captured in the canonical words of Dmitri Karamazov (these are not theoretical musings but rather a confession of a passionate heart – *author's note*): “I can't endure the thought that a man of lofty mind and heart begins with the ideal of the Madonna and ends with the ideal of Sodom. What's still more awful is that a man with the ideal of Sodom in his soul does not renounce the ideal of the Madonna, and his heart may be on fire with that ideal, genuinely on fire, just as in his days of youth and innocence. Yes, man is broad, too broad, indeed. I'd have him narrower”⁷. For the novel's protagonist, this coexistence within a single soul – of the highest ideals of purity and sanctity alongside the most depraved

⁷ Dostoyevsky F. *The Brothers Karamazov*, New York, The Lowell Press, 2009, p. 131.

inclinations, elevated to the status of an ideal – is unbearable. Yet it remains, first, an undeniable reality, and second, the very precondition for his eventual moral redemption.

It is essential to examine the juxtaposed values of *mercy* and *justice*, particularly clarifying the “Russian” understanding of justice. At its core, *justice* implies a correspondence between merit and retribution: what one deserves – whether reward or punishment, fair compensation for labor or humane treatment – one receives, neither more nor less. The ambiguity arises from the inherent difficulty in determining *merit* objectively, as assessments remain largely subjective. Law, as an institutional framework for social order, is conceptually rooted in the ideal of *justice*. Yet, the Russian people have traditionally maintained a cautious stance toward its legal implementation, as epitomized in their proverbs: “The law is like a shaft (a wagon’s pivoting beam – *translator’s note*) – it can be turned wherever one wishes” or “Where there is law (or lawyers), there is grievance”. Numerous Russian proverbs similarly emphasize *mercy*’s superiority over strict *justice*.

Nevertheless, the concept of *justice* holds profound significance in Russian culture – not in its legalistic interpretation, but rather as a moral and religiously infused notion of righteousness. The idea of *social truth* (rus. *социальная правда*) and the aspiration to structure society *according to truth* (rus. *по правде*) encapsulate the distinctively Russian conception of justice, one that remains inextricably linked with *mercy*.

The priority of *the spiritual* over *the material* is a traditional Russian value. Though this phrasing may sound like a slogan, it genuinely reflects the deep-seated value orientations of Russian civilization. Moreover, the primacy of *the spiritual* is not merely a foundational principle of Russia’s civilizational model but also a necessary condition for overcoming the *crisis of our age* – a concept articulated by Pitirim Sorokin as early as 1941 in his most widely published and translated book, which bore those very words in its title. Drawing on an unprecedentedly comprehensive sociological analysis from his earlier work *Social and Cultural Dynamics*, Sorokin observes: “Sensate ethics and law have once again entered a blind alley. This alley marks their *finis* for the present epoch. Without a shift towards ideational ethics and law, without a new absolutization and universalization of the values, the cannot escape from

this bling alley” (Sorokin 1941: 165). In Sorokin’s terminology, “ideational ethics aims not at an increase of sensate happiness or and pleasures of this world but at the union with the Absolute, which is supersensory” (Sorokin 1941: 135). Similarly, “The ideational code of law is viewed as given by God or the Absolute. ... Its norms are regarded as the commandments of God. As such they become absolute – not to be set aside for any utilitarian or other considerations” (Sorokin 1941: 146). There is little reason to hope that contemporary Western civilization will revive the religious foundations of life or surmount the multifaceted crisis described by Sorokin. Whether the Non-West will share this unfortunate fate depends on how effectively it upholds its traditional values. One source of optimism is the fact that the West – in ideological and value-based terms – has never regarded Russia (let alone the Global East and Global South) as part of itself.

The primacy of spiritual values in contemporary Russian cultural discourse may be subject to debate, particularly at the level of empirically observable manifestations. Nevertheless, this priority has historically served as a formative factor in the development of Russian culture and society, rendering it a fundamental archetype of value – even in light of pronounced instantiations of the “crisis of our time”, as conceptualized by Pitirm Sorokin, within modern Russian culture and social practice. From a historical perspective, it may be asserted that the expansion of the Russian people across the vast territories of the Eurasian continent would not have been plausible without an enduring capacity to subordinate material prosperity to higher imperatives.

Russian civilization was agrarian – an exceptional circumstance considering that two-thirds of its territory lies within the permafrost zone⁸, while much of the remaining third falls under the classification of so-called high-risk agriculture. Only 14% of Russia’s landmass possesses the optimal thermal and hydrological conditions necessary for sustained agricultural productivity⁹. In medieval

⁸ *National Atlas of Russia. Permafrost*, available at: <https://national-atlas.ru/tom2/240-242.html> (accessed July 21, 2025). (in Russ.).

⁹ *National Atlas of Russia. Economy and economic development. Natural conditions of agricultural activity*, available at: <https://nationalatlas.ru/tom3/317.html> (accessed July 21, 2025). (in Russ.).

Rus', the proportion of potentially arable land was somewhat larger, though these areas were largely infertile and heavily forested. Admittedly, harsh living conditions alone do not inherently engender a spiritual disposition. However, it is precisely the presence of such a value-based orientation that rendered possible the cultivation and settlement of vast, otherwise inhospitable territories.

Owing to these geographic and historical circumstances, certain sociocultural values – such as *creative labor*, *collectivism*, *mutual aid*, and *mutual respect* – have gained particular resonance in the Russian mentality. It is difficult to determine whether these values emerged through the process of territorial expansion or whether preexisting value frameworks enabled the Russian people to initiate and sustain this expansion. Most likely, we must recognize a deep synergy between the historical imperative of settling Eurasia (from the Arctic Ocean to the Great Steppe) and the innate ethical structure of the Russian worldview.

Turning to state-centric values (categorization remains somewhat artificial, for sure), among them are those enumerated in Section 5 of the Fundamentals: “historical memory, the continuity of generations, the unity of Russia’s peoples.” These values serve as a bridge between the spiritual foundations of society and the spiritual foundations of the state. Importantly, the preservation and reinforcement of national unity – a traditional Russian spiritual and moral value – is sustained precisely through historical memory and generational continuity. The sociopolitical foundations of the Russian state derive from its inception as a *shared homeland* for diverse ethnic groups. The Russian people themselves, despite retaining a robust and enduring East Slavic core identity, historically emerged from a confluence of Slavic, Turkic, Finno-Ugric, Uralic, and other ethnicities. Remarkably, nearly all indigenous peoples within Russia’s historical territory have endured within its borders. The model of coexistence advanced by the Russian state might be summarized as: “integration into a unified political community while preserving national, linguistic, and cultural distinctiveness”. Forms of participation and degrees of involvement varied widely – spanning economic ties, state service, and even participation in irregular military units.

Collective service to the state stands as the most significant factor in shaping a pan-Russian national identity. The multiethnic Russian nation – as the foundation of both the Russian Empire

and the Soviet Union – was rooted in the values of patriotism, civic duty, service to the Fatherland, and responsibility for its destiny. While these principles resonate with universal ethical norms, they hold a uniquely pivotal place in Russian civilizational consciousness. As contemporary scholars note: “In Russia, the mutual service of state to people and people to state – coupled with a recognition of human freedom and spiritual dignity – has long been regarded as an essential precondition for state ideology” (Rozhkovsky, Boeva 2024: 225). Although historical reality has frequently diverged from this ideal, it has nonetheless served as a vital organizing principle within the framework of “Russian ideology”.

The Russian conception of *statehood* finds profound expression in the works of Ivan Ilyin, who thought that the state constituted the organized communion of individuals bound by spiritual solidarity – a solidarity affirmed not merely through reason but sustained by the force of patriotic devotion, sacrificial will, and courageous action (Ilyin 1996: 238). He further elaborated that a true and healthy state was founded precisely upon those spiritual principles of the human soul examined in this study, referencing prior chapters *On Faith, On Love, On Freedom, On Conscience, On Family, On Homeland*, and *On Nationalism* from his famous book *The Path of Spiritual Renewal*. Thus, the authentic notion of the state is inseparable from the spiritual life of both the individual and the nation. At its core, the Russian socio-political paradigm rests upon the principle of reciprocal obligation between those with power and the people. According to Ilyin, the state may demand service and sacrifice from its citizens, but it must itself serve and sacrifice in turn. (Ilyin 1996: 247).

The unique character of Russian patriotism is also defined by the duality of *Motherland* (rus. *Родина*) and *Fatherland* (rus. *Отечество*) concepts. *Motherland* is associated with the nurturing earth, representing the spiritual womb of human existence – the sacred soil in which the roots of life are embedded. In contrast, the *Fatherland*, as previously articulated through the lens of Ivan Ilyin, denotes the state in its spiritual dimension, understood as a reciprocal bond of service between authority and the people. Within Russian patriotism, the profound attachment to one’s native land and the sense of belonging to the collective ethos naturally coexist with an emphasis on spiritual freedom and personal devotion.

To conclude this concise inquiry, it bears reiterating that the challenge of conceptualizing a society's *value constitution* arises from the fact that such a constitution cannot be artificially devised, nor can it be directly extracted from empirical social reality. Values are neither mere products of subjective arbitrariness nor entities that exist in a concretely verifiable form within this reality. Rather, the system of values (or significances) serves as the fundamental condition for the very possibility of meaning in culture – indeed, for all cultural experience as such. Culture does not consist of empirical facts but of meanings generated through reference to values. Consequently, scholarly attention must focus precisely on this process of meaning-making within culture when conceptualizing the axiological foundations of a given cultural tradition – in this case, Russia's.

The underlying hypothesis of this study is that the universal foundation of value consciousness finds its concrete manifestation within the context of distinct, localized cultures. The analysis undertaken here affirms the intrinsic systemic unity of traditional Russian spiritual and moral values, which are deeply rooted in the history and culture of the Russian people, the various ethnic groups that constitute Russia's political nation, and the historical development of Russian statehood.

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Is Tradition What Confers Power? Russian and American Traditional Values in the Context of the Transformation of the Global Order

Abstract: The article compares Russian and American political lines associated with a return to traditional values. In both countries, those values turn out to be interpreted as traditional that are associated with the apogees of the respective countries' greatest strength, influence, and grandeur. For Russia (USSR) and the USA, this coincides with the period associated with the bipolar world order following World War II. In both cases, we are talking about somewhat similar humanistic values associated with modern societies that are oriented towards the consolidation of the majority of citizens across all social dimensions (ethnic, religious, cultural) as a basic democratic norm. In recent decades, these norms have been eroded by a multitude of exceptions, privileges, positive discrimination, etc., which ended up creating more axiological splits and conflicts. In both cases, the invocation of former grandeur is associated with attempts to return to the modern values of the 20th century at the foundation of American and Russian national-cultural identity. The conservative re-actualisation of high modernism is rhetorically presented as a return to traditional values. It is carried out in the form of retro-practices involving an opportunistic use of various elements associated with past heritage as a means of regulating current social problems.

Keywords: America; Russia; traditional values; Modernity; Trumpism

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For many years, a common theme associated with the official rhetoric of the Russian Federation has been expressed in terms of the thesis that we advocate traditional spiritual and moral values, which are fundamentally shared by all the peoples of the world. Moreover, it is asserted that Russia became the world leader in the struggle to preserve such values, while since the second half of the 20th century in the countries of Europe and North America there has been a noticeable erosion of the moral sphere, the growth of secularism, and – especially from the beginning of the 21st century – a direct “rejection of Western civilisation from the traditional understanding of family, marriage, gender, rooted in the tradition of raising children, spiritual growth of the individual based on the centuries-old experience of the main world religions and the crude violent imposition of their antipodes”¹. In this it was implicitly assumed that if all the peoples – especially those who had temporarily retreated from them – were to return to them, as we are returning, the general situation in the world would become much safer. At the same time, the actual content of the values asserted as traditional was quite vague in both public and official rhetoric. As a result, in the specific case of Russia, it was often difficult to conclude what exactly was being deemed “traditional”. Does this concept include, for example, the values of the Domostroy [patriarchal rules of family life], the thousand-year-old Orthodox faith, or the relationship of personal dependence between landowners and serfs? Or is the temporal boundary of the traditional set much closer to present times to include the values and relationships of the completely secular society existing during the middle of the last century, permeated as it was with the values of emancipation and egalitarianism. In this case, is all traditionalism in the area of e.g. relations between men and women exhausted by the rejection of LGBT² and the interpretation of marriage exclusively as an equal union of a man and a woman?

Either, this somewhat vague dream seems to be starting to come true, since America is, as has been repeatedly claimed, now

¹ Orlova A. *Experts spoke about Russia's leadership in the fight for traditional values*, 09.03.2023, available at: <https://lenta.ru/news/2023/03/09/values/> (accessed August 18, 2025). (in Russ.).

² An extremist organization whose activities are prohibited on the territory of the Russian Federation.

returning to its traditional values³. From a certain point of view, if this trend continues, it will be the United States, not Russia, that turns out to be the world leader in the defence of traditional values. As such, “Trump has now officially taken over from Russia the palm of primacy in the fight to protect believers. Moreover, unlike Russia, where they have taken on the task of defending the traditional values of all religions (which are not exactly the same), in the US they will specifically concentrate on defending Christians”⁴. Regardless of the specific policies of the new American administration, it is also noted that America appears to be more committed to traditional values than Russia in a number of respects. In particular, in Russia in 2023, 68 % of marriages ended in divorce, while in the USA the corresponding figure is 40 %⁵. According to 2024 data, the proportion of divorcees in Russian society has increased to 80 %⁶. Moreover, even at the height of the coronavirus pandemic, about 30 % of Americans attended church services⁷, while only 14 % of Russian respondents attended church services once a month or more often⁸.

³ Let us stipulate in advance that, of course, not everything depends on values, even if they were to coincide completely, since there are also objectively determined conflicts of interest. Therefore, as has been noted more than once, the rapprochement between Russia and the United States in the area of values, even if it seems serious, does not yet make our countries friends and allies.

⁴ *Trump takes the palm from Russia in the fight for traditional values*, available at: <https://vizitnlo.ru/tramp-zabiraet-u-rossii-palmu-pervenstva-v-borbe-za-tradicionnye-czennosti/> (accessed August 18, 2025). (in Russ.).

⁵ *Divorce Russian and American style: we feel a sense of freedom, they feel regret*, 21.08.2023, available at: <https://newizw.ru/news/2023-08-21/razvod-po-russki-i-po-amerikanski-u-nas-voznikaet-chuvstvo-svobody-u-nih-sozhalenie-417095> (accessed August 18, 2025). (in Russ.).

⁶ Kopylova A. *VCIOM: Russia is in third place in the world for divorces*, 18.12.2024, available at: <https://snob.ru/news/vtsiom-rossiia-okazalas-natretem-meste-v-mire-po-razvodam/> (accessed August 18, 2025). (in Russ.).

⁷ Quick C. *America’s Changing Spiritual Landscape*, 08.02.2023. URL: <https://influencemagazine.com/en/Theory/America-s-Changing-Spiritual-Landscape> (дата обращения: 18.08.2025).

⁸ Podosenov S. *Russians consider themselves believers, but they do not go to church*, 24.12.2013, available at: <https://iz.ru/news/563084> (accessed August 18, 2025). (in Russ.).

However, all these considerations are significant if the *basis* of Russian or American national-cultural identity is made up of values that are more related to the pre-modern era, i.e., as applied to us – Orthodoxy, Domostroy, and the relationship of personal dependence between landowners and serfs. If this is not so, or not quite so, the superiority of Americans in religiousness or the strength of family ties may have only a partial bearing on the matter, since our truly relevant traditional values belong to another era and are only indirectly related to religion and the strength of the family.

The attractiveness of traditional values in the eyes of our contemporaries comes from the idea that they are the basis of the true identity of a national-cultural community. As such, they are the source of all strength and greatness, which in the history of peoples manifests itself in their highest achievements, at the peaks of their accomplishments, their mark on history.

From this point of view, one can conclude that America and Russia experienced the peak of their power when they were most in line with their essential national character and guided by their “traditional values”. It is significant that in both cases the traditional is associated with the peak of power and influence, i.e. with the imperial and imperialistic period of history. In the public consciousness, our peak of power is associated with the Soviet period of our history. In this respect, “traditional values” turn out to be rather similar in Russia and the West, especially when considering Trump’s America. To a large extent, these are the values of “high modernism”: rationalisation and standardisation; an ideology that implied not so much adherence to the scientific method itself as an uncritical and unscientifically optimistic belief “in the possibilities of comprehensive planning of human settlement and production” (Scott 2005: 21). Thus, if Russia was considered by some publicists and scholars to be the sole heir to Western traditional values, what was actually meant was this common heritage of high modernism. In our country it appeared in the form of socialist and Soviet Modernity with its work ethics, norms of collective living and private life, family values, morality, ethics, attitude to one’s duty to society and the state, etc. Likewise, for modern Westerners in general and Americans in particular, the *current* tradition is associated with the times of the rise and dominance of

the West, with the age of steel, steam and electricity, the first demographic transition with nations and empires that realised their strength and ruled the rest of humanity, strong families, loyalty to the fatherland, God and flag, with a Protestant work ethic that had not yet faded – in short, everything that once made the West great. In the societies of this period, whether Eastern or Western, some moral and ethical values left over from previous times still remained in force. Of course, these presented themselves not in their original forms, but rather those that could be adapted to the realities of industrialisation and urbanisation (Fishman 2024b). However, the subsequent loss of these values is perceived as forfeiting an essential part of the identity of Western societies. And this is exactly what Trump and his team want to restore, proclaiming their famous slogan MAGA⁹.

It is precisely in the narrow, modernist sense that the traditionalism of those who want to make America great again is similar to that of those Russians who regret the loss of the achievements of the Soviet system. They are both variants of regrets about the past peak of power of societies that found themselves at the pinnacle of industrial modernity.

In a word, where we see the peak of strength and achievement, in, as Pericles said in his famous speech, “the eternal monuments on all sides, both of the evil we have done to our enemies, and the good we have done to our friends” (Thucydides 1999: 102); it is there, therefore, that national-cultural identity unfolds in full measure and our traditional values manifest themselves in the most vivid way. Since the peak of Russian power occurred during the Soviet period, and its cultural and spiritual manifestation was Soviet modernism, the content of traditional values in the relevant state documents also mainly tends to take Soviet and modern forms. This is because, for us, “traditional values include life, dignity, human rights and freedoms, patriotism, citizenship, service to the Fatherland and responsibility for its fate, high moral ideals, a strong family, creative work, the priority of the spiritual over the material, humanism, mercy, justice, collectivism, mutual assistance and mutual respect, historical memory and continuity of generations, the uni-

⁹“Make America Great Again” MAGA was the main slogan of Trump’s election campaign.

ty of the peoples of Russia”¹⁰. However, this list does not contain any direct references to the Soviet period, which is a consequence of a fairly long policy of attempts to appropriate Soviet achievements in a de-Sovietised form (Martyanov 2020). However, it is not difficult to guess that for Russian citizens such values as patriotism (which is a phenomenon of the Modern era), collectivism, service to the Fatherland, humanism, justice, creative work, mutual assistance and the unity of the peoples of Russia are associated primarily with Soviet times. Of course, even in Soviet times they did not appear out of nowhere. But it was precisely these values that both mass propaganda and school education emphasised, since the lion’s share of the achievements of the Soviet system was associated with them. The emphasis on human life, dignity, rights and freedoms is a legacy of even more recent times. For the most part, it is the fruit of the reception of the attitudes of Western liberal Modernity, although it cannot be denied that it was also present in Soviet times. As for high moral ideals, a strong family, the priority of the spiritual over the material, the continuity of generations, historical memory, the content of all these values depends entirely on the context created by values of a more general order. It is easy to see that the latter have much more to do with the realities of the middle and second half of the 20th century than with the realities of, for example, the 15th or even 19th centuries. Among these values, the Orthodox Christian faith is not even directly mentioned, despite religion usually being considered as one of the most important components of any “traditional values”.

The peak of American power occurred during the middle of the 20th century and part of its second half. America, both then and in the first half of the 20th century, served as a role model for Soviet Russia, as well as for almost the entire world, in areas of science, technology, organisation, and mass culture. It was the achievements of that period that laid the foundations for American global leadership for many years to come. To achieve success in the fields

¹⁰ Decree of the President of the Russian Federation dated 09.11.2022 No. 809 “On approval of the Fundamentals of state policy for the preservation and strengthening of traditional Russian spiritual and moral values”, available at: <http://publication.pravo.gov.ru/Document/View/0001202211090019> (accessed August 18, 2025). (in Russ.).

of science, technology, and industry, one must possess a very specific set of qualities, albeit manifested in different ways, depending on different tasks. To set great goals and achieve them, a significant amount of idealism is necessary, i.e. “the priority of the spiritual over the material”, whether it manifests itself in a religious or secular-ideological form. This explains why Russians and Americans have a similar *modern* basis for their traditional values. Also connected with it, albeit indirectly, is a certain similarity in the area of attitudes toward work, as well as toward the institution of the family, which can be seen in the conservative sympathies and antipathies of American rednecks and residents of the Russian provinces in the area of sexuality.

Despite the noticeable similarity between the modern component of domestic and American traditional values, however, the ideological “load” placed on them is significantly different. In other words, we have partially similar humanistic and universal values that come with very dissimilar ones that do not evoke clearly positive associations.

For Americans, liberalism, which promises equality and happiness for all, comes complete with racism, “Christian nationalism” and the “white man’s burden” that connotes a specific form of imperialism. Americanism, as Mimi Yang notes, was founded by the WASPs¹¹, who brought the ideal of equality, freedom and democracy, and settled America with the vision of a country where life, liberty and the pursuit of happiness could be enjoyed without restraint. The WASPs were the first to articulate the American Dream, which was the message that people could be equalised through a common humanity that flattened hierarchies and broke down barriers. At the same time, it was clear that Native Americans, African slaves, Asian railroad workers, Latin Americans, Muslims, and many other groups were disadvantaged and marginalised. In order to participate in the American Dream, they were all required to learn to adapt and conform to the “standardized”, “set”, and “carved in stone” WASP form of Americanism. Otherwise, groups and individuals who differed from WASPs in skin colour, religion, and language were generally perceived as less American or unassimilable outsiders, if not as a

¹¹ White Anglo-Saxon Protestant – white Anglo-Saxon Protestants; hereinafter referred to as WASP.

threat to WASP dominance. In short, WASPs did everything they could to distort their own original ideal when it came to later immigrants. Therefore, Yang concludes, freedom and democracy for WASPs, coupled with discrimination and exclusion for everyone else, created a double standard, that designed America at the same time as concocting a horizontal structure that revealed itself as a cultural duality (Yang 2018: 6-8).

In fact, this is why for America a return to authentic traditional values means going back to that ideal state in which there is hardly anyone in the country except WASPs, or at least no one else that threatens the supreme position of WASPs. Because, at the end of the day, this country was created by WASPs and for WASPs, and everyone else, no matter when or how they got there, is a guest who should behave accordingly. This notion gives rise to stated wishes like Trump's "to go back to 1798" because the US is "like a trash can for the world"¹². Of course, by today's standards, the treatment of people of colour and immigrants in 1798 (and even a century later) seems clearly excessive. Moreover, in itself there is nothing particularly "traditional" about it in the ordinary sense. It expresses the natural desire of the people who founded the modern social order to protect it from threats from those who belong to a different culture, even if this means entering into some contradiction with their original principles. It is quite natural for liberal and democratic orders to make exceptions for certain types of citizens or residents in terms of limiting their rights.

Another important component of American traditional values is so-called "Christian nationalism". It is a manifestation of a specific American religiosity, which is often associated with ideas of white supremacy, patriarchy, xenophobia, heteronormativity, authoritarianism, militarism, small-government libertarianism, anti-globalist populism, social conservatism, Islamophobia, proto-fascism, and an orientation toward cultural dominance. For its detractors, Christian nationalism not only *correlates with* these attitudes, but also shapes and reinforces them by directly *incorporating* assumptions about nativism, white supremacy, patriarchy, and heteronormativity (Smith,

¹² O'Brien T.L. *The Peculiarly American Roots of Trumpism*, 01.11.2024. URL: <https://www.bloomberg.com/news/features/2024-11-01/trumpism-has-deep-roots-in-american-history-and-it-will-outlast-trump> (accessed August 18, 2025).

Adler, Jr. 2022). However biased this view may be, it touches on a real feature of American “Christian nationalism” – namely, its focus on certain political, ideological and cultural components of traditional American identity to the detriment of the actual religious components¹³. Such components are not directly related to any particular denomination. In this context, the fact that it is not easy to establish the religious affiliation of the current US president becomes significant. Although Trump considered himself a Presbyterian Christian, he announced ahead of the 2020 US presidential election that he was embracing a broader identity by becoming a nondenominational Christian. In the eyes of his older sister Marian, he has “no principles”. At the same time, there is reason to believe that he has principles, but they are based on the postulates of the book “The Power of Positive Thinking” by Norman Peale, according to which by “having more, you have more”¹⁴. In short, the situation with Trump’s religiosity can be regarded as one of the indirect indications that for his supporters, his political and ideological views, as well as attitudes associated with “Christian nationalism”, are more important than actual issues of religion. Moreover, these attitudes in most cases do not seem to come from the depths of centuries, but rather reflect the very modern realities of American society.

In Russia, socialism, which similarly promised happiness to everyone, comes with various kinds of costs and excesses in its implementation. Among them, the key places are occupied by: victims and repressions during the civil war, collectivisation and industrialisation, the Great Terror; distortions in socio-economic and cultural development caused by rapid urbanisation and “de-peasantisation”; the establishment of strict ideological control over the areas of politics, science, art; attempts to control the personal lives of citizens, etc. Due to the fact that all these circumstances are widely known and

¹³ Perhaps a parallel can be drawn here with the nature of the commitment of many Russian citizens to Orthodoxy, which is practiced by them primarily as an important sign of Russian cultural identity, but does not necessarily imply faith in God or regular church attendance.

¹⁴ Bekmuratova G. *Donald Trump and his faith: what views does the elected US president adhere to*, 08.11.2024, available at: https://iapn.kz/articles/obshchestvo/donald_tramp_i_ego_vera_kakikh_vzglyadov_priderzhivaetsya_izbrannyi_prezident_ssha/ (accessed August 18, 2025). (in Russ.).

have been repeatedly described in scientific and artistic literature and journalism, we do not consider it necessary to dwell on them in detail. It is therefore significant that, at one time, both the Americans and Russians rejected these manifestations of traditional values albeit invoking a greater or lesser degree of catastrophe. In Russia, the rejection took the form of a gradual discrediting of the Soviet system along with its moral and ideological components in the eyes of the population, which ended with the collapse of the USSR. In America, the rejection took the form of an erosion of racially segregated orders, a watering down of often sanctimonious religious and sexual morality, the triumph of identity politics, “applied postmodernism”, etc. – i.e., everything that, in the eyes of right-wing conservative critics like Pat Buchanan (Buchanan 2003), looked like the result of a Marxist conspiracy and a creeping revolution.

Clearly, the turn back to traditional values on the part of both Russians and Americans does not mean that we actually want to go back to the old ways in full. Despite all the accusations of ill-wishers about a return to the “sovok” [person with an ingrained Soviet mentality] or to the times of racial segregation, such suspicions have shaky grounds. It must also be taken into account that such rollbacks are in both cases reactions to excesses in the other direction. They are called upon to solve the problems of today with a more or less clear understanding that it is impossible to step into the same river twice. For example, in the US, the widely declared rejection of the “left” agenda is in reality “not a question of protecting traditional values, but of a thoughtful and calculating refusal by an entrepreneur to spend money on unproductive areas”¹⁵. Similar in form to that of a century ago, American realist rhetoric in foreign policy today is objectively aimed at solving the inevitable problems that arise as the American empire declines. This is concomitant with a need to “recall the legions” to geographically compress the imperial space to the most important areas, territories and strategic points¹⁶.

¹⁵ Belkovich R. *Elon Musk and his associates: rebellion against politics*, 07.01.2025, available at: <https://globalaffairs.ru/articles/protiv-politiki-belkovich/> (accessed August 18, 2025). (in Russ.).

¹⁶ Novikov D. *Empire and Revolution. On Some Aspects of the Trump Administration's Strategic Thinking*, 03.03.2025, available at: <https://globalaffairs.ru/articles/imperiya-i-revoljucziya-novikov/> (accessed August 18, 2025). (in Russ.).

In short, Trumpist policies by definition cannot lead to the return of either America's golden or gilded age. Likewise, none of the symbolic and practical aspects of Russian foreign and domestic policy in recent decades have led to the restoration of the Soviet system, nor of the USSR itself.

To sum up, we can conclude that both for Russians and for the Americans, an appeal to traditional values can only be carried out in the form of retro practices – as a fairly arbitrary and selective use of elements of the heritage of the past to solve the problems of today (see for more details: Fishman 2024a). *This kind of appeal to the values and practices of the past cannot in itself be the basis for a specific political or economic program of action.* Retro-practices do not determine the main direction of history, but merely compensate to some extent and make the costs of moving along the path of social transformations that modern societies have long since embarked on more morally and psychologically acceptable. From time to time, the costs of “high modernism”, the excesses of emancipation policy or the costs of social utopianism in the derogative sense of the word prompt Modern societies to turn to the legacy of the past. Its elements in the form of relationships, symbols and ideologies, which are imported into modernity on a tamed and limited scale, are called upon to moderate the costs of “progress” that has gone too far. At the same time, the general direction of movement itself is not in doubt: Russia and America, despite all their differences, are societies in which the main achievements of the Modern era remain unshakable. As such, they will seek to strengthen themselves primarily on the path of science, technology, development and the most effective use of human potential, etc. It is also the case that in this particular historical period, Trump's America has embarked on the path of retro-practical correction later than Russia and will experience the perturbations characteristic of this typical state of Modernity in different forms than Putin's Russia.

At the same time, one should be careful when assessing this method of self-correction characteristic of the state of Modernity through selective reference to the past. One cannot unconditionally believe what is declared at the rhetorical and symbolic level. Labels such as “patriotic”, “fascist”, “racist”, “socialist”, or even “Orthodox-Christian” often conceal content that is far from what is proclaimed when self-applied. There is even less reason to trust such charac-

teristics when they are used to stigmatise an opponent. The qualification as a racist, fascist or totalitarian etc. may be very far from reality due to the fact that, from the point of view of a certain kind of leftists and liberals, anyone who does not welcome gender diversity or uncontrolled migration is already a sexist and a fascist. At the same time, the use of symbols that belonged to right-wing or left-wing radicals who once lost in a civil or world war or in a political struggle may mean nothing more than a reaction to the hypocrisy of today's masters of discourse, who just as unjustifiably associate themselves with the victors of yesterday's conflicts. The outrage of "Proud Boys" over the dominance of immigrants does not necessarily mean that they are committed to the racism of the last century. Rather, it means a desire to reconfigure the system of social redistribution in order to make its beneficiaries "our own" and not "others". Similarly, a return to traditional values does not preclude the preservation of tolerance towards gay people¹⁷.

In short, no matter what kind of right-wing, reactionary or left-wing rhetoric we encounter today, we should proceed from the tasks that the political forces resorting to it are attempting to solve. The task in both cases is to make their powers "great again" – not abstractly great, but great *as societies of the Modern era*. It is clear that it is to this era that both American and Russian *fundamental* values belong, since perceived as the basis of national-cultural identity and a source of strength. And therefore it is no coincidence that the Russian political leadership in recent years has been most concerned with the problems of innovation and modernisation, while the American leadership has been more concerned with the reformatting of America's global hegemony into technological dominance. Accordingly, the hypothetical "world order of great powers" that is replacing liberal globalism will become, first and foremost, a competition between different versions of Modernity. In this rivalry, the parties willingly, although not necessarily¹⁸, resort to the rhetoric

¹⁷ *Trump, who once nominated a gay minister, is unlikely to protect genuinely traditional values. Opinion*, 21.01.2025, available at: <https://rossaprimavera.ru/news/d3a43002https://rossaprimavera.ru/news/d3a43002> (accessed August 18, 2025). (in Russ.).

¹⁸ For example, in the 2016 campaign, Trump focused on "the interests of working Americans, but without an emphasis on traditional values" (Sokolshchik 2018: 507).

of “traditional values”. Regardless of how much appeals to traditional values in themselves help to achieve greatness, the content of the latter is actually determined by the principle: what from the legacy of the past gives strength is seen as tradition, while everything else at best serves as a carnival mask, and at worst simply loses its meaning.

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Formatting a New Sociality in the Digital Age: Experience of Belarus, Global Civilization Trends and Challenges

Abstract. The paper reflects processes of modernization of Belarus in the context of general civilizational trends of the formation of the information society and digital transformation. The author demonstrates features of the Belarusian development in the post-Soviet period, which have allowed the country to form a solid foundation for innovative changes in the economy and social sphere. Also he reveals main stages of the formation of the information society in Belarus and prerequisites for the transition to information and digital platforms of scientific, technological, socio-economic and cultural development. The author presents tendencies in the formation of a new model of society because of the active influence of high technologies on a society. He takes into account all changes at the state-administrative, socio-economic, socio-cultural and subject-anthropological levels and shows a new sociality. In this context, a socio-philosophical analysis of the phenomenon of “new sociality” is carried out as a result of a profound transformation of social structures and subjectivity under the influence of digital technologies and artificial intelligence. The dialectic of global civilizational trends and the specifics of institutional adaptation are considered using the example of the Republic of Belarus. The author examines the problem of the formation of artificial intelligence systems, the possibilities of their use in various spheres of society, the necessity of creating of ethical, cultural and socio-legal mechanisms for managing artificial intelligence development programs. The accompanying challenges and risks for humans and society arising from progress in the field of high technologies, including artificial intelligence technologies are also in the focus of the research. Considerable attention is paid to the philosophical reflection of the anthropological risks of delegating cognitive and existential functions to AI, the problems of preserving human autonomy and the construction of ethical and legal foundations for the harmonization of socio-technical development.

Keywords: Republic of Belarus; Belarusian development model; information society; digital transformation; new sociality; artificial intelligence

The late 20th and early 21st centuries have been marked by a series of pivotal social, political, cultural, and even technological developments. Among the most significant are the dissolution of the USSR and the consequent collapse of the established world order, the transformation of globalization's ideology and praxis, shifts in norms of national-cultural identity, and the rapid advancement of science, technology, and digital infrastructure. In its recent history, the Republic of Belarus has confronted all these changes, undergoing several defining stages.

The establishment of the Belarusian presidency emerged as a central aspect of the country's political transformation. The 1996 referendum effectively restructured the state system, consolidating primary authority within the executive branch. This move elicited a broad spectrum of reactions, ranging from sharp criticism to assertions of the necessity for institutional centralization amid historical uncertainty. The debates surrounding the balance between parliamentary and presidential systems of governance were less concerned with democratic theory *per se* than with the applicability of its principles to the political realities of post-Soviet states, which had yet to undergo full legal and political maturation (Gusakov 2025). In the Belarusian context, this choice was evidently driven not by abstract models but by specific historical-cultural contingencies and a perceived imperative to maintain societal cohesion.

The concentration of power enabled a focus on fundamental objectives: ensuring political stability, managing social processes, revitalizing the economy, and reinforcing cultural distinctiveness. Evolving along the lines of an "Eastern European hybrid model" (Parechina 2003), Belarusian presidential system gradually assumed the contours of an independent branch of governance, forging both symbolic and practical unity among state institutions. This provided the foundation for a resilient political hierarchy capable of steering societal transformation during a transitional period. Belarusian socioeconomic policy during this period followed a clear trajectory – pursuing evolutionary renewal without abrupt upheavals, while preserving the institutional continuity of the Soviet economic framework and accounting for the cultural traditions and mental dispositions of the Belarusian people. The development strategy adopted by the country's leadership avoided the adoption of alien templates or the temptations of eclecticism – a stance justi-

fied by an intuitive conviction in the necessity of organic, internally driven transformation rather than externally imposed solutions. The concept of a *strong state* became the cornerstone of this model, rooted in the belief that only a centralized authority could ensure social justice, legal order, sustained economic growth, and protection against the chaos that unconsolidated democracies often succumb to amidst crises of identity.

In this system, economic activity was framed as a domain for fair competition, where private initiative received support *on par* with state institutions, yet remained strictly bounded by considerations of public interest and national security. Economic endeavors were no longer viewed merely as instruments of profit but rather as a means of advancing the collective good – through infrastructure investments, industrial modernization, and employment growth. Foreign economic relations were approached through the lens of multi-vector engagement – a strategy aimed at balancing domestic needs with international risks, opening the country to new ideas and technologies while preserving independence and maintaining control over strategic sectors vital to societal and state functioning.

Simultaneously, Belarus prioritized deepening integration with various countries and regions, emphasizing not only economic ties but also cooperation in culture, science, healthcare, and education. This integration was understood not as assimilation into external systems but as an expansion of mutually enriching interactions. Central to this model was social policy as the foundational philosophy of the state – one that prioritized the well-being of its citizens, ensuring access to healthcare, education, and cultural enrichment while fostering opportunities for self-realization irrespective of economic status.

The aforementioned characteristics of the current Belarusian model of national-state and socio-economic development indicate a sufficiently stable position of the country, establishing the foundations for further sustainable growth and economic modernization grounded in accelerated scientific, technical, and innovation-driven progress. The paramount socio-economic priority remains the continued improvement of living standards and quality of life for the population, achieved through technological modernization, structural optimization of the economy, enhanced competitiveness, and qualitative advancements in healthcare, education, science, and culture.

A crucial objective – both in administrative and societal terms – is the systematic modernization of all spheres of Belarusian society, informed by global civilizational achievements and trends. In this regard, priority is given to advancements in information and communication technologies, digital transformation, and the development of artificial intelligence systems, which fundamentally reshape the material and technical infrastructure of all economic sectors while fostering a new societal paradigm with expanded potential. This strategic priority is formally enshrined in Belarusian programmatic framework, particularly in the *National Strategy for Sustainable Socio-Economic Development until 2030*, approved by the Presidium of the Council of Ministers of the Republic of Belarus on February 10, 2015¹.

Among other strategic government decisions governing the establishment of an information society in the Republic of Belarus, the *Strategy for the Development of Informatization in the Republic of Belarus for 2016–2022* should be highlighted. This document defined the principles of state policy in the field of informatization and outlined key directions for the advancement of the information society, taking into account a range of factors influencing its progress². Equally significant was the adoption of the *State Program for the Development of the Digital Economy and Information Society for 2016–2020*³. The implementation of this program contributed to achieving one of the priorities of Belarusian socio-economic development – namely, fostering effective investments and accelerating growth in innovative sectors of the economy. As a result, conditions

¹ *National Strategy for Sustainable Socio-Economic Development of the Republic of Belarus until 2030*, available at: <https://economy.gov.by/uploads/files/NSUR2030/Natsionalnaja-strategija-ustojchivogo-sotsialno-ekonomicheskogo-razvitija-Respubliki-Belarus-na-period-do-2030-goda.pdf> (accessed February 03, 2025). (in Russ.).

² *Strategy for the Development of Informatization in the Republic of Belarus for 2016–2022: Approved at the Meeting of the Presidium of the Council of Ministers on 03.11.2015, No. 26*, available at: <http://nmo.basnet.by/informatization> (accessed February 03, 2025). (in Russ.).

³ *State Program for the Development of the Digital Economy and Information Society for 2016–2020: Approved by Resolution of the Council of Ministers of the Republic of Belarus on 23.03.2016, No. 235*, available at: <https://pravo.by/document/?guid=12551&p0=C21600235&p1=1> (accessed February 03, 2025). (in Russ.).

were established to facilitate the efficient transformation of key sectors under the influence of information and communication technologies (ICT). This included laying the foundation for a digital economy, expanding information infrastructure, and enhancing the objectives and technological capabilities of e-government.

A pivotal development in this regard was the adoption of Decree No. 8 *On the Development of the Digital Economy*. This document redefined the legal framework governing the High-Tech Park (HTP), including the operational procedures, the scope of authority of its Supervisory Board and Administration, the residency registration process, and the regulatory requirements for its member companies. A key achievement was the introduction of unprecedented state support measures for the HTP and, by extension, the domestic IT industry as a whole⁴.

To date, the Republic of Belarus, like several other nations leveraging information technology in pursuit of national interests, aligns with the strategic objective of integrating into the global information society. This endeavor necessitates addressing at least three fundamental issues: 1) the purpose of establishing *an information society*, i.e. clarifying its intended societal and economic impacts; 2) the means and pathways to achieving this goal, i.e. expanding the applications of information technology, improving access to information, and fostering political, economic, cultural, and legal conditions conducive to the growth of a national digital and technological ecosystem; 3) the allocation of *roles and responsibilities*, i.e. defining the contributions and accountabilities of key stakeholders in the information domain, including the state, institutional structures, businesses, and other relevant actors.

The Strategy for Information Society Development in Belarus is built upon a historically established education system strongly oriented toward training specialists in natural sciences and technical fields – particularly to support knowledge-intensive industries, including information and communication technologies (ICT). Given the priorities of the digital age, it is imperative to respond swiftly

⁴ *On the Development of the Digital Economy: Decree No. 8 of the President of the Republic of Belarus, December 21, 2017*, available at: <https://www.economy.gov.by/uploads/files/sanacija-i-bankrotstvo/Dekret-Prezidenta-Respubliki-Belarus-ot-21-12-2017-N-8-O-r.pdf> (accessed February 03, 2025). (in Russ.).

to the evolving demands of the information society and the needs of the ICT research and production sector. A crucial objective in this regard is the development of an effective national educational information environment that facilitates collaboration among all stakeholders in education while fostering a national system of electronic educational resources.

Key priorities for advancing the ICT industry and scientific research include: 1) establishing cutting-edge software production at leading Belarusian universities and the National Academy of Sciences of Belarus; 2) developing and implementing supercomputing and distributed computing technologies; 3) creating an export-oriented services sector specializing in automated design for complex products and technological processes, as well as engineering and technical documentation development.

From a *civilizational perspective*, the advancement of high technologies and the implementation of the digital agenda ultimately lead to the formation of a new model of social development – referred to here as *new sociality*. For Belarus, as well as for other nations, this emerging paradigm undoubtedly fosters progress across all spheres of societal activity. However, it also introduces distinct risks and challenges that must be identified and mitigated in a timely manner. The defining characteristics of this *new sociality* manifest at multiple levels. At the level of *governance*, it is increasingly evident that traditional administrative structures are undergoing substantial transformation. The state is evolving toward greater flexibility, humanizing its functions, and transitioning to a service-based model of interaction with citizens. This shift necessitates a re-evaluation of the roles of both governmental authority and civil society, the latter of which no longer operates as the rationally ordered Enlightenment-era institution but increasingly takes the form of decentralized, spontaneous, and at times conflictual self-organization. This phenomenon demands comprehensive philosophical and legal analysis, critical scrutiny, and intellectual support. Without such interventions, this nascent social model risks becoming either subject to soulless technocracy or vulnerable to informational chaos.

From an *economic perspective*, the *new sociality* emerges not merely as a tool for enhancing efficiency, but as a means of humanizing the very logic of economic development. Artificial intelligence,

automation, and platform-based solutions elevate the economy to a new level of planning, yet paradoxically re-center it around the human being as the focal point of this emerging social paradigm. A foundational concept in this framework is *service* (or *social service*) – not as a peripheral function, but as a universal form of productive and social activity. It would be erroneous to perceive this mode of activity as non-labor or virtual in nature: on the contrary, service epitomizes the fundamentally human orientation of the entire economic system. This is a targeted form of engagement, oriented not merely toward the consumer, but toward the individual as a person. Everything that is created must align with the fundamental question: *Who is this needed for, and why?* Even material goods, when contextualized within their social significance, can be understood as services if they are regarded as the outcome of intentional interaction between producers and society. Under these conditions, the economy ceases to function solely as a system of exchange; instead, it becomes a domain of socially meaningful values – one in which technology must serve humanity, not substitute for it.

From a *civilizational perspective*, the emerging *new sociality* is characterized by a departure from earlier paradigms of societal development, where culture was regarded as both the foundation and primary arbiter of civilizational progress. As Nikolai Berdyaev notably emphasized, culture is intrinsically tied to national and *grounded* identity, whereas civilization embodies an *international* nature (Berdyaev 1990). This dichotomy has sharply intensified in contemporary times. Cultural values, once shaped within the boundaries of specific nations and states, are now instantaneously disseminated, replicated, and frequently detached from their original spatial and temporal contexts. This shift raises critical questions about preserving national-cultural identity – not merely as a rhetorical concern but as a philosophical and operational challenge: How does one maintain authenticity without regressing into archaism? How does one engage with global influences without sacrificing uniqueness?

An overemphasis on the national dimension of culture – while disregarding the broader civilizational trajectory – condemns culture to stagnation, rendering it static, self-contained, and incapable of meaningful dialogue. Conversely, the unmitigated dominance of the civilizational component is equally perilous, as it erodes

distinctiveness, dissolves the particular into the universal, and substitutes depth with mere dynamism. Thus, the crucial task of contemporary cultural development is not to resist change but to actively shape it, cultivating both internal resilience and deliberate openness in tandem.

From an *anthropological perspective*, this *new sociality* not only places *human beings* at the very center of profound transformations in inner structure, worldview, and mode of existence, but imposes demands of unprecedented speed and intensity upon them, far surpassing what was deemed conceivable until recently. Information flows proliferate exponentially, events unfold at an overwhelming pace, and the individual increasingly functions not as an autonomous agent but as a conduit or relay for these inundating currents – leaving little room for reflection or deeper comprehension. This dynamic engenders not merely *social fatigue* but a fundamental anthropological distortion – *a rupture* between the essential nature of human beings and the functional expectations imposed upon them in the digital age.

The worldview of contemporary individuals is rapidly deviating from classical ontological foundations. Life is increasingly experienced as fragmented, episodic, and devoid of coherent meaning. Notably, alongside technological advancement, the prevalence of various forms of behavioral deviation has risen – from internet and gaming addictions to neo-behavioral syndromes emerging at the intersection of virtual and real modes of existence. Rather than merely being immersed within digital environments, individuals are now beginning *to dissolve into them*. It has become evident that human cognitive and emotional resources cannot keep pace with the velocity of technological change. A particularly alarming symptom, however, is the widespread inability among many to generate independent meaning: in an era of information saturation, people increasingly rely on prefabricated templates proliferating in the media sphere, without interrogating their origins, structure, or underlying values. This phenomenon gives rise to what is termed *clip consciousness* – a superficial, fleeting, and reactive mode of awareness, incapable of sustained attention, critical engagement, or creative reinterpretation.

This anthropological shift, which poses a threat not only to human intellectual but also existential well-being, inevitably leads to

a crisis of worldview – a disorientation regarding life’s fundamental coordinates. The boundaries between the authentic and the artificial, the experienced and the simulated, the corporeal and the digital, are growing increasingly blurred. Within this chaos, individuals struggle to sustain a sense of their *inner core* – the very center around which their identity is constructed. To confront these challenges effectively, what is required extends beyond mere educational or professional competencies. It demands profound philosophical reconsideration – a return to foundational questions: What does it mean to be human in the era of *new sociality*? What is our purpose? Where lie the limits of individual freedom in relation to our growing dependence on an ever-accelerating techno-world?

To summarize the above, we can argue that contemporary civilizational progress and the accompanying new temporality of social practice have, in many respects, outpaced the capacity for theoretical foresight regarding these processes, i.e. the capacity of social theory. Social theory most often emerges belatedly as a product of generalizing rapidly evolving practices. Within this context, it is critical to emphasize that the new condition humanity is entering demands novel intellectual technologies and a new type of knowledge – one capable of facilitating the effective selection of both necessary information and corresponding behavioral orientations and competencies. To put it even more precisely: the emerging sociocultural and technological reality necessitates a new type of subject, one organically suited to this reality. All attempts to enhance human cognitive functions, potential *chipization* of individuals, the development of intelligent robotics, neurointerfaces, and similar advancements are precisely aimed at this objective. From a *traditional humanistic perspective*, however, such a trajectory of scientific and technological progress appears – to put it mildly – unbecoming of *homo sapiens*, long regarded as the *pinnacle of nature*.

Nevertheless, artificial intelligence (AI) technologies, as part of a *new sociality*, are becoming deeply embedded in everyday life across diverse domains – ranging from household, medical, and scientific-educational applications to military-industrial and space exploration endeavors. These technologies are advancing rapidly worldwide. For instance, Belarus showcased its achievements in this field at the *2nd IT Academgorodok Forum Artificial Intelligence* that took place in 2023. Significant attention has been drawn to Belarusian

academic developments in AI for space exploration, healthcare, logistics, public transportation, computer vision, sports analytics, and other fields. The forum also introduced *BELAI.BY*, Belarus's national AI platform. Both in Belarus and globally, considerable emphasis is placed on the legal and ethical implications of integrating AI into social practice. A pressing concern in this regard is the substantial lag in regulatory frameworks governing AI compared to the technology's rapid evolution.

However, the prospects for humanity itself appear less optimistic amid AI's swift progress. As we increasingly "delegate" physical and, subsequently, intellectual functions to machines, the very architecture of everyday cognition undergoes transformation: certain skills erode, while others shift toward alternative cognitive strategies. This raises the risk of a peculiar "cognitive monoculture", wherein external service mechanisms begin to supplant internal processes of orientation, memory, and reasoning. Consequently, individuals risk becoming not merely adjuncts to technology but also beings whose creative agency gradually diminishes – as key operations, from navigation and planning to data analysis and decision-making, can now be (and already are) performed by AI tools.

The theoretical horizon of this process can easily be radicalized: if IT systems can already manage transportation, optimize payments, conduct dialogue, configure decision-making in governance and jurisprudence, reflect upon their own experience, and autonomously refine it, then the emerging *socio-technical world* appears functionally self-sufficient and ostensibly capable of operating without direct human involvement. Yet this proposition contains a methodological flaw: the issue lies not merely in the computational capacity of algorithms, but in how we design the coexistence of humans and machines. The exclusion of human agency from the infrastructure of decision-making risks not progress, but the erosion of subjective autonomy. For this reason, the imperative today is not total automation, but a calibrated *architecture of coexistence* – one that deliberately preserves and institutionally safeguards the spectrum of human competence.

The potential applications of AI in broader sociocultural and sociopolitical modernization remain uncertain – particularly in shaping state policy priorities, governance, and the development of democratic institutions and systems. A fundamental tenet of

any democratic system is the ability of individuals to freely express their will, coupled with the political system's capacity and willingness to aggregate the opinions and sentiments of the majority to inform decision-making. Historically, individuals have relied on personal experience and knowledge when making choices. However, the widespread adoption of AI introduces not merely the temptation but, in some respects, the imperative to defer to 'its' judgment. This shift presents new opportunities for manipulation – both at the individual and collective level – posing significant risks to democracy and social stability. In essence, democracy becomes heavily dependent on a small minority of AI developers and potential third-party actors. To illustrate, in the *Global Risks Report 2024* (based on a survey of participants at the World Economic Forum in Davos), "AI-enabled misinformation and disruption" ranks as the second most pressing global risk – surpassed only by extreme and uncontrollable natural/climatic factors⁵.

The issue of human potential – its status and evolution – within the modern socio-techno-cultural landscape has gained relatively recent prominence. This environment is characterized by the rapid proliferation of digital and informational technologies, including AI, and the increasing integration of various aspects of human existence into the techno-digital realm. Today, this phenomenon has become a central concern across numerous academic disciplines, driving the development of conceptual and methodological frameworks not only in philosophy but also in sociology, economics, legal studies, cultural theory, psychology, techno-science, cognitive sciences, and beyond. However, this intellectual inquiry remains far from conclusive due to several factors, not least the ongoing scholarly debate regarding the merits and drawbacks of contemporary digital technologies and their impact on societal and governmental priorities.

Within this spectrum of issues, the topic of AI warrants particular attention, especially concerning its interpretation through philosophical inquiry. Since its inception, philosophy has centered on the study of consciousness – human self-awareness, humanity's

⁵ Global Risks Report 2024, *World Economic Forum*, available at: <https://www.weforum.org/publications/global-risks-report-2024> (accessed January 28, 2024).

place in the natural world, the apprehension of external phenomena, and, by extension, the examination of knowledge and the emergence of science (initially within the domain of philosophy) with its conceptual and categorical frameworks. This process has given rise to evaluative judgments, value hierarchies, and ethical norms – all forged through humanity’s protracted sociocultural evolution, marked by both achievements and upheavals, loosely characterized as a form of natural selection.

AI represents an entirely novel link in this evolutionary chain – one foreign to the organic world and thus termed *artificial*. It is the product of human intellect, shaped by a historical trajectory of development and governance. *Artificial intelligence*, however, currently lacks such a foundation. Consequently, it is imperative to harness the normative resources of philosophical ethics to devise mechanisms for the constructive socialization of AI systems. This stands as a pressing imperative in fostering productive collaboration between philosophers and AI engineers.

A second and no less critical task pertains to recognizing that the advancement of scientific and technological progress stems from the continuous deepening of knowledge, the penetration of human thought into the essence of phenomena, and the generation of creative ideas – all of which undergo verification according to established criteria of truth and epistemic justification. These achievements are the result of centuries of work in epistemology, logic, and the methodology of science – an endeavor scarcely attainable within the framework of autonomous AI development confined to narrow technical expertise. In other words, the prospects for artificial intelligence – particularly, so-called *strong AI* – must be grounded in interdisciplinary approaches, involving philosophers, psychologists, linguists, legal scholars, and other experts in the social sciences and humanities.

In this context, it becomes imperative to comprehensively study the challenges of human, societal, and state adaptation to existence in a new (digital) reality characterized by intensified informational and communicative processes. Equally crucial is the systematic development of principles and mechanisms for strategic planning and governance within networked communication environments, aligned with the strategic objectives of socioeconomic and state development.

Today, the technological tools of civilizational advancement are being refined and multiplied, yet the humanistic meanings and goals of progress often fade from view. In other words, while nearly anything seems possible from a technical and technological standpoint, socio-cultural and ethical considerations impose certain *red lines* – boundaries that neither individuals nor society as a whole ought to cross. Consequently, the key philosophical and existential challenge of our time lies in bridging the growing value gap between the capabilities of the socio-technological world and the humanistic ideals and meanings upheld by humanity.

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Formation of the Russian Civic Nation: Orthodox, Soviet, Russian

Abstract. The transformation of the estate-based Russian Empire into a modern nation state was hastened by the Revolution of 1905, after which a constitution was adopted and institutions of popular democratic representation were introduced. This gradual movement towards civic nationhood was accelerated by the First World War; following the 1917 Revolution, a specific model of a civic nation emerged in the form of the Soviet people. In the USSR, a social state was created that guaranteed citizens' rights and freedoms that were comparatively progressive for the time, including broad participation in the adoption of socially significant decisions. However, history has demonstrated the failure of the Soviet model of common civic identity, which was replaced by conflict-generating class- and ethno-national palliatives. The contradictions inherent in this model arose in the USSR under the rhetoric of internationalism, the fight against Great Russian chauvinism, and especially the concept of the *brotherhood of peoples* (later downgraded to *friendship*), to latently cultivate a set of ethno-national states. The collapse of the Soviet people as forming the basis for a failed civic nation appeared to legitimise the complex of ethnonationalisms that had emerged at that time in the post-Soviet states. The exception is contemporary Russian society, in which the consolidation of the nation takes the paradoxical form of a suppression of civic nationalism and its replacement with imperial-civilisational and pseudo-Soviet rhetoric. As a result, archaic imperial governance practices, once designed for weak (indirect) control over peripheries and colonies that were culturally distinct from the centre, are turned inward towards the former metropolis, legitimising centrifugal tendencies along with questionable political demands by minorities. In the comparative context of post-Soviet states, the Russian Federation represents, at best, a *deferred nation*. As a result, the common civic identity, which should be founded on the culture of the majority (the state-forming people), manifests itself as a spectrum of institutionally entrenched particular identities that conflict with the majority.

Keywords: Russian nation; Russian Empire; nationalism; nation-state; Soviet people; multinational people; civic identity; civilisation state, consolidation

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Introduction. The historical formation of any nation presupposes a natural rise of civic nationalism, during which a consolidating identity is formed: culture, territory, language, a common past (collective memory), and ideas about sacred symbols (victories, sacrifices, achievements) that distinguish the nation from other communities. Later, an inevitable routinisation and institutionalisation of nationalism occur in the technologies of self-description, upbringing, education, and management of future generations of the consolidated nation. At the same time, the various local cultural traditions, features and characteristics present in the consolidated culture of the nation-state do not disappear. Instead, they become historical foundations for the creation of a broad national identity, maintaining their influence primarily in the private lives of citizens and individual groups, but not in the area of public regulation of social life and political-administrative structure. At the same time, the consolidating civic identity is naturally weakened by the political accentuation of cultural differences within a nation (ethnic, linguistic, religious, class, etc.), along with their search, confirmation, and symbolic capitalisation.

Russian Empire: Prehistory of a Nation. Prior to the formation of the nation state, the modern public sphere, and the common civil identity that replaced the feudal-class *ancien régime* that preceded it, one could speak of families, clans, tribes, communities, estates, and ruling dynasties, but not of civil society and the civic nation state in its modern sense. François Guizot surmises that medieval European society “between the 5th and 12th centuries contained everything that we have encountered and described in it: kings, secular aristocracy, clergy, citizens, colonies, religious power, secular power – in a word, the beginnings of everything from which a people and a government could be formed; and meanwhile, there

was neither a people nor a government in it. During the time we are studying, there was nothing resembling a nation, a government, in the sense in which these words are now commonly understood. We encountered a multitude of private forces, individual facts, local institutions, but we saw nothing general, nothing public, we saw neither politics in the proper sense of the word, nor true nationality” (Guizot 2007: 185). Even the later absolutist monarchies, when referring to themselves a nation, limited the scope of its semantic meaning only to the aristocracy, not to be confused with the people, who represented the politically non-subjective lower classes (Malakhov 2005: 18).

Russia’s historical and institutional movement towards a centralised territorial state with a unifying Orthodox identity was catalysed at the beginning of the 18th century. The key contribution of Peter the Great’s reforms is associated with a new stage of the unification of Russian lands, the centralisation of mechanisms of power and taxation, and, above all, the creation of a professional army and bureaucracy. All these elements for the first time form the institutional configuration of a territorial state in the form of a class-based centralised monarchy. The most important element of the empire was the regular professional army, which replaced the outdated *streltsy* troops. The core of the army, and subsequently the political order, became a consolidated nobility headed by an absolute monarch, who distributed land with its population as a *resource for sustenance* and reward for military and state service. The army, which was designed to defend the territory of the Russian Empire, became an institutional model for organising the governance of all social spheres, including civil service, economic development, and the spiritual sphere. This initial core, which formed the service class and was regulated by the Table of Ranks, became the cornerstone of the reproduction of the Russian elite in the following centuries. This institutional model functioned until the inevitable expansion of the narrow model of aristocratic modernity to include the majority of the population. The era of total mass wars required the scaling of a professional regular army to a *nation in arms*, which simultaneously conferred mass political rights and displaced hereditary ruling dynasties along with the nobility.

Thus, Peter’s reforms established the basic identity of imperial Russia, which, despite the inevitable accumulation of internal con-

flicts and contradictions in the triad of faith, tsar, and Fatherland that emerged as a result of the expansion of the Tsardom of Muscovy into imperial Russia, existed almost unchanged for two centuries. This is a paradoxical configuration of an early modern state in its institutional basis, whose fruits could be enjoyed by the service class, while the negative costs of class society were mainly consigned to the peasantry. The undoubted merit of Peter I's reforms was the unification and concentration of power using available resources to strengthen it. This brought Russia closer to the now familiar modern state, which concept was enshrined in Europe by a set of treaties that defined the contours of the Peace of Westphalia. The key elements of the modern state include its sovereignty in foreign affairs and the autonomy of national (state) elites that control the territory and determine the political order and hierarchy of values. At the same time, the model of *internal colonisation* organically led to the loss of cultural and other intrinsic value of the overwhelming majority of Orthodox Christians, who turned into a resource for the consolidation of the absolute monarchy. This model continued to operate in the Soviet period in the form of an *anti-empire*, where modernisation became indistinguishable from the asymmetrical exploitation of the Russian centre for the sake of the accelerated development of the borderlands and peripheries in the form of the union republics (Etkind 2013). In this context, the long revolutionary turn of February-October 1917 contained, among other things, the desire to liberate the metropolis from the unbearable imperial burden; according to this logic, right-wing currents (the Cadets, the Octobrists, the All-Russian National Union, etc.) began to act in accordance with the logic of the national liberation movement to endow the Russian people with civic dignity and inalienable rights. All this prepared the historical ground for the subsequent birth of the *nation as a fellow citizenry of equals*.

Thanks to the centralisation of its army and bureaucracy, the Russian estate-based empire was able to sustain itself as a cultural collection of different ethnic groups, languages, religions, and peoples, politically united only by arrangements between the emperor and his vassals, as well as between the elites of the metropolis and those of the colonies and peripheries. Indeed, the inclusion of foreign cultural and religious entities into the empire did not imply any deliberate attempts to assimilate them. Rather the peoples that

made up the empire lived according to their own distinct traditions, customs, and culture, without forming a co-citizenship and united only by a minimal set of obligations of the peripheries in relation to the centre, but not to each other – from the promise of neutrality to the obligation to form military units of a specified size, or the payment of tribute or taxes in exchange for guarantees of security and the preservation of autonomy. Consequently, the collapse of the empire took the form of the termination of agreements between the ruling elites, when territorially distant colonies or peripheral territories easily broke away from the centre of the empire to form new states (Poland, Finland). Therefore, the political formats of the class-based pre-modern empire and modern nationalism in the political format of the nation-state belong to different historical times. Under the conditions of Modernity, empire can only function as a political metaphor to refer to large sovereign states – *great powers*.

The Russian Empire, as one of the centuries-old European leaders, played an important role in stabilising the pan-European space. At the same time, Peter I established what was in many respects a provincial (colonial) worldview, which saw Europe as an unquestionable source for imitation. It is thus even more paradoxical that the Russian Empire repeatedly had to act as the *last European* (Fyodor Dostoyevsky) in coming to Europe's rescue from various wars and collapses. However, the key element of national formation – the transformation of the hierarchical, estate-based society with its consolidating Orthodox religious identity into a project of *equal co-citizenship* based on the narrative of nationalism – still lay ahead.

Contradictions of the Soviet people: ethnic, class and civic.

At the heart of the USSR's political project lay the overdue problem of transforming the class system of the Russian Empire into a civic nation, which was catalysed by the First World War: "The problem that empires faced in the modern era was not the problem of 'inefficiency', but the problem of legitimacy. Since 1789, when the principle of the will of the people, or nation, has been asserted as the principle of legitimation of authority, the governments of imperial states have found themselves in a delicate position. They cannot simply adapt the institutions of representative government... The principle of 'self-determination of the people', interpreted in the spirit of nationalism (one people – one state – one culture), ticks next to them like a time bomb" (Malakhov 2010: 109). The politi-

cal genesis of nations, which became widespread in the First World War during the mutual undermining of the participating empires through the support of national movements and minorities in the enemy camp, led to the collapse of the Ottoman Empire, Austria-Hungary, and the Russian Empire. In the second round, following the results of the Second World War, the metropolises of colonial empires – especially Great Britain and France – suffered a loss of legitimacy. The 20th century became a long period of disintegration of empires and pseudo-imperial loose *multinational federations* (Yugoslavia, Czechoslovakia, USSR, India, etc.), which was largely driven by the legitimising principle of self-determination of political ethnic nations. Since the territories of modern nation-states are spaces of mixed habitation for many ethnic groups, and moreover, any metropolis is multi-ethnic, solving the problem of political self-determination by drawing ever more fragmented territorial borders simultaneously becomes a way of creating new, divided minorities, who in turn lay claim to political self-determination. According to such a projection, the number of communities divided by new borders only increases, as does the number of minorities and their mutual claims. Thus, formally multiplying the number of states on the global political map does not solve the original problem: any modern nation contains minorities having the potential to strive for political self-determination and autonomy.

The problem of how to achieve civil consolidation instead of an endless *parade of sovereignties* was not resolved during the existence of the USSR, which was a nation only externally and rhetorically, but upon closer examination it comprised a never-resolved set of ethnic, religious, class, territorial and other contradictions that prevented the creation of a civic nation in the form of the Soviet people. This entire contradictory and complex political structure was based not even on attempts to create a political nation, but rather on the principles of specific ideological regulation and indoctrination, where, instead of the self-determining will of the people, only its palliatives and individual parts were used as a means of personifying the political body of the nation as a whole. While this could be the vanguard of revolutionary workers (the proletariat), it could just as easily be politically self-determining ethnic minorities, legitimised in their secessionist aspirations by the logic of compensation for past oppression. Or it could be the system of people's

councils at all levels, formally expressing the will of the *working people*, but lacking autonomous subjectivity, etc. Thus, the real unity and integrity of the value-institutional sphere of Soviet society was preserved only thanks to the Communist Party, which “in contrast to the decorative system of councils and Soviet republics, was the genuine system of power in the USSR”. At the same time, “the All-Union Communist Party (Bolsheviks) – Communist Party of the Soviet Union always remained a single, centralised, all-Union organisation without the slightest hint of federalism: the party committees of the “national republics” were simply its regional branches – nothing more” (Salmin 1992: 35).

Leftist thought often interprets the Bolsheviks as the saviours of the Russian Empire, who restored it in the modernised version of the USSR to ensure the *cultural flourishing* of all the nationalities and peoples that made it up. It seems that such a position is at least debatable; moreover, the national policy of the Bolsheviks in the form of the anti-empire (exploitation and weakening of the centre in favour of the peripheries) turned out to be a failure already in the very first years of Soviet power. The system-forming Russian people in many ways found themselves hostage to the tsarism (imperialism) that had already sunk into oblivion and the Great Russian chauvinism (as a radical degree of ethno-nationalism) that never existed. However, a national civic consciousness, to replace the mentality of subjects, was yet to be formed in the future amid the ruins of the estate-based empire. Indeed, despite their negative practical consequences (the widespread and imperative *indigenisation of elites and cultures*, the conflict-prone nature of internal borders, *the ascribed nature* of nationality, etc.), the systemic ideological priorities of the Bolsheviks in the area of national policy were never corrected during the entire subsequent Soviet period. This confirms that for the Soviet nomenklatura, with a weakening and never truly established centre/majority (the state-forming people in the socialist state – purportedly expressing “the will and interests of the workers, peasants, intelligentsia, and working people of all nations and nationalities of the country”¹ – was absent) and a periphery gradu-

¹ *Constitution (Basic Law) of the Union of Soviet Socialist Republics (as amended on October 7, 1977)*, available at: https://constitution.garant.ru/history/ussr-rsfsr/1977/red_1977/5478732/ (accessed August 1, 2025). (in Russ.).

ally dispersing into ethno-national compartments, such a national policy, which ultimately led to the greatest geopolitical upset of the 20th century, was entirely deliberate.

The thoughtless and endless carving up of dozens of ethno-national entities within the formerly unitary Russian Empire, which legally transformed it into a formal union of 15 autonomous states plus the Russian Soviet Federated Socialist Republic (RSFSR) into an internal federal union within the USSR, from the very beginning cemented the worst-case scenario of subsequent disintegration. The decades-long legitimisation and strengthening of political and legal boundaries formed an axis around which, with historical inevitability, the phantom Soviet people disintegrated. When the USSR was formed in December 1922, the territory of the RSFSR was incomparably larger than what it would become by the end of the USSR's existence, since it included "all the current republics of Central Asia (except for the relatively small territories of Khorezm and Bukhara) and a number of regions and districts of Ukraine and Belarus. The territories and population of the then Ukraine (excluding the western regions annexed in 1939, without Crimea, without some other areas) and Belarus (excluding the western and eastern regions) ... *In fact, the "Union" was a formal union of the direct heir and successor of the empire (the RSFSR) with two small peripheral Slavic republics (Ukraine and Belarus) ... with a bizarre state formation (the Transcaucasian Federation), created through the very artificial unification of Georgia, Armenia and Azerbaijan and calling into question the idea of the national-state nature of the subjects of the Union, which supposedly formed its basis*" (Salmin 1992: 35).

The Soviet Union was born as a model for a new society, an analogue of a future earthly paradise, which was initially planned to be upscaled to include all of humanity. The USSR was ideologically centred around the secular religion of socialism and addressed to the new progressive majority, i.e., the working people. Since the utopian project was addressed to all of humanity, its initial territory and existing political borders seemed to be of no great significance in the context of the future movement towards a world Soviet socialist republic without borders. However, quite quickly, claims to global revolutionary expansion dried up in favour of building socialism in a single country. The scale of the communist utopia was thus reduced to a concrete historical leftist variation of the liberal

utopia. Along with it, the system of people's councils at all levels quickly gave way to the political dictatorship of the Bolshevik Party.

The key problem here was that the rejection of world revolution required corresponding changes in the internal structure of the USSR, which had previously been viewed only as a temporary springboard, whose political and administrative structure was not of fundamental importance. However, the temporary and palliative, the opportunistic and situational, had by then become the only political reality. Since the original Bolshevik utopias and fantasies were not adjusted in the context of subsequent negative experiences, they became increasingly disconnected both from the unattainable ideocratic ideals and from the technologies of civic nations. Instead of a global eraser of political boundaries of bourgeois nations, the USSR turned into a self-destructive conveyor belt for the production of ethnic nations. The Soviet Union, according to Alexei Salmin's metaphor, became a *colossus with feet of clay*, lacking a state-forming people capable of acting as a majority to stabilise this structure. Vladimir Putin expressed extreme criticism regarding the original legal principles of the formation and administrative division of the USSR: "Why was it necessary, with lordly generosity, to satisfy any and all boundlessly growing nationalist ambitions on the peripheries of the former empire? To transfer huge, often unrelated territories to newly, and arbitrarily, formed union republics. I repeat, to be passed on together with the population of historical Russia. Moreover, in fact, these administrative units were given the status and form of national state entities. I ask myself again: why was it necessary to make such generous gifts, which the most ardent nationalists had never even dreamed of before, and also to grant the republics the right to secede from the unitary state without any preconditions?"².

The cultures of all the republics – except the RSFSR – legitimised by Stalin's contradictory formulation "national in form and socialist in content" (although socialism is international and was supposed to put an end to national political forms as a means of hegemony of the bourgeoisie), inevitably began to turn into *simply*

² Putin V.V. *Address of the President of the Russian Federation, 21.02.2022*, available at: <http://kremlin.ru/events/president/transcripts/statements/67828> (accessed August 1, 2025). (in Russ.).

national, despite up to a certain point only using the deadened and performative socialist rhetoric. Stalin's confusing explanation was that "National cultures (and languages, therefore) must first flourish to the fullest in order to, having exhausted themselves, merge later, in the future, during the period of the complete victory of socialism, into one common socialist culture. The flourishing of national cultures in form and socialist cultures in content during the period of the dictatorship of the proletariat for their future merging into one common culture, socialist in both form and content, – that is the situation"³. The only thing that is unclear in this passage is: for what reasons would the *flourishing* ethno-national cultures of the sovereign union republics suddenly acquire the desire to part with their national forms? Which, as time has shown, were their true cultural content; after all, it was the *socialist content* of culture that turned out to be an empty shell.

Thus, the Soviet Union as a political construct in the second half of its existence began to transform into an ideological phantom, within which the particular interests of the union and republican ethnic nomenklaturas, which ran counter to the interests of the Soviet people as a whole to catalyse centrifugal processes, increasingly prevailed. The discrepancy between the highest values of the Soviet project and the real, society-differentiating political practices of the CPSU committees and people's councils at all levels, which created double moral standards for describing Soviet society in terms of what should be and what was observed in reality, became increasingly obvious (Martyanov, Fishman 2020).

Perhaps the late USSR could still have been saved by the idea of a nation-state, where the Russian people could have acted as an integrator and centre of attraction. But the autonomous national development of the latter was initially prohibited, and its historical subjectivity was undermined by the absence of national attributes that were present in all other republics: the right to political self-determination, its own Communist Party, and a *titular territory*. The same political logic was expressed in the historical evolution of the administrative structure of the USSR and the RSFSR:

³ Stalin I.V. Reply letter to V.Y. Kasatkin, an employee of the Institute of the Red Professorship, *Rossiyskiy gosudarstvennyy arkhiv sotsial'no-politicheskoy istorii*, fund 558, reg. 11, file 132, sh. 36–42. (in Russ.).

“The Bolsheviks treated the Russian people as inexhaustible material for social experiments. They dreamed of a world revolution that, in their opinion, would abolish nation states altogether. Therefore, they arbitrarily cut up borders and distributed generous territorial ‘gifts’. Ultimately, what exactly the Bolshevik leaders were guided by when they tore the country apart no longer matters. One can argue about the details, the background and logic of certain decisions. One thing is clear: Russia was actually robbed”⁴.

If in 1922, when the USSR was formed, the RSFSR accounted for 94.7 % of the area and 67.5 % of the population of the USSR, then in 1989 it accounted for only 76.3 % of the area and 52.3 % of the citizens. At the same time, the area of ethnic autonomous republics on the territory of the RSFSR during the Soviet period (within the 1989 borders) increased from 27.7 % to 53.3 % (Salmin 1992: 39). The arbitrary cutting of borders within the USSR was never the subject of popular democratic decisions and referendums, but was carried out according to voluntaristic approaches. Despite the declarations of independence and autonomy on the part of the union republics, the borders between them in the USSR were de facto perceived as administrative, and their changes as consequently not requiring the expression of the will of the people. However, once what had been merely administrative borders became political ones (and historically Russian territories and populations found themselves, not by their own choice, in other states), the consequences of the division of the Russian nation manifested in the most negative way, producing millions of refugees and migrants from the new post-Soviet states to their historic homeland. In this context, a convincing legal argument is related to the fact that the decision to create the USSR was enshrined in the Declaration and Treaty on the Creation of the USSR of 30 December 1922. The dissolution of the USSR in 1991 could only have implied a consistent return to the original borders of the four republics that founded the USSR (the RSFSR, the Byelorussian and Ukrainian SSRs, and the Transcaucasian Socialist Federative Soviet Republic (TSFSR – Georgia, Azerbaijan, and Armenia), since all subsequent internal territorial changes appear

⁴ Putin V.V. *On the historical unity of Russians and Ukrainians*, 12.07.2021, available at: <http://www.kremlin.ru/events/president/transcripts/articles/66181> (accessed August 1, 2025). (in Russ.).

questionable from the standpoint of their legal legitimacy, requiring, at a minimum, popular referendums in the vast Russian lands which, like parcels of land with serfs, were cut off from the original territory of the RSFSR and, with the stroke of a bureaucratic pen, were transferred at various times to other republics that later became independent states.

Moreover, as a result of the entire administrative-ideological evolution of the USSR, it was precisely Russian identity that dissolved into Soviet identity to the point of indistinguishability. Accordingly, the collapse of the USSR was most painful for the RSFSR, which, unlike all the other republics, did not simultaneously develop its own autonomous national identity based on the cultural identity of the majority. And while a sociologically recorded shift was already occurring during the late Soviet period in favour of the priority of identifying the titular majority as citizens of national republics in the overwhelming majority of national republics, in the RSFSR and Belarus the all-Union Soviet identity still prevailed (Gudkov 2004: 142). Moreover, in many ways, even in modern Russia, Russians remain the equivalent of the *amorphous Soviet man* in the USSR.

The Russian nation in the context of Great Russia-RSFSR-Russian Federation: the problem of conceptualisation. Due to the suppressed political identity of the RSFSR during the Soviet period, the Russian state that emerged following the collapse of the USSR was confronted with a whole complex of nation-building problems, many of which have yet to find a satisfactory solution: “The problem of ‘compatriots’ and ex-compatriots from across the USSR; to put it mildly, an uncertainty regarding the legitimacy of the current borders and of the very composition of the Russian political body; the dubious nature of state symbolism, including collective rituals and holidays; the vagueness of assessments of both the Soviet and pre-Soviet past; an extreme ambiguity concerning the desired future, both in terms of the internal way of life and its place in the world; even the absence of a self-designation accepted by all citizens (‘russkiye’ [ethnic Russians] or ‘rossiyane’ [citizens of Russia]?) – all these are obvious symptoms of the essential defectiveness of contemporary Russian statehood” (Kaspe 2004: 73).

These problems are most clearly expressed in the repertoire of self-descriptions of the current Russian nation, which consists of a constant selection of metaphors from a raw materials empire to

sovereign democracy (Vladislav Surkov), as well as the formulation of conceptual constructs in the form of a *multinational people* (Constitution of Russia), a Eurasian *civilisation state* and even a spherical *civilisation of civilisations* (Sergey Karaganov). The development of these metaphors is typically accompanied by attempts to justify that Russians find themselves in a modified USSR during the period of its greatest magnificence and global influence. Other discussions were developed along the lines of the Russian world (*russskiy mir*), representing a continuation of the long-lost ideas of Pan-Slavism. Such discourses may also be peppered with endless and meaningless mantras about friendship among people (all modern nations are multi-ethnic, the thesis of the desirability of peaceful coexistence of ethnic groups within the same political territory is axiomatic), multi-confessionalism (implicitly presupposing a rejection of the leading role of Orthodoxy), and the multi-nationality of Russian society (which in terms of ethnic diversity not only does not differ significantly, but is even less ethnically diverse than many large nations, including unitary ones (Martyanov 2025: 84-86)). All of the aforementioned methods of collective self-description are united in their rejection of the normative narrative of nationalism, which relies on the culture of the majority (the state-forming people) to consolidate the civic cultural-historical unity of all citizens, as cemented by common feats, sacrifices, and sacred symbols. Moreover, the concept of nationalism per se has acquired an increasingly negative connotation since 2014, having been increasingly lumped together and/or actually used as a synonym for extremism, terrorism, and Nazism, as observed during the latest coup d'état in Ukraine. Another compelling reason for the rejection of civic nationalism by the political nomenclature of post-Soviet Russia is, paradoxically, its strong connection with democracy. For all its formally democratic trappings, the traditions of legitimising Russian power throughout its history are connected to the fact that it views its own foundations as being broader than mere popular representation. *In Russian political thought, the idea of representation as an obligation with assumed responsibility to those represented has almost invariably been considered insufficient and limited.* In this sense, the current political elite is a simultaneously a successor to the pre-revolutionary monarchy, the Bolsheviks, and the Soviet nomenclature, who also did not position themselves as merely representing the people

(nation), but spoke in the name of God, communism, class, history, tradition, civilisation, a great power, etc. Such sacred, transcendental, ideocratic foundations of the socio-political order have always been presented as complementing – and often in the history of the Russian state, surpassing – its responsibility to the people. Hence the natural apprehension about engaging with large national identities, on which the legitimacy of power depends, whereas minorities, when appearing in the role of privileged clients, are a more convenient means for representing a multinational people.

Under the present circumstances, the unconvincing nature of imperial rhetoric is readily apparent. A real empire could only be built in the form of a military-political and cultural structure that extended far beyond the current territory of Russia and possessed obvious cultural, military, economic, demographic and other types of superiority over surrounding territories. Attempts to characterise the Russian Federation – a present-day culturally and historically homogeneous entity with an overwhelming numerical predominance of Russians in the territory of Great Russia, formerly the centre of the Russian Empire and the USSR – as a new empire would be akin to trying to label as empires the metropolitan cores of all former empires: the island of Great Britain, the present European territories of France, Spain, Portugal, or Turkey as the core of the historical Ottoman Empire.

Thus, the development of Russian civic national self-awareness in modern Russia has not yet been completely divorced from attempts at symbolic appropriation of the historical phantoms of imperialism and Sovietness. Russia still claims to be an expression of the *Soviet legacy*, which is somehow connected with the attempt to solve the problems of developing a national identity in the present. The attractiveness of the Soviet past is partly understandable; it is due to the fact that “*Soviet patriotism* was largely constructed as an improved version or at least as a functional analogue of Western nationalisms: it solved similar problems and appealed to similar feelings” (Martyanov, Fishman 2016: 313). The problem that arises here, however, is that Soviet patriotism as a way of forming a universal political identity continues to dominate the minds of some Russian elites even after the collapse of the USSR, having degraded in the new political context to a broadly imperial rhetoric. Such dreams may involve resurrecting the Russian Empire, attributing an

imperial character to Soviet society, or building a Eurasian/liberal/raw materials-based empire. And almost always the sought-after empire is described through something ephemeral like the Soviet *friendship of peoples* or the *current multinationality*, which for some reason is assumed to be organic and natural, despite the bloody Soviet history lessons, the divorce of the republics, as well as any mutual claims and cultural differences within Russian society itself. Indeed, such a federal conglomerate of autonomous and territorially grounded ethnic groups-nationalities-peoples on *indigenous territories*, which formally follows the principles of political-administrative governance in the USSR, contradicts the idea of a consolidated modern nation in terms of equal co-citizenship, which is indifferent to class, ethnicity and faith. Thus, to the extent that it is constructed according to similar ideological and territorial principles, the historical fate of the *multinational Russian people* may follow the path of the Soviet federative people.

The nation-state as a product of egalitarian co-citizenship presupposes the weakening of previous cultural differences, and indeed their maximum possible removal to beyond the public space, which is oriented toward the consolidation and unification of citizens into a political community having a single identity, regardless of their cultural differences. Clearly the politicisation of these differences and creation of collective entities within the nation on their basis will tend to destroy the civil unity of the nation – at least, to the extent that their particular interests are opposed to those of the nation as a whole. Therefore, the Russian nation can be *multinational* only if the ethnic groups that comprise it have not created a civil nation, remaining a disunited set of ethno-confessional and linguistic groups. Nevertheless, any nation is always culturally differentiated, since invariably including various ethnic, religious, linguistic, class and other communities. However, a stable national culture and/or identity, as well as the social order and cultural hierarchy that embodies it, can only rely on a cultural-historical majority (linguistic, ethnic, religious) that embodies the will of the people: “without Russians as an ethnic group, without the Russian people, there is not and cannot be a Russian world or Russia herself. This statement does not contain any claim to superiority, exclusivity, or chosenness. This is simply a fact, as is the fact that our Constitution clearly enshrines the status of the Russian language as the language of the

state-forming people”⁵. Of course cultural minorities can preserve and even develop their particular identity, but the particular should not and cannot be on a par with the whole, much less replace it. Any recognition of the political equality of the majority and the minority, of the norm and its exceptions, acts to destroy any cultural, political, or ideological unity that might arise from this norm.

In this context, rather than being posited upon their asserted *natural pluralism*, the formation of a Russian civic identity will require more universal cultural and ideological foundations. Today, agents of civil identity construction at the level of normative and ideological documents are attempting to reproduce the negative historical experience of nation-building in the USSR. However, according to the provided ideological retrospective, such a task is obviously unrealistic at present, since from the late USSR and the early post-Soviet period, modern Russia inherited two *unfinished constructions*: (1) *an under-imagined community* as an unfinished process of constructing a national identity (Fishman 2018); (2) the existence of only the *lower floor* of public morality in the form of the morality of local groups defending particular interests in the absence of general civic values specific to contemporary Russia that are capable of binding individual citizens together in a *large* modern society (Martyanov, Fishman 2020).

However, the construction of a nation in terms of its highest values presupposes reaching the sacred level of developing the foundations of social consolidation. Since a new value-creating centre has yet to be developed following the decline of Soviet ideology and morality, post-Soviet elites remain more like technical locum tenens (nomenklatura) substituting for a *chief ideologist* than autonomous political subjects/ideologists on the political map of the world (Fishman 2023). In the USSR, the highest values were determined by the context of the construction of communism, the description of the Soviet people as a classless society and the vanguard of humanity, personifying a progressive social formation. In contem-

⁵ Putin V.V. *Speech by Russian President V.V. Putin at the plenary session of the XXV World Russian People’s Council*, [27.11.2023], available at: <https://vrns.ru/documents/vystuplenie-prezidenta-rossii-vv-putina-na-plenarnom-zasedanii-xxv-vsemirnogo-russkogo-narodnogo-so/> (accessed August 1, 2025). (in Russ.).

porary Russia, traditional values currently function as a palliative stand in for the nation's higher values; however, on closer inspection, these values reveal themselves to be universal, applicable not only to Russian society but to the world as a whole. Therefore, to describe the specific historical Russian society, an original ideological interpretation and hierarchisation of traditional values is required. Without constructing a national narrative that answers the questions: who we are, *where we come from and where we are going*, such values will exist in parallel with the applied tasks of justifying Russia's consolidating identity.

The acquisition of cultural and military-political subjectivity, on which economic success largely depends, is associated with the difficult path of acquiring sovereignty and one's own language of self-description: "Russia was not created by international treaties, it was not created by other states and not under the protection of other states: it grew, so to speak, from within itself, it was created and expanded by the Russian people" (Sidorov 1912: 62). This path potentially strengthens Russia's opportunities to rely on its own interpretation of European and Western historical narratives in a situation of global turbulence. The current weakening of Western hegemony naturally leads to the final decolonisation of the non-Western world, to the return to international relations based on the criterion of national interest and the nation-states that express it.

Currently, Russian society finds itself in a situation in which it must undergo a third historical attempt to create a civic nation. The first, following the 1905 revolution, led to the limitation of autocracy and the expansion of popular participation in political decision-making, albeit with the observance of many restrictive qualifications and according to class principles. The second attempt in 1917 began with the February coup and ended with the October coup, which resulted in the formation of a specific model of the nation as the Soviet people, which was however permeated with a multitude of cultural, ideological, ethno-national, class and other contradictions, due to which it ultimately failed. Currently, the attempt to create a modern nation also faces systemic difficulties associated with the strengthening of the rentier-based and class-based nature of Russian society and attempts to immediately jump into an imperial – or even civilisational – self-description without first creating a consolidated political nation (Fishman et al. 2019).

In this case, imperial-civilisational ideologists, suffering from the syndrome of the loss of former greatness, forget that on the modern political map of the world there are only territorial nation-states, to which the application of such epithets is possible only metaphorically. A nation may be or eventually become a great sovereign power whose sovereignty extends far beyond its borders, and a potential centre of attraction for its allies, dependent satellites, and limitrophes. However, the logic of the *empire (civilisation) within the Russian Federation* works in a diametrically opposite way, reinforcing double standards, destroying cultural hierarchies and unifying historical narratives, giving rise to titular peoples and the claims of ethno-elites. It is obvious that the idea of *empire within modern Russia* politically legitimises these parodies of imperial outliers, colonies and peripheries, which have been invented for some reason within the metropolis, but do not exist outside of it. Accordingly, if not in the form of a continuation and expansion of the nation, but in its place amorphous ideological constructions based on *ahistorical* and *timeless traditional values*, then this only means that we continue to be ignorant of the society in which we live, and make decisions that are not based on real possibilities and pragmatic considerations, but dictated by dubious historical patterns. The controversial nature of these models is further enhanced in the context of contemporary Russia finding itself as part of Modernity, under which conditions Russian citizens of any ethnicity need a nation in order to preserve themselves, whose implicit values are human rights and freedoms, a social state, civil equality, democracy, progress, etc. And if we are talking about its Russian cultural basis, then it is only because in this space there is no other *consolidating bearer of the culture of Modernity*.

Conclusion. It is futile to characterise the formation of the Russian nation in terms of an ongoing decline of former imperial grandeur and a narrative of geopolitical defeat, both of which characterisations are objectively permeated by resentful moods. On the contrary, the basis for the self-description of the Russian nation that exists here and now can be liberation from the oppression of over-extended imperialism, including in the Soviet anti-imperial version, in which Russians were exploited more intensively than other constituent peoples. Having become for the first time the overwhelming majority within the current borders, it can finally recognise its

true collective interests, which cannot be replaced by any imaginary Slavic unity, nor by the struggle for the rights of workers throughout the world, nor by the accelerated development of the peripheries, outlying regions and backward tribes that is contrary to its own interests. The biography of a people (nation) is organically described by the modern language of civic nationalism, which is oriented toward strategic expression and adherence to the vital interests of the majority. In this context, rhetoric aimed at marginalising both the concept and narrative of nationalism seems reckless. Even more devoid of integrity are attempts to separate – and even more so to oppose – nationalism and democracy. Both concepts, nation and demos, have the same root, which refers to *people*. Therefore, nationalism is the most consistent political self-description of a people, which prevents it from dissolving into the totality of constituent classes, groups and minorities, and from the desire to make the people merely an instrument for the realisation of some great religious and class mission addressed to abstract humanity. In this context, the Russian establishment's self-imposed prohibition on nationalism – including even its civic version rather than ethnonational variants (which remain freely practiced in Russia's ethnically designated regions with titular minorities) – appears perplexing given its effective deployment across all post-Soviet states and the wider world.

Russia, like the other Soviet republics, can effectively rely on the narrative of decolonisation of its past, on the liberation of the Russian people, their history and heritage, which were suppressed in the name of alien goals and objectives. This means that outside of Russia there are no fraternal peoples to whom it is obligated, but there is a potential nation, albeit currently divided within itself and externally, which can be effectively consolidated in the political format of Modernity as a nation-state. What remained of the Russian Empire after the USSR was its core – Great Russia, also known as the RSFSR and now as the Russian Federation. It is a community of citizens who share a common history, language, culture, values, equal rights and living space. Thus, it would be a strategic mistake to attempt to transform the last bastion of the Russian people – who have never achieved their own nation-state – into a new empire. Historical empires have always been built on a centre-periphery model, in which the centres and cores dominated the outskirts and

peripheries, which were foreign and alien in historical, cultural, religious, linguistic, and other respects. Such structures have always been loose and fragile: the differences in the initial social foundations inevitably led to the disintegration of heterogeneous formations, where centres only temporarily exploited the peripheries until they had squandered their demographic, technological and cultural advantages, as can be observed in the history of the collective rise and fall of European empires. A less common variant involves the ability of the centre to assimilate heterogeneous outskirts, which is typical, for example, of China. This is the version of the *long-term Sinicisation* of everything into which China comes into spatial contact, whose diasporas never dissolve into the outside world, and into which its occasional conquerors (Mongols, Manchus) assimilate without a trace over the period of several generations to become themselves Chinese.

Today's Russia has what might be its last chance to become a united nation on the terms of *equal citizenship* and consolidation on the foundation of Russian history, language and culture of the nation, which are the only possible basis for its sacred *enchantment*, the justification of the highest values and self-description. Other options for cultural and other kinds of consolidation seem to present dead ends. Empire and civilisation as allegorical concepts for a *great nation* create only the logic of the myth of a lost, but *someday* to be regained greatness, in the name of which any current manifestations of separatism and internal conflict are ignored. This is a false path, replacing the project of Russia as a great nation and sovereign power with a loosely defined and consequently phantom empire-civilisation. The slogan of a *multinational* empire or civilisation justifies many harmful practices of minorities, foreigners, and diasporas. The politicisation of ethnicity, legitimisation of cultural differences and granting of privileges only increase the appetites of minorities and fertilise the ground for conflict, threatening a repeat of the catastrophic path of the USSR. In this context national identity as a consolidating goal is palliatively replaced by resentment towards external enemies, the formation of an empire/civilisation, criticism of abstract liberals, and the rhetoric of returning to traditional values in isolation from the ontology of an authentic traditional society. Conversely, national policy within the conditions of a nation can

have only one goal – the internal consolidation of the nation in terms of the development of its cultural and historical unity, while conflicts, differences, interpretations and claims of various minorities that provoke centrifugal tendencies will emerge along this path by themselves.

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Russia's Civilizational Choice in the Context of a Modern Interpretation of Russian Philosophy of Personality

Abstract. The article examines Russian classical religious philosophy as a conceptual foundation in the formation of Russia's civilizational identity. It argues that the resurgence of interest in Russian philosophical thought is extremely relevant amid contemporary efforts to articulate a distinct national ideology and to delineate Russian cultural-civilizational uniqueness. However, the emphasis on the religious component presents significant challenges: ranging from the privileging of Christian theology within a secular and multi-confessional society to anti-modernist tendencies that prioritize the past over the future. The study further demonstrates that a non-theistic reinterpretation of key concepts in Russian philosophical classics is both viable and analytically productive. Central to the argument is the proposition that Russian philosophy distinguishes itself less through theological discourse and more through its distinctive anthropology of personhood – namely, its *philosophical personalism*. This perspective remains salient as a framework for comprehending contemporary sociocultural transformations. While Western modernity increasingly prioritizes an expressive, radicalized individualism, Russian *personalism* upholds a dialogical and *sobornost-oriented* (collectively harmonious) conception of the self. Many Russian thinkers emphasized the existential dimensions of dialogue, positing that engagement in public life, creative endeavor, and love constitute pathways to existential fulfillment and even immortality. By contrast, contemporary Western individualism, amplified by applied postmodernism and identity politics, fosters social fragmentation and the erosion of shared cultural frameworks. Consequently, Russian personalist thought may furnish an alternative paradigm for sustaining collective cultural continuity – one that diverges from the Western trajectory. Crucially, such an alternative does not entail bureaucratic imposition or centralized cultural hegemony. Instead, *personalism*

advocates for the expansion of intercultural dialogue, broader political participation, and the elevation of individual significance through communal engagement. Thus, this approach reconciles the affirmation of personal uniqueness with the imperative of cohesive cultural and societal development.

Keywords: state-civilization; Russian philosophy; personalism; capitalism; individualism; Russian idea; all-unity; sobornost

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Introduction. Russia’s search for – or reassertion of – its civilizational identity has intensified significantly since the beginning of the Special Military Operation (SMO). In 2023, the Russian President approved a new Foreign Policy Concept, officially defining Russia as a *civilization-state*. However, it would be premature to claim that this pursuit has yielded definitive results. Ongoing debates concern the very notion of a *civilization-state* and its applicability even to relatively culturally homogeneous nations such as China (Lukin 2023). In Russia’s case, the uncertainty is even more pronounced¹. The core issue lies in the conflict between the practical demand for an *anti-Western stance* and the centuries-long cultural influence of the West, which has inevitably shaped Russians’ self-identification. Several other significant challenges further complicate this search.

One such challenge is the crude and selective attempts to reject the West and everything associated with it. These attempts ultimately lead to an anti-modernist and reactionary worldview (the philosophy of Alexander G. Dugin being a prime example²).

¹ Timofeev I. The Civilizational State and Political Theory, 23.05.2023, *Russia in Global Affairs*, available at: <https://globalaffairs.ru/articles/gosudarstvo-czivilizacziya/> (accessed July 12, 2025). (in Russ.); Barabanov O. The “Civilizational State” in Theory and Practice, 10.10.2023, *Valdai International Discussion Club*, available at: <https://ru.valdaiclub.com/a/highlights/gosudarstvo-tsivilizatsiya-v-teorii-i-na-praktike/> (accessed July 12, 2025). (in Russ.).

² Alexander Dugin: “What, then, must we become to prevail in this confrontation – verging on nuclear conflict – with the civilization of

The distinctive feature of Russian civilization is often framed exclusively in terms of a glorified past – something to be revived and reinstated in an almost unchanged form. Consequently, Russia, first, renounces modernity itself, effectively ceding to the West *the monopoly of being modern* (Fishman, Martyanov 2022), and second, is left with fragmented and unstable cultural remnants that are not only difficult to reconcile with contemporary realities but also challenging to coherently integrate with one another. For instance, emphasizing Orthodoxy and Russian religious philosophy clashes with the secular nature of the Russian state, as well as its multiethnic and multiconfessional composition. Foregrounding *Russianness* (rus. *русскость*), likewise, may not only foster patriotism but also risk exacerbating nationalist chauvinism, thereby inflaming inter-ethnic tensions.

Further complications arise from attempts to reconcile this *reinvented past* with present realities. No matter how compelling the rhetoric of countering “Western satanism” with Russian “spirituality” and traditional values may seem, ordinary Russians hardly conform to these idealized portrayals – whether in terms of genuine religiosity³ or actual commitment to, say, family val-

the Antichrist? The answer is simple: If *Rus'* does not stand as a camp of saints, if we fail to restore our spiritual verticality, if we do not turn to Christ and the spirit of our glorious history, we are utterly doomed. For the Russians are not merely a nation. To be Russian is a spiritual vocation – a choice, a response to the profound call of Being. To be Russian means to be summoned to the final battle at the end of time, to stand with God against the devil. The Special Military Operation (SMO) is a religious war in the deepest and most immediate sense of the term. This, incidentally, is well understood by Russia's Muslims – particularly the Chechens and *the Kadyrovites* (rus. *кадыровцы*) who have explicitly declared the SMO their *jihad*” (Dugin A.G. *The Russian Ideology and the Civilization of the Antichrist*, 08.11.2022, *Izborsky Club*, available at: <https://izborsk-club.ru/23532> (accessed July 13, 2025). (in Russ.)).

³ Only 6% of Russians who identify as Orthodox Christians attend church at least once a month, and a mere 4% receive Communion regularly (Bormotova A. Only 6% of believers attend church, 20.04.2025, *URA.RU*, available at: <https://ura.news/news/1052920233> (accessed July 13, 2025). For comparison, three in ten Americans report attending religious services weekly (21%) or nearly every week (9%) (Jones J.M. Church attendance has declined in most U.S. religious groups, 25.03.2025, *Gallup*, available at: <https://news.gallup.com/poll/642548/church-attendance-declined-religious-groups.aspx> (accessed July 13, 2025)).

ues⁴. Consequently, the trend toward reasserting classical Russian religious philosophy (see, e.g., Savenkov 2024) appears highly ambiguous. While turning to this tradition is justified by the need to emphasize an indigenous philosophical foundation for a *civilization-state*, it also entails dismissing vast historical layers – most notably the Soviet era, despite its undeniable contributions to Russian national achievement – as alien to the adopted principles. The challenge is compounded by selective interpretations from scholars who, in defining Russia’s civilizational distinctiveness, focus narrowly on ideologically convenient notions, such as the “reinterpretation of democracy and human rights” (see, e.g., Spiridonova 2022: 119) or the purported “sacrality of supreme authority” in Russian culture (Shevchenko 2019: 40).

We propose an alternative engagement with Russian philosophical thought – one that does not treat it as a set of dogmatic prescriptions but as a source of inspiration: something deeply rooted in Russian culture yet malleable; not rejecting modernity but laying the foundation for new visions of the future; not fixating on a singular (and thus inevitably divisive) identity marker (such as specific interpretations of Orthodoxy) but offering a framework capable of unification and universality.

The Ambiguities of Western Individualism. First and foremost, one might agree that the central “antithesis” in question is *Western individualism*. However, even at this preliminary stage, certain complications arise: Is Western individualism a broader metaphorical phenomenon that encapsulates the essence of Western civilization? Or is it, rather, too abstract and diffuse a concept to define Russian civilizational identity in purely oppositional terms – that is, by excluding everything associated with *individualism*? Under the weight of such sweeping generalizations, there is a strong temptation to reject the entire legacy of modernity, revert to a theocentric worldview, or proclaim collectivism

⁴Elena Mikhailova, an advisor to the Director General of the Russian Public Opinion Research Center (VCIOM), stated that eight out of ten marriages in Russia ended in divorce in 2024. According to her assessment, this ratio marks a historic high, positioning Russia as the third-highest country globally in divorce rates. (Filimonov S. Eight out of Ten marriages fail: Key trends on marriages and divorces in Russia, 11.07.2025, *RBC Trends*, available at: <https://trends.rbc.ru/trends/social/67eb9ba99a7947165b574ab9?from=copy> (accessed July 13, 2025). (in Russ.)).

as the structuring principle of society. As is evident, such reasoning brings us perilously close to endorsing a Hobbesian Leviathan that negates the very notion of human rights and freedoms (Rutkevich 2024).

Yet it is worth noting that *Western individualism* is not a solid phenomenon. Until relatively recent times, it coexisted harmoniously with communal engagement, patriotism, civic responsibility, and adherence to social norms. Moreover, individualism historically served as a moderating force against the excesses of radical collectivism and fanaticism. One cannot easily dismiss the profound humanizing mission of the Renaissance and the Enlightenment in “softening social mores”, such as the abandonment of public executions or the slave trade (Ridley 2015). Even capitalism – the primary target of today’s progressive critics – played a crucial role in “mitigating vices”, as members of bourgeois society “developed long-term interests in industriousness, honesty, self-discipline, and a host of other small virtues” (Fukuyama 2004: 347).

What we frequently observe in the West today is not *individualism as such*, but rather its radicalized and absolutized form. The English Christian theologian and church historian Carl R. Trueman identifies this phenomenon as *expressive individualism*. According to Trueman, the world is no longer the objectively authoritative reality it was eight centuries ago; instead, modern individuals increasingly perceive it as raw material to be manipulated according to their own purposes. The ultimate consequence of the collapse of traditional hierarchies is that notions of honor no longer structure social interactions or frameworks of recognition in contemporary society. This role has now been supplanted by the concept of dignity – something every individual possesses not by virtue of social standing but simply by being human. Consequently, *expressive individualism* proclaims the sacredness of personal desires and needs (Trueman 2020).

This individualism, increasingly articulated through postmodern and even Marxist discourse (Pluckrose, Lindsay 2022), frames societal norms as sources of constraint, suffering, oppression, or subjugation. The much-discussed proliferation of queerness (including cancel culture), LGBTQ+ advocacy⁵, and transgenderism ex-

⁵ On November 30, 2023, the Supreme Court of Russia recognized the international LGBTQ+ public movement as an extremist organization and banned its activities in the country.

emphasizes the further radicalization of individualism: only an individual's internal feelings and desires are deemed valid – regarded as inviolable, often irrespective of age, mental state, or other factors. Unsurprisingly, this has precipitated a state of cultural war of all against all, rendering consensus increasingly unattainable.

Moreover, collective identities and cultural artifacts become privatized, fragmented, and appropriated, serving as mechanisms for the assertion of privilege. Hence the discourses surrounding cultural appropriation, micro-aggressions have been proliferating (Mouk 2023). In the absence of a shared normative framework, the cultural sphere devolves into a battleground of institutional power – where the majority's norms are supplanted and enforced by the localized norms of minority factions. Dissenters from these new norms⁶ are systematically stigmatized as oppressors (Al Gharbi 2024). In response, those resisting such shifts grow increasingly radicalized – often adopting far-right tactics – exacerbating social alienation and mutual distrust.

Certainly, many Western scholars grapple with the ongoing disintegration of a shared cultural sphere. In response to the rising tide of identitarian particularism, culture wars, and social atomization, attempts have been made to propose universalist solutions (see, e.g., McGowan 2020). A notable example is John A. Powell and Stephen Menendian's *Belonging without Othering*, wherein they argue that if humanity fails to construct a broad and inclusive *we* today, the future risks resembling a bloodstained past: deepening divisions, escalating hostility, persistent fragmentation, nationalist aggression, and the like. Their thesis suggests that the notion of an absolute *Other* or *Them* must be abandoned in favor of a larger, more encompassing *We*. This necessitates collective efforts, such as identifying shared goals or fostering joint initiatives. However, their prescription amounts to only a superficial, symptomatic remedy, neglecting the underlying “malady” – radicalized and expressive individualism. Powell and Menendian seek something ostensibly external to existing conflicts and divides: a generic, abstract “we”. They seem to overlook the most critical issue – the fundamental

⁶This, by the way, is a well-known contradiction, since the struggle for “emancipation” ultimately leads to the same suppression of dissenters and the triumph of cancel culture.

incompatibility of many interests underpinning ever-fragmenting identities (a paradigmatic case being the incursion of transgender women, i.e., biological males, into female spaces). Additionally, they ignore the destabilized equilibrium of societal forces, in which minority interests are increasingly imposed upon the majority (see, e.g., Gress 2023) – manifest in the enforcement of gender identity policies for children, the promotion of sexual deviations in schools, and similar developments.

Given the observations above, there is a strong temptation to conclude that the root of these contradictions lies either in *modernity as such*, in *individualism in any form*, or in the *ideology of human rights*. Consequently, the supposed retreat from the West would entail embracing that which stands in opposition to modernity – Christian (Orthodox) theology, Tradition, the sacralization of political authority, and similar concepts. In this regard, the heightened attention given to the classics of Russian religious philosophy is understandable. However, there are reasons to believe that no irreconcilable conflict exists between these Russian religious-philosophical traditions and modernity. As will be demonstrated later, it is possible to engage with Russian philosophy without emphasizing its Orthodox or mystical dimensions – a common tendency in existing scholarship. Instead, its value may also be found in its distinctive philosophical-anthropological contributions, which can be analyzed from a confessionally and religiously neutral perspective.

The Philosophy of All-Unity and the Anthropology of Personality: A Non-Theistic Reading. A confessionally and religiously neutral interpretation of Russian philosophical classics does not imply the rejection of their metaphysical dimension. Rather, it involves highlighting elements that remain relevant irrespective of one’s religious convictions. Even from an atheistic standpoint, certain philosophical intuitions within Russian religious thought can be productively re-examined and reformulated as conditional “secular” variants – a move not without precedent. For instance, the personalism espoused by Nikolai Berdyaev has been interpreted in non-theistic terms, as noted by the French personalist Jean Lacroix, who observed: “In all individuals, even atheists, every plea contains something spiritual, even if the divine origin of this spirituality is not acknowledged” (Lacroix 2004: 49).

A further consideration is how to define Russian religious philosophy itself – a question made complex by the vast expanse of Russian intellectual history. For our purposes, the focus rests primarily on 20th century philosophy, both due to its temporal proximity and its profound engagement with the unique historical dynamics of Russia in the early 20th century. This period was marked by an unprecedented collision of extremes: the incursion of Western bourgeois ethos and individualism alongside the radical collectivism of Bolshevism – a situation in some ways analogous to contemporary crises. In response, Russian thinkers sought solutions within the traditional sources of their civilization, yet did so through the lens of modernity. Consequently, despite their religious language, their works can be read not merely (or even primarily) as theological inquiries but as explorations in philosophical anthropology. As Vasily Zenkovsky aptly noted: “If one was to offer a general characterization of Russian philosophy – though any such attempt must necessarily lack precision and completeness – I would emphasize its anthropocentric nature. Russian philosophy is not theocentric (though many of its key figures were profoundly religious), nor cosmocentric (despite longstanding interest in natural philosophy). Instead, it is preoccupied above all with the question of *man*: his destiny, his paths, and the meaning and purpose of history. This is evident in its pervasive moral orientation, even in abstract debates – revealing one of the most potent and creative sources of Russian philosophical thought” (Zenkovsky 2001: 21).

The conception of *human person* in 20th century Russian religious philosophy encompasses a wide array of variations. Some thinkers – such as Nikolai Berdyaev – lean toward a more individualistic (or rather, *personalistic*) perspective, while others, like Ivan Ilyin, incline toward collectivism and Hegelianism. Yet their positions generally mediate between the extremes of individualism and collectivism. As previously noted, Russian (non-Soviet!) philosophy of this period emerged amidst the dramatic confrontation between Western capitalism and Bolshevik communism. It rejected both the Western model of the self-absorbed individual – reduced to a mere consumer or *petit bourgeois* – and the Soviet bureaucratic machine that subsumed the person under an oppressive political structure. Nearly all these philosophers drew inspiration, in one way or another, from Vladimir Solovyov’s philosophy of *all-unity* (rus. *всеединство*).

We venture to propose that the idea of *all-unity* carries, above all, existential significance. The absolute value and unity of Truth, Goodness, and Beauty are affirmed alongside the unity of all existence and God. Within this framework, the human person is not simply an anonymous part of a “fallen” material world. Human life must possess a higher meaning; it is a fragment of a greater divine design. The human person is made *in the image and likeness of God*, yet as a created being, one must participate in *all-unity* to realize their true self. Personality is not innate but achieved. For this, one must transcend natural egoism and individualism, heed the call of the divine, and embrace their vocation. Only through love and creativity can a person rise above mere animalistic individualism and self-interest. As Solovyov asserts that only through rational consciousness can one distinguish their true individuality from his egoism. By sacrificing the latter and surrendering to love, they discover in it not merely a living but a life-giving force. In renouncing their egoism, one does not lose individual being but rather immortalizes it (Solovyov 2016: 79).

The path of individualism and egotism is one of dissolution in a world where all things vanish without a trace. According to Evgeniy Trubetskoy, here he (individual) grovels, crawls, consumes, surpasses the most bloodthirsty predator in destructive malice, embodies the very negation of all that is sacred – and in the end, he dies (Trubetskoy 2017: 40). Conversely, the path to meaning is one of ascent toward the Absolute, toward God. Yet this does not entail a rejection of the earthly world – a perspective that allows us to engage with Russian philosophers beyond a *purely theistic framework*⁷. Russian religious philosophy rejects the radical dualism of the created and the divine (whether conceived in naturalistic, supernaturalistic or tem-

⁷ Alexey F. Losev would argue that religion constitutes a distinctive form of personal self-affirmation, characterized primarily by its absolute nature. For instance, he wrote that we would not be mistaken in stating that religion invariably represented a form of self-affirmation of the individual within eternity – without, at this stage, addressing questions pertaining to the specifics of the individual’s nature or the manner in which eternity was conceived. Without delving into these more specialized inquiries, we might define religion formally as any endeavor to situate the individual within eternal being, binding them irrevocably to absolute existence (Losev 2020: 143-144).

poral/eternal terms). Humanity advances along the path of *theosis* (deification), and an indissoluble bond exists between all existence, past and future. Human beings are called to become *friends of God*, attaining wholeness through love and creativity, thereby integrating themselves into *something eternal*. As Trubetskoy writes, time is granted to us so that the perfection to which we are summoned may be not merely an act of divine omnipotence, but also our own doing (Trubetskoy 2017: 132). Consequently, the divine permeates our earthly endeavors, and the person strives toward eternity even in the present: Trubetskoy adds that human freedom is not merely a theoretical supposition. In the greatest feats of human intellect and will, in the appearance of saints on earth, in the creative inspiration of prophets, artists, and religious thinkers, it becomes an empirical reality – an observable fact” (Trubetskoy 2017: 252). This synthesis affirms that sacred meaning is both transcendent and immanent, realized through human agency within temporal existence.

The eternal and all-encompassing can only exist as one integral whole. Consequently, the anthropological models advanced by Russian philosophers emphasize the potential connectedness, embeddedness, and profound immersion of the individual within the communal whole. True richness of personhood is attained not in isolation but through love and solidarity with others. Thus, Russian thinkers explicitly rejected Enlightenment conceptions of the subject as an isolated *self*. There is no such thing as a refined, detached *I* – human subjectivity (or *the soul*) constitutes a dynamic complex of experiences, sensations, and psychological and spiritual dimensions that ceaselessly interact with both the external world and other individuals.

According to Semyon L. Frank, the inner life of man is by no means confined to the singular material of sensation or sensory-emotional existence, nor is it wholly predetermined through its supra-sensory formative unity. Rather, it transcends this singularity and separateness, serving as a conduit for higher, universally human – and even supra-human – principles and driving forces (Frank 2015: 322). Therefore, the highest expression of personhood does not lie in the egocentric appropriation of the material but rather in creative *outpouring* – an active and profound engagement with the social whole through dialogue. Crucially, individuality is not erased in this process; on the contrary, it is actualized. As Frank observes,

genius is simultaneously the most capacious entity, whose creative output carries objective significance and thus elicits the broadest understanding and resonance within humanity (Frank 2015: 326).

The immersion into the social whole must not imply the dissolution of the individual within the collective. The tyranny of the mass leads, again, to the death of the individual in faceless uniformity. Even thinkers with Hegelian leanings, such as Ivan Ilyin, affirmed the necessity of free choice. Yet here we observe a stark contrast with the contemporary Western cult of radical self-determination, wherein the unified social whole is increasingly perceived as inherently oppressive (Michel Foucault's discursive power). This has given rise to postmodernism's war against all normativity – a struggle that culminates in the triumph of nihilism. Conversely, Russian philosophy is one of *all-unity*, a dialogical whole in which the individual cannot be severed from either the social or the divine. Yet neither should society, if aligned with divine providence, compel the individual into submission by force, for in doing so, the person ceases to reflect the image of God. Of course, truth, even concerning one's own identity, cannot be self-contained – according to Ivan Ilyin no man has the right to rely solely on his own, isolated strength; for he may be certain that even a life of utmost concentration and effort would not suffice to fathom God's mysteries (Ilyin 2024: 65). Nor, however, should truth be imposed coercively – only through persuasion. Ilyin noted that spiritual freedom did not entail rejecting the wisdom and experience of others but consisted in inwardly liberating oneself for spiritual life – free from external violence, coercion, or intimidation. That is why children, in particular, cannot be left to the arbitrariness of *external* and *negative freedom*; rather, they must be nurtured for *internal, positive freedom*. The matter is not about *leaving them in peace or refraining from interfering in their inner life*, but about awakening them to spiritual life – not through force, but through love; not through fear, but *through living example* (Ilyin 2024: 93-94).

The person perishes not only when withdrawing into isolation or when consumed by the collective but also when severed from what may be called *cultural eternity* – the participation in enduring cultural meanings and the transcendent. Personality is formed solely in dialogue: with others, with the social whole. Here, Russian personalism resonates with the dialogical thought of figures like Mar-

tin Buber, who contrasted the inauthenticity of an isolated I with genuine relational being in the *I-Thou* encounter. Buber comments that separation reveals the self-contained essence in its detachment from other self-contained essences. Personality is revealed when it enters into relation with other personalities. The former is the spiritual image of natural isolation; the latter is the spiritual image of natural interconnectedness. The aims of isolation are experience and its utilization, both of which belong to *life* – that prolonged dying which fills the span of human existence. The aim of relation is its very essence: the touch of *Thou*. For through each *Thou*, we are touched by the breath of eternal life (Buber 2024: 88-89).

These reflections remain profoundly relevant to contemporary realities. When culture disintegrates – when individuals isolate themselves, each constructing their own “norms” and “truths” – the fabric of social unity unravels. In the earthly realm, cultural values forged within a fragmented world are doomed to oblivion and decay. This, in our view, is precisely what is unfolding with increasing rapidity in the West: sincerity has waned, the accessibility of others’ experiences has diminished, and communal bonds have weakened. Some even contend that the distinction between men and women no longer exists (or should not exist). Instead, we encounter micro-aggressions, mis-gendering, identity politics, cultural wars, postmodern nihilism, the trivialization of the sublime and the glorification of the low, posthumanist reductions of persons to mere *assemblages*, biological machines, or so-called “cybernetic agencies” (see, e.g., Haraway 1985), and transhumanist fantasies of omnipotence – up to and including assertions of humanity’s inevitable obsolescence (see Davydov 2020). All of this, we argue, underscores the urgency of a non-theistic (*not atheistic!*) reinterpretation of classical Russian philosophy.

Nikolai Berdyaev foresaw the impending threat of cultural collapse. Justly regarded as *the philosopher of freedom* (Berdyaev 2010), he is, even more fundamentally, *the philosopher of meaning* – one who centered his inquiry on the profound tragedy of meaning’s loss in the face of mortality and nothingness. His works offer the most vivid articulation of *dialogical personalism*, and he remains a trenchant critic of all atomization and the reduction of human society to a faceless mass. His critique of individualism is strikingly pertinent to several prevailing cultural trends in the West today.

Berdyayev conveys the idea that sophists, relativists, and positivists failed to recognize man as a microcosm, as the image and likeness of absolute being. For them, man was reduced to a relative condition – a drop in the ocean of worldly necessity, a grain of sand in the desert of existence (Berdyayev 2018b: 55). Such a grain of sand is destined to dissolve into nothingness. Only through creativity and dialogue can one access eternity and meaning: “The creative life is an eternal life, not a decaying one” (Berdyayev 2018b: 202). True creativity entails both the creation and the participation in the eternal and divine: “In the *Mona Lisa*, there is eternal beauty that shall enter into the divine life everlasting” (Berdyayev 2018b: 202). Through creativity, not only is the eternal preserved, but human, personal forces are elevated: “Mature, substantive freedom presupposes the growth and ascent of the inner man, his organic reunion with others and with the cosmos” (Berdyayev 2018b: 357).

Berdyayev’s philosophy is marked by a certain skepticism toward the material world – the world of objects. Material creativity, in his view, risks succumbing to “objectification”, wherein the person is consumed by the transitory, perishable reality of the immanent. But what if, beyond this world, we are granted nothing else⁸? A non-theistic⁹ interpretation of Berdyayev might posit that, in the absence

⁸ Apart from the earthly world given to us, nothing at all may exist. However, even if we remain on the position of faith in the transcendent, there always remains the possibility that the desire for eternity on this side is something very closely connected with the attainment of eternity on the other side of the “created” world.

⁹ It should be reiterated that this perspective *is not atheistic* – rather, it maintains a neutral stance toward any particular confession or religion as such. In the case of Christianity, such a non-theistic interpretation, when properly approached, need not exclude but could instead complement theistic understanding. As previously noted, the idea of all-unity (rus. *всеединство*) implies the absence of a strict dualism between the worldly and the divine. Thus, in striving for unity in the here-and-now, human action aligns right here and now with the divine design. Furthermore, one might even consider something akin to *non-theistic religion* as the metaphysical foundation for a creatively developed Russian *personalism* and spiritual communality (rus. *соборность*). A possible conceptual framework for this foundation can be found in Karl Jaspers’ notion of *transcendence*, posited alongside *the world* and *existence*. Although devoid of strictly religious (let alone confessional) connotations, this transcendence nevertheless makes spiritual culture possible.

of the transcendent, the only certainty we possess is the earthly world. Thus, the clear path to meaning for the person lies in *unity and the immortality of human culture – in the eternal dialogue between all its members*. A life of meaning is one that leaves an enduring mark¹⁰ on human culture, one that partakes, however modestly, in that which will resonate with future generations – even if individual contributions pale in comparison to those of history’s great creators and geniuses. Humanity can strive for unity *right here and now*.

Conclusion. A Source of Inspiration. Thus, the classics of Russian philosophy can indeed serve as one of the cultural and ideological foundations of Russia as a *civilization-state*. However, an attentive reader will quickly discern the fallacy of any attempts to locate in the works of its leading thinkers a blanket condemnation of individualism or an unconditional justification of state authority. On the contrary, what they will find is a distinctive anthropology of the person rather than an uncritical cult of state service – regardless of its underlying aims. As Evgeniy Trubetskoy writes, the modern state, with its amorality, with its tendency to exploit the whole of culture as a means of realizing the animalistic ends of collective egoism, presents itself as a concrete embodiment of the principle of beast-humanity (Trubetskoy 2017: 310). Similarly, Nikolay Berdyaev asserts that man, always individual and irrepeatable, is for Christianity a more primary and profound reality than society. A man may – and often must – sacrifice his life, but not his person; his personality must be realized, and sacrifice is a condition of that realization. It is the person who is called to eternal life, constituting the conquest of eternity (Berdyaev 2018a: 147). Equally dubious is the invocation of Russian religious philosophy to justify *nationalism*. On the contrary, the very essence of the key idea championed by its classical thinkers – the concept of *all-unity* – lies in affirming the unity of humanity, the earthly world, and God, as well as humanity’s receptivity to shared, universal truths. Moreover, Russian philosophy itself is deeply rooted in Western thought, while Berdyaev’s philosophy, in particular, exerted a profound influence on French personalism (see: Mounier 1999).

¹⁰ Of course, it is hardly possible to hope for this *worldly eternity* on a rational level. However, for a person, subjectively perceived *eternity* can be a very long time.

There is no necessity to reduce the classics of Russian religious philosophy either to Christian theology alone or to an ideological basis for a “return to the Middle Ages”, let alone a justification for rejecting human rights discourse or seeking *sacral foundations of Russian statehood*. This philosophy, in fact, belongs to the world of modernity. As demonstrated earlier, a non-theistic reading of some Russian thinkers remains viable. To look to this tradition for inspiration means discerning a set of meaningful ideas that can be creatively reinterpreted in response to contemporary challenges. Above all, Russian religious philosophy is distinguished by its *personalist anthropology* – one shaped through dialogue and oriented toward a harmonious, all-encompassing unity (*sobornost'*), which bears no resemblance to the atomized individual of capitalism nor the depersonalized subject of mass bureaucratic and authoritarian societies. It is also a philosophy imbued with profound existential significance. The yearning to transcend mortality, to resist *nothingness*, is what shaped the fundamental intuitions of the thinkers examined.

How might these insights inform current reflections on perceived cultural threats emanating from the West? The primary concern is arguably the risk of dissolution, that is, the erosion of hope for human unity and a severance from the eternal. Can *dialogue and love oriented toward eternity* persist in the absence of shared authorities and norms? If neither paternal nor maternal authority remains – replaced instead by the dictates of unfettered desire – can any meaningful order of things endure? Is *sincerity* possible when individuals fear accusations of mis-gendering, sexism, racism, or other transgressions, opting either for silence or performative compliance? Can *fraternity* exist among people fragmented into countless gender identities, or among those compelled to navigate pronoun protocols and anxieties over “cultural appropriation”? Can *love* retain its depth when the masculine and the feminine are reduced to sites of mutual envy, and sexual difference is dismissed as insignificant?

If Russia seeks to avoid cultural dissolution, it might draw upon the *personalist intuitions* embedded in its philosophical tradition. Yet this path must avoid simplistic solutions. Preserving normative order cannot be achieved through bureaucratic imposition. If personhood indeed flourishes in harmonic dialogue, in *sobornost'*

and *all-unity*, then norms themselves must emerge through participation, engagement, and democratic consensus – not coercion.

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Perspectives on the Development of Historiography and Contemporary Public Law

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Public Law and its Historiography from the Perspective of Contemporary Logics of Meaning-Making

Abstract. Despite its centuries-old history, public law remains one of the most enigmatic and complex phenomena for scientific understanding. Although the academic and scholarly development of public law spans several centuries, its development into a dogmatic discipline, which began in the 19th century, was accompanied by a gradual expansion of interpretations in line with the influence of related social sciences, giving rise to a plurality of concepts for understanding the disciplinary nature and explanatory possibilities of a modern theory of public law. When it comes to developing and teaching public law, one of the most acute questions arising in legal scholarship concerns the distribution of roles between jurisprudence and political science. From the perspective of a discipline's content and socio-practical significance, the theory of public law can only be effective when grounded in historically-specific logics of meaning-making, unfolding across the entirety of phenomena arising within a national culture. However, the western – primarily English-language – literature often lacks a clear historiographic basis, whose absence gives rise to epigonism and a certain carelessness in understanding well-known meanings and traditions, as well as a distorted understanding of other cultural variants of public

law. Consequently, Russian jurisprudence should increase its focus on generalising the best examples of domestic thought at the same time as studying global experience.

Keywords: legal historiography; public law; cameralism; political science; definition of meaning in law; political science; national interests

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Despite its long period of development, the theory of public law still lacks universal templates and examples. This is partly due to its formation having always been limited by national or regional traditions. For this reason, in order to truly understand the nature and cognitive potential of public law as a scientific discipline, it is necessary to rely on the results of contemporary historiographic studies of political and legal thought, which convincingly demonstrate the programmatic significance of the historiographic models that underlie it. Indeed, without considering the historiographical context and its logical-semantic framework, it is impossible not only to analyse the common and differing aspects of approaches to key problems of public law in different traditions, but even to simply consider the state of national juridical science. These most important issues of modern legal science, including an understanding of the nature and objectives of legal historiography, are developed in detail in the latest studies by Vladimir Sergeyevich Gorban and Academician Alexander Nikolayevich Savenkov (Gorban 2024a, 2024b, Savenkov 2024).

At the foundation of law as a cultural phenomenon in general, and public law in particular, lies a certain logic of meaning-making that shapes the entire national tradition of philosophy and theory of law. The significance of the types of logic of meaning-making and the possibility of its application to the field of law based on many years of research are also given in detail in the works of Smirnov and Gorban (Smirnov 2023, Gorban 2025).

On this basis, the problematic of public law as a scientific discipline turns out to be simultaneously philosophical-legal and legal-historiographic.

The division of law into public and private spheres of application has long been a feature of jurisprudential thought. The beginning of this kind of separation of spheres of law (at least in their written form) was set out the statements of Roman jurists – in particular, those of Ulpian. Nowadays, although both spheres of law are perceived as constituting quite natural phenomena, the boundary between them is not always understood as something strict and immovable. Indeed, the various ideas and institutions associated with one sphere often move quite freely into the opposite one. For example, over the last two decades, criminal law has acquired a number of “soft” (dispositive) constructs, legally speaking (e.g., in the grounds for exemption from criminal liability for economic crimes, a judicial fine as an alternative measure of a criminal-legal nature, etc.). However, the sphere of private law also tends to more easily accept imperative requirements that are traditionally more characteristic of the sphere of public law. Rapid changes in the nature of human life, the active introduction of digital technologies into everyday life, as well as the objectively changing conditions of interaction and development of regions, countries and peoples, all contribute to the fact that law and its morphology are acquiring new features and characteristics.

According to the classical understanding of jurisprudence, the division of law into public and private is a kind of initial intuition, forming an almost paradigmatic idea about the purpose of the various instruments that are certified in one area or another. In the history of legal thought up to the present day, various attempts have regularly been made to explain the nature of the general interest and the common good, on the one hand, and the nature of the private interest, at whose protection private law is aimed, on the other. Moreover, within the framework of the relationship between the general (public) and the specific (private), the content and meaning of each conceivable aspect and relevant sphere are specified quite differently. And if the nature of the private sphere is traditionally and logically easier to understand, then the nature of the public sphere – as juridical experience and the very content of this area of regulation show – is much more difficult to explain.

In terms of their correlation, the private and the public can be thought of from the point of view of the currently popular problem of identity, which in philosophical terms is connected with the idea of self-identity. Moreover, the levels of development of the meaning of self-identity can be thought of in relation both to an individual or to a group – or, for that matter, to society as a whole. The other pole is represented by an appeal to universal humanity, traditional for Russian philosophical thinking, for which law is constantly aimed at correlation with universal truth, justice, equality, etc. This gives discussions about the nature of public and private law a different philosophical meaning, one which is discerned by studying the nature of national logics of meaning-making and the mechanisms of their deployment within the entire relevant philosophical and logical framework. The public sphere of law means refers not just to the general, but also to its corresponding precise, concrete-historical, cultural and logical content. Accordingly, public law encompasses not only ideas about how the government should operate, but also the principle that the exercise of private (individual) rights must not infringe upon the interests of others; this first notion was known in late 19th-century legal terminology as the “social task of law”. If Ulpian defined *jus publicum* as what benefits the Roman state, today there is no reason to assert that the idea of public law does not include its usefulness, first and foremost, for a specific society and state. In other words, the fixation of the aspect of the general in no way cancels the significance of public law as a specific phenomenon and instantiation. For example, in American political science and legal literature, the popular issue of public law is always conditioned by an assessment of its purpose as the law of the American way of political governance, the American national experience of legal construction, the functioning of democracy and human rights activities in this particular country, etc.

The German approach to the nature of public law is distinguished not only by the inherent conservatism of its terminology, which favours the German version over the Latin one, but also by its equally pronounced connection to the historical culture of national legal development. For example, the German legal scholar Bernd Rüthers generally believes that law in general and in its details is impossible without ideology. This could be the idea of freedom, types of economic development trajectory, political declarations in

the form of widespread democracy, etc. (Rüthers 2007). In this way, law is formed, transformed, and interpreted in the daily activities of jurists.

For Russia, then, the theory of public law can only be formed on the basis of the development of the entire complex of meaning-forming ideas contained in its culture. Not only do the formal characteristics of public administration institutions fall within the sphere of public law, but also fundamental legal, spiritual and moral values. Having become part of the Basic Law, traditional spiritual and moral values acquire the character of a legal requirement for the political structure, for the functions of institutions, as well as for the sphere of group and individual communication.

When discussing the nature and character of public law, the formation of its institutional structures is traditionally reproduced within the framework of the patterns that developed in Western European and Russian political and legal thought of the 19th century. This perspective is important for understanding the refraction of Roman legal constructs in European legal thinking and for analysing the dissemination of relevant ideas in Russia and other countries that have been influenced by the Western European legal tradition. However, this perspective is not exhaustive; rather, it merely illustrates a particular trajectory of inquiry that emphasises historical trends. Indeed, the problem of forming the theoretical foundations of public law from a historical, historiographical and logical-semantic point of view (the philosophical development of public law and the boundaries of this kind of knowledge) turns out to be significantly more complex and diverse than traditional ideas about it.

In the context of traditional Western European jurisprudence, the historiography of the relationship between public law and the sciences of the state and society dates back at least to the second quarter of the 17th century. This was when, after 1630, as a result of the changes brought about by the Reformation, the first chairs of *jus publicum* emerged in German universities, and subsequently, chairs of Economics, Politics and Administration were established in the territorial states (Oppermann 1967). Cameral studies, which was initially aimed at providing training for new public administration officials, gradually expanded to include economic studies, statistics, and financial sciences, which was later transformed into

a unified complex system of general state sciences. Thus, public law yielded to the study of state sciences in the formation of a layer of civil servants. Until the second half of the 19th century, *jus publicum* was enriched by theology and philosophy, especially in the areas of natural and rational (in the senses that were applied to these terms in the 18th century) law. Indeed, public law was sometimes included as a section in the disciplines of political science. It was only during the second half of the 19th century that public law acquired an independent place within the legal sciences.

In the 1870s, a discussion arose in German legal literature regarding the first dogmatic development of the theory of public law (Paul Laband, Otto von Gierke, Otto Mayer). The main question that arose concerned the possibility of constructing a theory of public law – primarily state law – from the point of view of the independence of its conceptual apparatus and language. Due to the fact that everything in the sphere of public law turned out to be merely a copy of private law structures, a need arose to determine the nature of the corresponding relationships, restrictions and meanings. Therefore, the question naturally arose concerning the need for the sphere of public law to develop its own conceptual vocabulary that would adequately reflect the nature of the relationships that develop in the sphere of public life, rather than using constructs designed solely to protect the interests of individuals. The main impetus for the discussion was Paul Laband's *State Law of the German Empire* published in three volumes (Laband 1876). His main opponent, Otto von Gierke, objected to the transfer of private law concepts into the sphere of public law, insisting on understanding the state as a special political organism having certain characteristic features and functions (Gierke 1887).

As the understanding of public law evolved in the 19th century, it became increasingly tied to an awareness of the significance of society and its principles of solidarity (Léon Duguit in France), the people and its spirit (the historical school of law in Germany), and *narodnost* (nationality) as a unity of language and other spiritual bonds (in Russian socio-political and legal thought)¹. Almost im-

¹The famous Russian jurist Boris Chicherin wrote that “Nationality does not consist in personal qualities, but in a common *idea*, in the recognition in others of an identical spiritual element, one in many, that is, in belonging

mediately, this shift gave rise to new insights that sought to correct and supplement the inherently atomistic Roman legal constructs, which were oriented towards discrete powers and the methods for resolving conflicts between them. The importance of collective interests, encompassing society and its national history, now came to the fore.

Russian jurists quickly joined in the discussion concerning the dogmatic development of the theory of state law (Alekseev 1897), the systematic study tasks of which had been set much earlier (Dugamel 1833: II). In terms of the depth and nature of the discussion of issues of the theory of public law, the research of Russian scholars was not inferior to the works of German and French researchers, who determined the main directions of reflection on public law. Aleksandr Alekseev wrote that the task of general state law, or *jus publicum universale*, is to study the “fundamental legal principles on which the state life of civilised peoples rests” – or “the requirements of the rule of law” (Alekseev 1897: 8-9). Aleksandr Gradovsky considered such a task to be the clarification of general ideas about the state (Gradovsky 1885).

For more than a century, the character of the theory of public law has been determined by attempts to construct it on the model of sociology or pure legal normative dogma. Thus, V.V. Ivanovsky, guided by the popular intellectual currents of the time, saw the future of state law in an alliance with sociology: “The development of state science in a sociological direction constitutes a pressing need of our time; but its successes are conditioned by the successes of sociological research methods in general, which, although significant, still do not make it possible to build a complete system of that science which could be called political sociology and which is given the more modest name of the general theory of the state” (Ivanovsky 1910: I).

Conversely, according to Vasily Savalsky, the social consideration of the state should not be sociological, but “a legal version” (Savalsky 1913: 8).

In the 1970s, the German legal scholar Helmut Schelsky correctly identified this tendency in the legal literature of the 20th

to a common spiritual essence that connects individuals not only with each other, but with separate ancestors... Because of this, people say: *our* language, *our* history, *our* literature, *our* fatherland” (Chicherin 1900: 69).

century as connected with the formation of meaning (Shelsky 1980). In the early 20th century, political science emerged based on political sociology, which began to claim the role of a discipline that studies law, among other things, from the perspective of its own understanding of its subject and method.

The renaissance in terms of research into the character and nature of public law in Western European and Anglo-American literature that took place during the 1960s was largely influenced by political science research. Here the main concern (one that had been articulated since the 17th century) was to make the theory of public law interdisciplinary, i.e., simultaneously political science (philosophical-political) and legal in its nature. Previous approaches were criticised for their excessive dogmatism and focus on studying the history of constitutions along with the political structure of society. It was clear that public law needed to be transformed. In this regard, ideas were expressed about the need to simultaneously take into account the functional characteristics of political institutions, the socio-psychological aspects of the activities of officials, the role of law as a means of transforming reality, and the human rights factor.

In American literature, public law has traditionally been the subject of intense debate regarding its disciplinary character. Particularly indicative in this regard is Glendon Schubert's *The Future of Public Law* in which the author characterizes the discourse about the future of public law more as an attempt to decipher an anachronism. For him, the very possibility to discuss any future of public law in the form in which it previously existed is excluded. Schubert's work is informative from a historiographical perspective due to its detailed examination of the teaching of public law in the United States within the framework of legal and political disciplines. His research is based on the idea that public law, being borrowed from continental European science, is in fact somewhat alien to American juridical thinking and should therefore be encouraged to develop into a kind of interdisciplinary field where it would successfully combine both legal and political science. Here is explicitly argued that traditional discussions of public law refer only to constitutional and administrative law.

David Danelski, a prominent American jurist, wrote a preface for *The Future of Public Law*, providing us with a very characteristic attitude towards public law in American educational institutions,

where the only course in public law, according to the standards set in the political science curricula, is constitutional law. As a result of this tendency, instead of studying international law, political scientists are showing increasing interest in international politics. Here, the disappearance of administrative law from the modern political science curriculum is assessed negatively. Moreover, the reason for this situation is said to be the lack of interest among students (i.e. low attendance). Meanwhile in political science, there is an erroneous identification of administrative law with public administration. It is also noted that few political scientists are interested in teaching such courses. On the contrary, a noticeable positive trend was the inclusion in the political science curriculum of new courses on the judicial process, the Supreme Court as a political institution (or decision-making institution), and corresponding judicial behaviour (Schubert 1975: 36).

Meanwhile, if we glance at Russian political science and legal education, it will be seen that courses on public law are still lacking. With the exception of some general studies, there is virtually no developed theory of public law. At the same time, public law sciences occupy an independent place in the nomenclature of scientific specialities. While there is an understanding of the branches of law related to public law that is derived from the traditional teaching of the theory of state and law, there is no clearly generalising or conceptual interpretation of the problems of public law.

Attempts are sometimes made to solve the problem of public law theory by means of the comparative method. However, this typically only serves as material for evaluating existing approaches. Research into comparative public law was undertaken already in the early 1920s, when it was noted that there was no single criterion that could be applied universally to distinguish between public and private law (Ehrlich 1921), and therefore such a division was rather of a formative nature. It is generally acknowledged that pre-revolutionary Russian jurists made a significant contribution to the development and generalisation of the experience of developing state law in foreign countries.

In American literature, as in the Anglo-Saxon area as a whole, the formation of styles of discussing the subject problems of jurisprudence has become a typological phenomenon. This generally corresponds to the paradigmatic features of the Anglo-American logic

of meaning, in which proceduralism significantly dominates over substantiality. Thus, American legal scholars are not particularly interested in the development and precision of the concept. Rather, coherence and integrity are initially formed through the constancy and regularity of actions, while changes (accidents of legal states) are thought of in terms of a change in the initiator of the action and the one undergoing it.

In the United States, on the wave of sociologisation of jurisprudence in the first decades of the 20th century, a “functionalist style” emerged in public law, which represented a direct alternative to the dominant doctrine of so-called analytical legal positivism, based on the political values of classical liberalism. The functionalist style offered a different way of solving problems of public law – from institutional reforms to alternative methods of interpretation and methods of legal argumentation. It was supported by reference to political movements such as new liberalism, social democracy, progressivism or democratic socialism. However, due to its incompatibility with certain philosophical beliefs, functionalism in public law remained a complex and ambiguous phenomenon. Therefore, it could not be identified with particular scientific schools and directions of thought, leaving the designation – which is quite traditional for the American logic of meaning – as a *style* of thought.

The main assumptions shaping the functionalist style in public law were as follows: the institutions and practice of public law can and should be used to help enhance human potential; law is not a transcendent phenomenon existing outside society and setting ideal standards by which society should be judged; as a function of society, law must evolve as society develops; society is best viewed as a particular type of organism; the primary function of public law should be to maintain a healthy political system and promote social solidarity; government exists to fulfil this core function and is subject to duties; because public law is linked to the fulfilment of these duties, lawyers should not become overly focused on advancing form (concepts) over substance (goals); public law should be interpreted purposefully (i.e. in view of its function); since freedom is not simply realised through the absence of formal restrictions but is closely tied to the realisation of human potential and objectives, the pursuit of freedom requires an active role by public authorities; freedom presupposes the performance of a person’s functions;

rights should be seen as claims that are recognised and enforced only to the extent that their recognition serves the common good, as a function of the whole; to unite these elements into a coherent whole, a much broader sociological concept of public law must be adopted – one that goes beyond positive law and encompasses a certain way of life (Loughlin 2005).

Australian scholar Peter Cane writes that, for the Anglo-Saxon legal tradition, the problematic of public law is not limited to understanding it as a “sphere of law” or even as a “category of legal thinking”, but is central to understanding what law is in general, for the formation of the concept of law or the theory of law (Cane 2013: 649). Contrasting it with so-called “conceptual analysis”, he describes his approach to understanding the nature of law as “non-essentialist”. The point of his statement is that in order to understand law, primarily through public law as its central core, it is necessary to look not for a set of conditions for the existence of law in all possible worlds (according to Hart’s linguistic concept of law), but rather for the most characteristic features of existing legal systems. Thus, as this author suggests, public law theory, or law in general, is “firmly grounded in actual social and legal practice... a more detailed and less abstract theory... than Hart’s approach, which is based on hypotheses about how ‘law might develop’” (Cane 2013: 649).

The English legal scholar Martin Loughlin argues that public law should be recognised as an independent discipline with its own distinctive methods and objectives; as such, its understanding does not depend on any prior assumptions. In essence, public law is considered not only as a type of law, but also as a phenomenon of the theory of argumentation, for which it is important to agree in advance on the types of acceptable arguments. While this direction surely has a right to exist as a type of discourse, in terms of its practical application it typically draws harsh criticism, especially outside the Anglo-Saxon space.

From the standpoint of Loughlin’s argumentative logic, it is necessary to develop the conceptual foundations of public law, including such issues as governance, politics, representation, sovereignty, constituent or constitutional power and human rights. It is asserted that the methodological approach based on these basic elements of the subject of public law can lead to a proposed new

understanding of the idea of public law (Loughlin 2004). The most important thing, according to this author, is that for a correct understanding of public law it is necessary to recognise its autonomy. Thus, the future of public law is asserted as a kind of pure theory, which means understanding it as an autonomous subject, acting according to its own distinctive method. Since, as Loughlin emphasises, the object of public law is governance, an understanding the nature of the modern state is crucial to comprehending public law. At the same time, positivism (literally, the positive theory of public law) cannot be a theory of positive law, since it explains the meaning of politics and its role from the point of view of the ever-existing possibility of conflict. It is also said that the application of public law principles to particular cases remains uncertain because public law is a form of political argumentation based on rational considerations (Loughlin 2004: 153).

Following Hans Kelsen, Loughlin explains that, when stripped of political ideology, public law can be described in purely theoretical terms (Loughlin 2004: 1-4). The author considers the managerial behaviour that arises whenever people unite with each other, whether in families, firms, schools or clubs, as the central substantive and semantic attribute of the pure theory of public law. Thus, modernisation is not associated with a change in law, but is the result of political adaptation (Loughlin 2004: 5).

Based on Max Weber's ideas about the meaning of goal-oriented rational behaviour, Loughlin tries to explain how public law shapes aspects of political practice; indeed, politics itself, according to the author, is rooted in human conflicts that arise as a result of the struggle for the realisation of various ideals of the good life (Loughlin 2004: 32). Here it is emphasised that, in modern societies, the government does not claim to govern the people; rather, the government represents the people. The importance of representation in public law is therefore obvious (Loughlin 2004: 53). Next follows sovereignty, which is conceived as the autonomy of the political and as a fundamental concept of modern public law. From the author's perspective, many of the difficulties in understanding the idea of sovereignty stem from the failure to recognise public law as a practice with its own distinctive methods and purposes. The resulting confusion stems either from the attempt to place sovereignty within a formal, analytical and positive framework, or from the attempt

to develop transcendental principles of right conduct to which all legal and political actions must be subject. Sovereignty must be socially constructed; as such, it should be used as an expression of modern legal-political discourse (Loughlin 2004: 72). The author also distinguishes between constituent power and constitutionally enshrined power. Constituent power does not lend itself to simple exposition in legal categories. The main reason for this consists in the fact that constituent power expresses the power of the masses; after all, it is the legal expression of the democratic impulse. Constituent power provides legal expression for those forces that enable the formal constitution to perform its political function (Loughlin 2004: 99). Human rights are also identified as an important change in the architecture of public law; according to Loughlin, the study of these rights should be carried out by tracing the intellectual origins of the modern human rights movement and determining its influence on modern legal and political practice. The political discourse on natural rights penetrated into legal discourse and then, through positivisation – that is, the institutionalisation of the concept of law as an expression of fundamental rights – changed the configuration of the relationship between law and power (Loughlin 2004: 114).

By interpreting public law from the standpoint of argumentation theory allows, within the framework of modernist concepts, it becomes possible to take a fresh look at the problems of its content and to identify, so to speak, “grey areas” in public law regulation. At the same time, the limitations of this type of approach are obvious due to their general failure to engage with other interpretations of public law. If public law is derived not from the social or normative nature of law, but from a certain scheme of arguments (even if outwardly practice-oriented), then it is obvious that such schematism ignores the dialectic of the internal (social) and external (normative) in the understanding of law. Argumentative and discursive concepts have a specific situational justification. Given the ambiguous and contradictory interpretations of human rights activity contained in contemporary literature and public space, it is hardly possible to objectively explain the nature and purpose of public law solely through the history of the human rights movement.

The peculiarity of the public law method, according to Loughlin, is explained by the tendency to conceptualise vast spheres of public life in legal terms. In the end, the method of public law

turns out to be a method of prudence analogous to the ideas of Machiavelli. However, Loughlin is far from a conceptual or categorical understanding of the logic of public law. For him, public law is a special synthesis of a limited number of political and legal arguments that are accepted more as symbolic phenomena – i.e., semi-otically rather than in terms of in their substantive, semantic and cultural-civilisational content.

An attempt to combine the idea of justice and the command-and-control activity of the state in the concept of public law was undertaken by Ernest Weinrib from the University of Toronto. According to this author, a unified theory of public law becomes possible by combining the demands of power and justice into a single structure. However, for this to happen, power and justice must first be properly understood and justified. Here, it is argued that authority and justice are interrelated principles of the legal system: the right of rulers to exercise state power is always accompanied by the duty to govern justly; the right of subjects to just government presupposes the existence of institutions of public authority (Weinrib 2014: 703). Like Loughlin, Weinrib offers a rather limited perspective. The problem of the relationship between justice and the state's command and control activities has been resolved in different ways throughout the history of political and legal thought. The assumption of some a priori fairness inherent in public policy seems to function as a clear simplification.

For Russia, the search for a modern theory of public law stems from a series of historical changes over the past few decades – from the collapse of the USSR, accompanied by a sharp shift toward Western European and Anglo-American models of legal thinking, to contemporary challenges of ensuring the country's sustainable development in the context of dynamic global processes, strengthening the protection of national interests, modernising the economy, developing science and technology, and strengthening spiritual and moral values. For Western Europe and the countries of the Anglo-American region, conversely, the problem of public law is associated with the awareness of the one-sidedness of outdated interpretations, as well as the presence of systemic crises, which are described in detail in national literature, taking into account fundamental changes in the global architecture. Of course, the corresponding processes of awareness and improvement proceed differently and

not always painlessly. In this connection it is very revealing to observe how Western European and Anglo-American scholars analyse the Chinese experience of state and legal development. Against the backdrop of China's economic and scientific-technological successes, its legal institutions have attracted the close attention of Western scholars. Moreover, the western literature is characterised by a variety of assessments – from the denial of law in China as such from the point of view of “Europeanness” to admiration for the quality of its legal decisions. From the perspective of Western literature, legality and order in China are viewed solely through the lens of the predicate “authoritarian”; however, the country's effectiveness and openness to social change, along with its incorporation of the best global practices that align with national interests, create a profound dissonance in established patterns of thinking.

The historiography of public law as a scientific discipline demonstrates, through the example of selected images, the existence of a common interest in the development of issues of effective political governance and legal regulation in their unity. However, the historical path of dogmatic development of public law and its main characteristics is distinguished by a diversity of choice of means, priorities and understanding of the disciplinary nature. The conservatism of Russian and German models of jurisprudence, oriented they are towards rational dogmatics and *social* understanding of the sphere of public law, can be contrasted with the pragmatist-functional understanding of public law in the mainstream of American jurisprudence, which, based on *instrumental sociology*, gives rise to different interpretations of the prospects of public law. In any case, universal approaches and solutions remain the subject of discussions about future jurisprudence. To develop the logic of meaning-making in the sphere of public law, it is necessary to take into account that the definition of “public” is never an empty abstraction, but always has specific content in the field of national culture and the history of state building.

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Radicalisation of the Image of Russia in Europe: The Influence of Eastern European Historiography

Abstract. The article examines the role of historiographic strategies in the formation of European identity through the prism of the “Russian question”. In contrast to the objective study and analysis of historical processes, these strategies are instrumental in nature; as such, they form targeted sets of ideas about the participants in historical processes in terms of their motivations and identity. The image of Russia that is systematically constructed in Western and Eastern European discourses is analysed in terms of its function of defining and legitimising a European civilisational identity. The article examines the continuity and development of discourses about Russia: from the orientalist clichés of the period preceding Russian modernisation to contemporary confrontational models, which appear as radicalised as a result of the expansion of the European integration project to the East. The inclusion of post-socialist countries is shown to have been a key factor in the radicalisation of modern European discourses on Russia due to their having presented an alternative version of European history and their own role in the European historical process. Today, Eastern Europe's role as a mnemonic actor can be interpreted as serving to instrumentalise the resource of historical trauma for the purposes of nation building. The key semantic complexes of the Eastern European historiographic strategy in relation to Russia and the Western European core are critiqued in terms of their damaging potential. The current confrontation with Russia is concluded to be a consequence not so much of current pragmatic interests or geopolitical confrontation as of deep processes of identitarian division, within which historiography becomes a significant instrument of exclusion.

Keywords: Russia; EU; Eastern Europe; European identity; memory politics; discursive politics; historical truth; historiographic strategies; discursive distortion

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Introduction. The attribution to Russia of qualities of a negatively significant “other” features consistently in the formation of European identity, both at the national and supranational levels. Although this role is periodically assigned to the country alongside other actors in world politics – especially Turkey and the Balkans (Neumann 1998; Mazower 2000; Todorova 1997), as the leadership capacity of these geopolitical actors becomes diluted, Russia increasingly assumes this burden alone (Krastev 2007).

The current scholarly consensus regarding the prevalence of this practice over an extremely long timespan (Baysha, Chukashcheva 2024) generally aligns with evidence found in a wide variety of sources and works by authors belonging to different social groups and ideological currents concerning the significance of the “Russian question” in Western public thought. At the same time, in the history of interactions between Russia and the West, there arise specific moments qualitatively distinct from the routine pattern of the discursive contrast strategy (*othering*). In such periods, the contrast acquires not only a constitutive force in relation to the self-understanding and self-description of European (and, conversely, Russian) society, but also fulfils the role of a legitimising myth about the role of Europe and its individual components as the foundation of the international regime on the continent. Such moments are characterised by a radicalisation of the discourse on Russia: exclusionary semantic complexes come to the forefront, which instrumentally ensure isolationist strategies.

The present work examines the patterns behind the formation of such complexes, taking into account the changing institutional context in Europe and the growing range of European actors shaping the discourse on Russia. These factors directly influence topic selection and the substance of narratives that define current political agendas between the continent’s two civilisational centres (Russian and the Western European core) to create an instrumental link between historical events and their respective interpretations in terms of their use in advancing specific strategies.

The Russian Question in Western European Historiography of the Modern Era. Before the onset of Russian modernisation, Western public thought did not display any particular interest in understanding the country's social and political specifics. For authors before and during the Enlightenment, engaging with Russian realities was neither systematic, consistent, nor objective. With rare exceptions (for example, the 1549 report by Sigismund von Herberstein, an Austrian diplomat in service to the Habsburg dynasty (Herberstein 2008)), few authors or readers of this period were even superficially acquainted with Russia's real life, culture and politics. Thus, the narrative about Russia before the Petrine era was for the most part peripheral, often generously laced with fiction and spiced with various anecdotes (Tanshina 2022: 173).

At this stage, the description of Russia was shaped more from the perspective of prescribed "exoticism", typical of any space beyond the West European core. Occasional mentions of Russia arose from a rather speculative standpoint, within which the country was placed a priori and uncritically in the continuum of "Eastern" despotic states (Montesquieu 2019: 204). However, the contrast did not yet have an explicit instrumental character and was not intended to assert the superiority of Western civilisation. Moreover, in the context of active colonisation of American, Asian, and African territories, as well as the counter-offensive strategy of the Ottoman Empire, European states did not lack "significant others", whose diversity helped the Western branch of European civilisation to define its profile in contrast. Against the backdrop of geographically remote territories, Russian lands appeared as a peculiar yet quite regular part of the Europeanised Christian world.

The situation was fundamentally altered by the onset of the accelerated modernisation of the Russian state in the 18th century, which set the main course for the country's institutional development over the long term. The practical interest in engaging with an ambitious power that had demonstrated the ability to compete on a full scale in European politics created the need to bridge the gap in understanding its motivations and distinctive features. Since such practical interests were not advanced so effectively via a purely explanatory approach, features of a practically oriented, instrumental strategy aimed at containment started to emerge.

The “assertive” nature of Russian foreign policy and the emergence of the state as an actor capable of altering the balance of power on the continent opened the way for applying negative comparative strategies to it. For example, from this perspective, the Prussian king Frederick the Great characterised Russia in his works and letters during the 1740s as a vast and rich, yet underdeveloped and sparsely populated land. He contrasted this with the Netherlands, which according to the monarch, despite being situated on barren islands, embodied the commercial and martial spirit, capable of asserting independence and attaining national prosperity (Frederick the Great 2017: 25-27). Such a contextually charged comparison clearly served the pragmatics of Prussia’s political course as an emerging European leader by affirming the progressiveness of its own model of state governance and social order.

At the same time, it is important to note that the negative discursive strategy did not imply the conceptual or corresponding practical exclusion of Russia from the European “family”, within which conflicts could occur without denying a shared identity (Leroy-Beaulieu 1881: 1). Indeed, works also started to appear that affirmed a deep cultural affinity between Western European and Russian society beyond the elite strata, which was reflected in similar practices of economic activity, daily life, and folk traditions (Haxthausen 1972).

Despite the fact that Russia’s growing influence steadily and inevitably led to a revision both of the composition of the key actors in European politics and of the organisational principles of the European order, as well as to changes in the political orientation and territorial affiliation of large areas, Russia was viewed in Western social discourses during the Enlightenment and for a long time thereafter not so much as an alternative, but as part of the common European political space. This zone was marked by the harshness of its natural conditions, backwardness, and despotic practices in government and social relations, yet also by its wealth of resources and military power. And while the country was described in terms of its minor significance in cultural terms, its development trajectory was linked to a striving for the Western political and legal ideal that was considered to be attainable through enlightened rulers (Voltaire 1999; for details on Diderot’s views see Mezin 2016).

Thus, the narrative about Russia, which continued to lack features of objective analysis, reflects the instrumental Eurocentric stereotypes of the corresponding period. In the framework of Western social thought, Europe sets a normative model for the future Russia, which, as a result of its own targeted reforms (although assessed as external and imitative, and therefore possessing little power to penetrate the fabric of social relations (Rousseau 1998: 235)), is considered as to a greater or lesser extent being capable of reproducing this ideal.

Conversely, the modernisation that took shape in Russia in the form of Westernisation actively transplanted onto Russian soil Western administrative institutions and practices, crafts and technologies, fashions, architectural styles and literary genres, and borrowed the language and lifestyle of the elite. In doing so, it provided tangible grounds for such hopes.

Overall, Tsarist Russia was a country governed by a Westernised elite deeply integrated into the European cultural and political substrate. The social strata below this extremely narrow layer, which were insignificant as actors in foreign policy, constituted an unexplored realm that allowed the country to be placed in the zone of exoticism or civilisational otherness. However, since communication with this realm was entirely indirect and therefore indifferent, the overarching discourse did not push Russia beyond the bounds of European civilisation.

By virtue of its actual status as a key European power, Russia's "otherness" (its all-encompassing institutional "despotism" (Custine 2008), the "defective" nature of its historical path leading to institutional deficiencies (Leroy-Beaulieu 1881: 240), as well as the "secondary" and imitative character of its culture, later defined as pseudomorphosis (Spengler 2010: 197-201), did not prevent the Russian state from effectively fulfilling the role of one of the pillars of the European order during most key periods of modern European history, acting as a power arbiter in conflicts, participating in successive "concerts", coalitions and alliances, engaging in trade, promoting cultural and scientific exchange, educating members of its elite in Western universities, and contracting dynastic marriages. Such integration made it possible to limit the European West's discursive interaction with Russia predominantly to low-intensity strategies that entailed competitive containment within an

overarching framework of European unity and pragmatic cooperation, with understandable fluctuations between peaceful and military periods.

Ideological and subjective resources of confrontations.

Against this background, periods of confrontation similar to the present, including those leading to attempts at the full-scale isolation of the country, appear more as exceptions and indicate a significant change in the political context. An important event in this regard was the non-recognition, diplomatic boycott, and intervention against the young Soviet state in the period following the Great October Socialist Revolution, which was accompanied by a large-scale propaganda campaign asserting the antagonistic nature of the new Russian statehood and culture in relation to the West. In this, the united opposition of Western countries to the new actor on the world stage was fundamentally similar to the policy of dynastic monarchies toward revolutionary France, which had offered them a republican alternative. Efforts to hinder the establishment of the Soviet state, including at the level of legitimising ideological foundations, had a structurally similar aim to prevent the implementation of a fundamentally different social system that posed a real alternative to the Western capitalist model and a threat to the interests of the classes dominant within it.

During the Soviet period, propaganda efforts consistently acquired the features of systematic, mutually directed rhetorical coercion, reflecting the genuine antagonism between the two civilisational poles of the European continent. At the same time, the need for productive contact with a major power that had proven not only its viability but also its capacity for leadership required finding keys to the Russian “riddle wrapped in a mystery inside an enigma”¹. Accordingly, interaction was grounded in a pragmatic search for points of convergence between national interests, which could also enable joint military alliance strategies.

The subsequent confrontation of the Cold War likewise consistently emphasised the mutual alienation of the two systems. Western rhetoric routinely instilled perceptions of the Soviet state’s

¹ Churchill’s WW2 Speech to the Nation October 1939 // *WW2 Memories*. URL:<https://ww2memories.wordpress.com/2011/09/24/churchills-ww2-speech-to-the-nation-october-1939/> (accessed April 30, 2025).

opposition to the key formats of capitalist organisation of the economy and property relations, approaches to defining human rights, attitudes towards dependent and non-aligned countries, and so on, employing a historically well-established triad of “backwardness”, “despotism” and “aggressive” foreign policy orientation. In a condensed form, these elements were encapsulated in the image of a tyrannical “empire” expanding outward while exploiting its own population, yet simultaneously recognised as a key pillar of the global political order.

The historical dynamics of interaction between the European West and the Russian state in its various successive forms thus create a distinctive cyclical pattern, determining shifts from persistent alienation and containment to pragmatic recognition and cooperation. Periods of heightened confrontation are associated, above all, with Russia’s attainment of the potential for genuine European or global ideological leadership.

At the same time, the pragmatics of interaction did not exclude Russia’s participation in the pan-European home. In its original utopian vision, the reunification of Russia and Europe after the collapse of the Soviet project envisaged, among other things, the creation of an extensive, unified civilisational space stretching from the Atlantic to the Pacific (for the history of this idea in Western discourse, see Thiriart 2019). However, as a result of this historic rupture, returning to the “European family” also required the Russian Federation, at least in the short term, to embrace the idea of embarking on the historically “correct” European path of development, as a “normal” European country devoid of its own ambitions for regional or global leadership.

Eastern Europe as a consolidated mnemonic actor. Against this backdrop, the current situation is in many respects exceptional. Although in the post-Soviet period the conceptual framework proposed by the West largely shaped the Russian Federation’s self-description (Pankevich 2024), actual acceptance of Russia by the Western community predictably did not occur. In the current escalating dynamic, discourse on Russia is marked by an active conceptualisation of the country as a radically different non-Europe and, correspondingly, of Europe as anti-Russia. This configuration makes it possible to state that both the strategic confrontation and its discursive component have reached a fundamentally new and

historically unprecedented level, at which the conflict acquires a vital character.

An explanation of such dynamics, clearly, cannot be reduced merely to pointing out the material or geopolitical interests of opponents focused on the strategic containment of Russia. It appears that the current escalation reflects a significant change in the institutional context and the composition of the actors implementing this policy. Therefore, the moment of contemporary radicalisation can be linked to a specific historical process – namely, the mid-2000s expansion of the Western European integration project, including its associated economic as well as security structures, into the post-socialist periphery of Eastern Europe.

The inclusion of three former Soviet republics and a number of other post-socialist countries into the EU created deep contradictions at the very foundation of European unity, introducing new interpretations of historical events and their contemporary projections. There is now an emerging scholarly consensus that the moment of eastern enlargement was in many ways a turning point for several areas of European integration policy (see, for example, Sierp 2023, Getman 2019, Lifanov 2021). Narratives of European unity, particularly in the sphere of memory politics and symbolic policy, underwent a significant semantic reorientation.

The eastward expansion is significant in two respects. Firstly, the integration of Eastern Europe greatly simplified the political-geographical system of interaction with Russia and deprived its western core of the familiar belt of buffer states, creating the necessity for direct engagement. Equally important, the newly included countries differed markedly from the stereotype of European statehood not only in institutional terms but also in values. Compared to the western countries, this Eastern European periphery historically possessed its own contrasting identity and actively instrumentalised this asset within the integration framework. In fact, Eastern Europe as a political concept was consistently constructed by Western European thinkers of the 17th–18th centuries as the antithesis of the progressive western wing of the European world. From an orientalist perspective, the countries of the region were traditionally viewed by Western political thought in the same semantic category as Russia and largely shared its negative discursive characteristics (Wolff 1994).

Perhaps the main distinction lies in the matter of recognition. While Russia is acknowledged as a significant subject, the countries and peoples of Eastern Europe are not endowed with historical agency. It is worth recalling, for example, Hegel's assessment of the role of the Slavic nation in history: despite certain merits in defending Christian Europe (the Poles even liberated besieged Vienna from the Turks), "the whole mass... does not appear as an independent element in the series of manifestations of reason in the world" (Hegel 2000: 368). It is also pertinent to remember the extremist-charged ideas about the inferiority of Eastern European peoples, which inspired fascist thought in the 1930s–1940s.

Thus, the eastward movement of the European integration project had contradictory consequences. The European West integrated countries having distinct historically formed identities. Moreover, the recognition of their otherness has its own longevity in Western public discourse. As a result of such inclusion, the Western unification project lost both its geographical identity in Schmitt's definition of *Mitteleuropa* (Joerges, Ghaleigh 2003) and the Braudelian economic integrity of the world-economy, understood as a civilisationally connected unity of countries sharing a common historical experience, tradition, and specific value foundation. Also brought into question was the European narrative aimed at seeking compromise and moving away from cultural determinism by national contexts (Wagner 2009: 52).

Within the conditions of full political and legal equality as part of the integrative union, yet simultaneously positioned low in the symbolic hierarchy of the "old" European states, the Eastern European elites asserted their own claims in shaping a pan-European identity. In effect, alongside the two largest operators that brokered normative interpretations of historical events and their outcomes – Russia and the Western European core – a third, historically absent power actor emerged in the European space, capable of advancing its own interests through the creation of specific discourses.

In these circumstances, the creation of a distinct image of Russia as the "other" was particularly significant for the countries of the Eastern European region in justifying their own normalcy as full-fledged "European" states sharing its core characteristics. At the same time, such a historiographical strategy proved instrumentally acceptable and convenient for the Western bloc, which faced the need to find new foundations for European unity. As a result,

the priority of the Eastern European demand acquired overriding force, even if the proposed semantic constructs had an obviously damaging and distorting effect.

Eastern Europe as a region of memory. The radicalisation of the contemporary discourse on Russia can be largely explained in terms of mnemonic contradictions between the Eastern and Western polities internalised within the EU. Under current conditions, while the material prerequisites for Russia–West confrontation are complex and lie in the spheres of economic, geopolitical, legal, and value-based redefinition of the foundations of the modern world order, the unfolding of the narrative about identity differences and the opposition of these two entities through historiographical strategies is not merely one of the operational arenas of this conflict. Embedding the distinction between the parties to the conflict in historiography not only helps stabilise a specific set of perceptions they hold about themselves and each other, but also lays the groundwork for future confrontation, sharpening and intensifying the conflict. The integration of the Eastern European region into the EU has significantly expanded the instrumental arsenal and thematic repertoire of pan-European discursive strategies. In the new version of the united European community’s self-description, the Russian question has acquired central importance as a framework for contrastive comparison.

The key to understanding how the past is interpreted in the region lies in the attribution of special meaning to a succession of damaging meta-experiences that states in the region share collectively. Each of these experiences contributes to the current state of economic backwardness, institutional imperfection, and necessitates the remediation of developmental deficits.

In the period following the collapse of the Soviet bloc, such deficits primarily included institutions characteristic of the capitalist model – unrestricted private property, a developed multi-party system, and the primacy of individual human rights. However, analysis from a longer-term perspective reveals that the countries of the region hold a substantively distinct view of their long historical path. This view is based on the notion of a failure in the process of forming sovereign statehood and the corresponding identity (Pankevich 2021), which process unfolds independently of both the Russian and the Western civilisational cores.

The deficit of statehood is given a dual justification through a combination of ideas about the victim and victimhood of Eastern Europe. Targeted efforts methodically construct the image of the region as an object of prolonged suppression over an extremely extended historical horizon and encode a specific pattern for selecting politically significant narratives in long-term retrospection. The process of the disintegration of repressive multinational empires – Habsburg, Russian and Ottoman – prior to the First World War, which had provided a supra-ethnic political identity for their controlled territories, is seen in the same conceptual frame as the collapse of no less repressive (within this historiographical strategy) multinational European states in the region after the Cold War, including the USSR.

An important event shaping this characteristic Eastern European narrative was the rethinking of the military experience of the twentieth century. The greatest collective achievement of the Eastern European elites was the reorientation of the entire body of European memory policy, which defined the rationale for the formation of the EU as a project to pacify the continent with the aim of building a collective security system that would guarantee the non-recurrence of crimes against humanity committed during the Second World War and – by extended analogy – the First World War. Before the eastern enlargement, alongside the glorification of European achievements in institutional and cultural development, the normative core of the EU's memory policy consisted of the narrative of the Holocaust and other crimes of the fascist regime², and, in a broader sense, reflection on the destructiveness of wars and various forms of xenophobia for the well-being of the continent.

In line with its core narrative, the Eastern European coalition put forward the concept of “double occupation” of their countries – first by the fascist regime, and then by the communist regimes. This idea was formally enshrined in law³. Within the chosen historiographical strategy, these regimes were collectively declared

² *European Parliament resolution on remembrance of the Holocaust, anti-Semitism and racism*, available at: https://www.europarl.europa.eu/doceo/document/TA-6-2005-0018_EN.html (accessed April 30, 2025).

³ *European Parliament resolution of 2 April 2009 on European conscience and totalitarianism*, available at: https://www.europarl.europa.eu/doceo/document/TA-6-2009-0213_EN.html (accessed April 30, 2025).

repressive and equally responsible for the exacerbation of human suffering in the Eastern European region.

In other words, the Eastern European discourse produces a highly speculative set of notions about a distinct political geography of the European continent. Within it emerges a particular taxonomic unit that creates a legitimate demand for the restoration of historical justice. In twentieth century works, this unit acquires the emotionally charged label of “*bloodlands*” (Snyder 2010), denoting territories that became arenas of crimes committed by rival regimes in Europe. Importantly, the core narrative of the region as a victim of successive, equally destructive regimes can also be applied to much earlier historical periods, thereby shaping an influential historiographical tradition.

The historical failure is determined by the region’s special role as the “defender of Europe” in all historically significant directions, including the current confrontation. Commitment to this mission required the countries of the region, among other things, to forfeit their historically prosperous statehood (examples include the Polish–Lithuanian Commonwealth or the Grand Duchy of Lithuania (Klumbyté 2011)), to undergo territorial partition following major military conflicts, to cede significant territories, and to endure subsequent decline.

Eastern Europe is portrayed as the “heart” of the continent, a distinctive space where key extra-regional historical powers clashed. The Habsburgs, Ottomans, Russia, Prussia, Sweden, and others long displaced the damage of warfare beyond their own territories. The modern statehood of the countries of Europe’s East is viewed as the unjust result of imposed power balances that shaped their territorial and cultural identities in ways misaligned with the settlement patterns of their populations. This idea is widely employed by Hungary and Romania (Hann 2015). In the same logic, the form of statehood may not correspond to the state’s presumed mission in the development of the region (Davies 2001). Such a discourse today informs many practical actions of the Polish elites.

A logical continuation of this line is the meta narrative of continuity, incompleteness, and the always costly emancipation of the countries of the region from various all encompassing political structures. The historical failure in the form of a deficit of statehood does not finalise the process of its attainment within a cosmopoli-

tan integrative union but instead requires the activation of efforts by Eastern European communities towards nation building. In this self descriptive strategy, economic backwardness and institutional deficiency become not phenomena to be eradicated, but politically significant resources and even assets (Hann 2015) that provide the value based foundation for historical revanchism.

Political projections of the historiography of the conflict.

The Eastern European narrative reveals its offensive character towards a broad range of counterparts. Within Europe, its demands are directed at partners in the union – former imperial centres and European repressive regimes. However, the claim is also widely externalised beyond Europe. The victim narrative is addressed to Russia, but also to other actors – for example, to Turkey, as the presumed successor to the Ottoman Empire’s guilt toward the peoples of South-Eastern Europe.

It is equally evident that the success of such strategies directly depends on intensifying polarisation towards external spaces, above all the Russian Federation, as the second and principal designated culprit for the backwardness and underdevelopment of the respective countries. It is equally evident that the success of such strategies directly depends on intensifying polarisation towards external spaces, above all the Russian Federation, as the second and principal designated culprit for the backwardness and underdevelopment of the respective countries.

It is important that this discourse also be understood in terms of its compatibility with the pragmatic interests of Western countries. The idea of equating fascist and communist regimes as equally responsible for the events of the 20th century facilitates the partial externalisation of the West’s historical guilt towards the Eastern European region. Placing the blame on Russia allows the historical context of responsibility to be blurred and the guilt to be distributed across a wider circle of extra regional actors. The price of this choice is an intensification of opposition towards Russia, the material and discursive isolation of the country up to the point of overt Russophobia, which can only lead to further escalation of the conflict and complicates the prospects for potential cooperation in the future.

However, it appears that the level of political economic pragmatism does not exhaust the polarising potential of this strategy. At a deep institutional level, the victimisation of the region and

the discourse on Russia as its integral component sufficiently serve a specific scenario of catch up nation building in Eastern European countries within each successive integration union in which they participate. The regionalisation of European historiography is seen as an important component of the discourse, as it contributes to the formation of a collective civilisational subjectivity of Eastern European states as a consolidated actor that goes beyond the private interests of individual communities, their elites, or governments. This semantic strategy, linked to the use of the discourse of victimhood and sacrifice, enables the eastern region to shape its own identity profile and take another step in seizing moral leadership within the European Union: to present the region as a kind of repository of moral values that the western core of the continent has essentially lost (Klumbyte 2011).

The distorting potential of such ideas is also undeniable. They contribute to the hollowing out of the moral meaning of all European military history and, above all, of the full scope of the Second World War experience. Such discourse is convenient in that it shifts the focus away from the negative agency of Eastern European countries in any historical period – obscuring their participation in military coalitions on the side of the fascist regime, denying the contribution of citizens to the implementation of the regime's crimes in occupied territories, and so on. This paves the way for the systematic disregard of the substantive counter argument that the Nazi regime in Eastern Europe was not purely an occupation regime, but relied on a complex system of collaborations with local elites and radical groups who carried out terror against their own population and political opponents (Mazower 2008).

Moreover, the stereotypical interpretation of such events brings specific narratives into the public arena that serve to legitimise national movements as exclusively liberation movements, completely ignoring other forms and effects of nationalist activity in the countries of the region. Thus, the issue of purges against minority ethnic groups and ideological opponents, who as collaborationist agents coherently fitted into the logic of building national statehood, is pushed beyond the framework of historical memory (Ther 2014).

Such an orientation inspires programmes for institutionalising selective versions of the region's history – including the glorification of anti-Russian and anti-Soviet organisations and their partici-

pants, regardless of the nature of their actual actions, in Poland, the Baltic states, and Ukraine. It also encourages the countries of the region to abandon historical narratives of brotherhood and unity among peoples, including minority groups inhabiting the region, in favour of historical narratives of titular communities (Banac 1984), which leads to the growth of phenomena associated with “virulent” nationalisms gaining strength in the Eastern European region.

The Eastern European challenge has revealed the inadequacy of the EU’s general framework for memory policy, which proved insufficiently flexible to accommodate such divergent versions of historical events within the shared discursive space of the integration project. The Western-proposed strategy of interpreting European history as a peace building project based on shared, civilisationally superior values has given way to a historiography of conflict that instrumentally serves the interests of a region where an ethnocentric view of historical trauma dominates.

This historiographical strategy is inherently cyclical, as it relies on the idea of an unfinished conflict, preserves it, and itself demands its actualisation and continuation. As a result, aggressive nationalism becomes an integral part of contemporary European history, discrediting values of universal significance for Europe and embedding new contradictions into the foundation of European ideological unity. It is clear that, in order for the EU to manage such ambivalence, it will be necessary for it to undertake significant ideological and structural adaptations.

However, today European memory policy is steadily drifting towards historiographical concepts based on the notion of an insurmountable divide between Europe and Russia. Historiographical practices of Eastern European origin broaden the application of the negatively charged image of Russia as Europe’s civilisational antithesis. This technique not only defines the boundaries of European identity but also becomes a self-reproducing mechanism of confrontation that excludes the pragmatics of recognition and cooperation, which possibility had remained open in most periods of European history.

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“Nowhere to Retreat”: Defending National Identity by Means of International Law and Justice

Abstract. From the point of view of international law, approaches to protecting its national identity on the part of a state may include expanding or narrowing the scope of its international obligations or derogating from them. In order to clarify these approaches, the article examines the most high-profile cases considered in recent years by the European Court of Human Rights that involve issues of protecting historical memory and traditional values. The *case-study method* is used to demonstrate that the outcome of such cases is influenced not only by the content (*scope*) of the substantive law, but also by less obvious factors, such as historical and political contexts, as well as the procedural behaviour of the disputing party. In such cases, it is shown that the international court also pursues its own interests, which can be understood in terms of ensuring the enforceability of its own decisions rather than “diluting” the national identity of the state. By considering the implementation of acts of international justice on issues sensitive for a state not merely as a formally defined procedure, but also as a complex process of seeking mutually acceptable political solutions, the scope of opportunities for a state to defend its national identity is expanded. The effectiveness of protecting national identity is shown to be determined not by the principled position of the state in terms of the regularity or categorical nature of its objections, but rather by the effectiveness of its participation in international legal communication, including judicial proceedings.

Keywords: international justice; execution of international court decisions; national identity; historical memory; politics, European Court of Human Rights

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Introduction. Just over a hundred years ago, at the end of the “British period” of the evolution of international law (Grewe 2000: 429), it was not possible to discern in it transparent, formally defined procedures for the derogation of states from international obligations. In 1903, the German-Venezuela Mixed Claims Commission, in its decision on the *Fischbach & Friedericy Cases*, proceeded from the fact that international law is based exclusively on the voluntary fulfilment of obligations; accordingly, “any nation has the power and the right to dissent from a rule or principle of international law, even though it is accepted by all the other nations”¹.

Today, at a time when international law has moved away from purely voluntaristic principles (Dupuy 2020: 75-76), there is a clear shift in emphasis on the issue of derogation from international obligations. For example, when reflecting on the same question a century later, the WTO Dispute Settlement Body (DSB), stressed the need to resolve this issue *before* making a commitment. The DSB recalled that a state has the right not to take part in the negotiations on the drafting of a treaty, not to sign its final text, not to ratify it, or to ratify it with reservations².

In this context, issues of protecting national identity under conditions where threats to it are caused by the action of certain international legal norms should be reduced not to finding ways to retreat from obligations already assumed, but rather to the organisation of appropriate political and legal compliance that prevents the assumption of obligations that could result in threats to identity.

Meanwhile, it is possible that the political, economic and other benefits of accepting an international commitment may outweigh the risks such commitments may pose to national identity and other sovereign interests. In such a case, finding a balance between protecting national identity and observing international law becomes an important political and legal task for a state that intends to defend its subjectivity.

¹ Germany-Venezuela Mixed Claims Commission. *Fischbach and Friedericy Cases* (1903). 10 RIAA 388 ff. Cited from: (Dumberry 2010: 786).

² *Dispute Settlement Body. European Communities – Measures Affecting the Approval and Marketing of Biotech Products*. Panel Report from 29 September 2006. P. 335, available at: [https://worldtradelaw.net/document.php?id=reports/wtopanels/ec-biotech\(panel\).pdf&mode=download#page=145](https://worldtradelaw.net/document.php?id=reports/wtopanels/ec-biotech(panel).pdf&mode=download#page=145) (accessed May 20, 2025).

How to accomplish this task without violating the requirements of international law? Does its implementation depend on the state alone? How can a state maintain international legal communication while protecting its identity and other intrinsic sovereign interests? The present work sets out to define the main outlines of the answers to these questions based on recent resonant judicial practice in which issues of protecting national identity were addressed. Its most sensitive components, which are the subject of ongoing international judicial debates, consist in the interpretations of past events that are exceptionally significant for a particular society having determined its subjectivity (historical memory), as well as the values and traditions that are especially protected in a given society due to various circumstances that have arisen (“traditional values”).

Defending National Identity: Derogation and Discretion. Once an international obligation has arisen, a state has only a very modest toolkit to limit its actions in areas that are particularly sensitive to it, including issues of national identity and distinctive values. Thus, it becomes advisable to examine it in more detail in order to establish what mechanisms allow the state to approach the fulfilment of its obligations more flexibly in a situation where there is nowhere to retreat – i.e., when it is impossible to protect its sovereign interests in other ways (while remaining, of course, within the framework of what is internationally permissible).

One such mechanism is derogation – i.e., a dereliction from an obligation when an emergency arises that calls into question the state’s ability to fulfil it (Hafner-Burton et al. 2011: 676). There are special requirements for derogation: substantive and procedural. The first concerns the situation justifying the derogation: it must be extraordinary enough to exclude the physical possibility of fulfilling the obligation. Such situations include, for example, the loss of effective control by a state over a part of its territory. The second requirement requires that the competent international bodies be given a reasoned notice of the occurrence of such a situation. For example, in the European human rights regime, this procedure is enshrined in Article 15 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 (hereinafter referred to as the European Convention).

However, since the task of protecting national identity is a constant one for the state, it cannot be conditioned by the onset of a more or less emergency situation. Consequently, a more flexible parameterisation of legal regulation is required, which must nevertheless remain within the framework of what is internationally permissible. Meanwhile, the very fact of derogation and the context in which the state was forced to resort to it may be important when considering international disputes that raise issues concerning the protection of historical memory. To verify this, let us consider the resonant decision of the European Court of Human Rights (ECHR) in the case “*Borzykh v. Ukraine*”³.

The applicant pointed out that Ukrainian legislation prohibits wearing the St. George ribbon in public places, as a result of which he was deprived of the opportunity to use it in accordance with his beliefs without the risk of being subjected to punishment (in addition to the fact that the applicant himself was an officer, his family took part in the Great Patriotic War and fought against Nazi Germany)⁴. To assess the admissibility of such a restriction of the right to freedom of expression, the ECHR examined the historical context, the origin of the St. George ribbon, its significance for the common historical memory of Ukraine and Russia as victorious countries in the Great Patriotic War, as well as its use today, including in other post-Soviet countries⁵. The court did not deny that the St. George ribbon is of extreme importance for post-Soviet states and the historical memory of their citizens. Indeed, given that the celebration of Victory Day is accompanied by the use of the St. George ribbon, there can be no doubt that it has become a symbol of national unity and, as a result, identity (at least for Russia). However, the ECHR noted that, since the St. George ribbon is associated with the Russian state in the current historical realities, against the backdrop of a significant deterioration in relations between Russia and Ukraine in 2014 and 2022, the authorities of the latter country have greater discretion to restrict the use of symbols associated with Russia⁶.

³ BECHR. *Borzykh v. Ukraine*. Decision of 19 November 2024. Application no. 11575/24, *HUDOC*, available at: <https://hudoc.echr.coe.int/eng?i=001-238740> (accessed May 20, 2025).

⁴ *Ibid.* § 40.

⁵ *Ibid.* § 4–11.

⁶ *Ibid.* § 50–51.

It is possible that an additional basis for such a decision consists in the multiple derogations of Ukraine starting from 2015⁷, since these were based on the same political events that are described in this decision (although the facts of the derogations are not mentioned in the decision). However, the first derogation in relation to Article 10 of the Convention was made by Ukraine only on 2 March 2022⁸ – i.e., after the applicant had already filed a complaint in November 2017.

We believe that this is rather a manifestation of another mechanism, which more effectively allows for the accomplishment of the previously stated objective, thus enabling a more flexible and law-conforming approach to protecting national identity. Derogation is to a certain extent related to this mechanism; indeed, some commentators on the European Convention regard it as a special case thereof (Harris et al. 2018: 19). We are talking here about the well-known doctrine of the *margin of appreciation* of states, whose effect in relation to issues of protecting historical memory can be seen in the example of another resonant decision of the ECHR in the case of “*Sinkova v. Ukraine*”⁹.

The plaintiff in the case was a Ukrainian citizen who took part in a provocative “performance” near the Monument of Eternal Glory that was erected in honour of the fallen Soviet heroes of the Great Patriotic War. As part of the “performance”, the applicant and two other participants fried eggs and sausages on the Eternal Flame at the Tomb of the Unknown Soldier, which “performance” was captured on video and distributed with a critical caption on the Internet¹⁰. As a result, the applicant was prosecuted for desecration of the Tomb of the Unknown Soldier and given a suspended sentence, which she later challenged in the ECHR citing a violation of freedom of expression.

⁷ Council of Europe. Note verbale JJ7979C from 10 June 2025, *Council of Europe Official Website*, available at: <https://rm.coe.int/09000016804896cf> (accessed May 21, 2025).

⁸ Council of Europe. Note verbale JJ9325C corrigendum from 2 March 2022, *Council of Europe Official Website*, available at: <https://rm.coe.int/1680a5b0b0> (accessed May 21, 2025).

⁹ ECHR. *Sinkova v. Ukraine*. Judgement of 27 February 2018. Application no. 39496/11, *HUDOC*, available at: <https://hudoc.echr.coe.int/eng?i=001-181210> (accessed May 21, 2025).

¹⁰ *Ibid.* § 6–8.

The ECHR decision, which recognised that the applicant's rights had been violated, provoked strong criticism in Russian society. However, with regard to the most sensitive issues raised in the case, namely the protection of sacred symbols of Victory and the historical memory of the Great Patriotic War, the ECHR took a different position, finding no violation of Article 10 of the European Convention. The court took into account the special significance of the monuments and symbols that the applicant had insulted and noted that “[the Eternal Flame] on which the applicant fried eggs is part of a monument to the soldiers who gave their lives defending their country... The applicant had many appropriate opportunities to express her opinion... without insulting the memory of the fallen soldiers and the feelings of veterans”¹¹. In this way, the ECHR recognised that a state that has established criminal liability for insulting the memory of defenders of the Fatherland has greater discretion in exercising its duty to guarantee the right to self-expression, allowing its limitation in situations where such severe damage to sacred historical memory could be inflicted.

The devil is in the procedural details. In the given examples, the protection of national identity through adjustments to the regulation of substantive rights themselves falls within the framework of the doctrine of discretion (margin of appreciation). However, since its application is legitimised by a judicial act, the grounds for its application must be proven in an adversarial process. The burden of proof of the existence of such grounds predictably lies with the respondent State, since this entity is, as the ECHR has pointed out, in a better position than the international court to judge the content of the requirements of public morality¹². The State therefore becomes the main¹³ source of information for the international court

¹¹ Ibid. § 110.

¹² ECHR. *Handyside v. The United Kingdom*. Judgment of 7 December 1976. Application no. 5493/72. § 48, HUDOC, available at: <https://hudoc.echr.coe.int/eng?i=001-57499> (accessed May 22, 2025).

¹³ In a number of cases, international courts draw information about national characteristics and traditions not only from the position of the respondent state (after all, we are talking about an interested party to the dispute). In order to verify the veracity of information coming from the state, international or non-governmental organisations, including those operating in that state, may be involved in the case, acting as *amici curiae*.

on the grounds for applying the doctrine of margin of appreciation to it. And if, for one reason or another, it does not take advantage of its procedural position, it may miss the opportunity to demonstrate the validity of its position in defence of national identity.

This can be seen in the example of the recent ECHR ruling in the case “*Kartyzhev and Others v. Russia*”¹⁴. One of the applicants in the case, Bryansk blogger Alena Chervyakova, was brought to administrative responsibility on the basis of Part 3 of Article 20.1 of the Code of Administrative Offenses of the Russian Federation for the publication of a video in which she performed a Latin American reggaeton dance on the site of the Mound of Immortality, a memorial complex to fallen Soviet soldiers of the Great Patriotic War. Disagreeing with the administrative fine and the courts’ findings, Chervyakova filed a complaint with the ECHR regarding the violation of guarantees of freedom of expression.

The storyline is simple: the public performance of a joyful dance against the backdrop of a memorial site where the memory of the heroes and defenders of the Fatherland who laid down their lives on the altar of the Holy Victory is immortalised is considered offensive from the standpoint of Russian public morality. Such an act can be regarded as a blow to Russian national identity, an integral element of which is the memory of the Great Patriotic War associated with the historic feat, courage and sacrifice of the Soviet people. Although the ECHR’s case law has every reason to restrict such forms of expression, in this case the Court still found a violation of Article 10 of the European Convention. With this decision, the Court brought down a barrage of predictable criticism on itself in Russia.

However, it appears that the true reasons for this decision lie not in the ECHR’s deviation from its own established practice or in its political bias, but rather in the procedural details of the case.

Thus, the ECHR took into account the position of non-governmental Russian organisations when deciding the case “*Bayev and others v. Russia*”, which is considered further in this paper. See: ECHR. *Bayev and others v. Russia*. Judgment of 20 June 2017. Application no. 67667/09. § 58–60, HUDOC, available at: <https://hudoc.echr.coe.int/fre?i=001-174422> (accessed May 22, 2025).

¹⁴ ECHR. *Kartyzhev and others v. Russia*. Judgement of 15 May 2025. Application nos. 40763/19, HUDOC, available at: <https://hudoc.echr.coe.int/tpk19/view.asp?i=001-243128> (accessed May 22, 2025).

Firstly, despite the painfulness of the issue raised in the case for Russia, it did not express its position on the case, even though the ECHR, in accordance with paragraph 2(b) of Rule 54 of the Rules, communicated Russia’s complaint. At the time of communication, October 20, 2020, Russia was a party to the Convention. In its notification, the Court put to Russia specific eliciting questions that shed light on its position on the protection of national identity through restrictions on modes of expression that are deeply offensive to historical memory (“Was there a violation of Article 10 of the Convention?”, “Is it consistent with the spirit of the Convention to provide increased protection to... public institutions by the insult law?” and “Were the fines justified by the gravity of the offence and the particular circumstances of the case?”¹⁵). Following Russia’s withdrawal from the Convention, the ensuing silence could be explained in purely formal terms – i.e., the non-binding nature of ECHR decisions for Russia that entered into force after March 15, 2022, including the future decision on this case.

Secondly, it follows from the ruling in the case that the basis for awarding compensation to the applicant was a violation of not only Article 10, but also Article 6 of the Convention, which was not taken into account by critics of the decision in Russia¹⁶. As established by the ECHR (and not disputed), the violation of the right to an effective judicial remedy was manifested by the absence of a prosecutor during the court proceedings; the sole basis for initiating the case was a report from a third party (the Department of Culture of the Bryansk City Administration)¹⁷, which effectively replaced the state prosecution to become the foundation of the accusation. Perhaps it was this circumstance that became decisive in the Court’s decision.

The ECHR was thus forced to make a decision in the face of a deficit of critical information, which – in light of the distributed burden of proof – could only be obtained from Russia as the respondent State. Thus, it is possible that Russia’s active involvement in this

¹⁵ ECHR. Kartyzhev and others v. Russia (Communicated Case). Statement of Facts. Questions to the Parties, *HUDOC*, available at: <https://hudoc.echr.coe.int/eng?i=001-206179> (accessed May 22, 2025).

¹⁶ ECHR. Kartyzhev and others v. Russia. Appendix no. 3.

¹⁷ ECHR. Kartyzhev and others v. Russia (Communicated Case). Statement of Facts. § D (19).

case – one that raises issues sensitive to the country’s history and, as a consequence, its identity – would have influenced the Court’s findings of a violation of Article 10 of the Convention.

National identity as a subject of political process. When resolving a dispute that is sensitive for a state, the International Court often takes into account not only international-legal, but also political considerations. These may include factors such as the expected political reaction of the state to the decision taken, the expected volume of diplomatic efforts that will need to be deployed to ensure its implementation, the likelihood of the need for diplomatic pressure on the obligated state, the impact of the decision on the enforceability of other future decisions against the same state, etc. According to Linos-Alexandre Sicilianos, President of the ECHR from 2019–2020, the execution of the Court’s decisions under the supervision of the Committee of Ministers of the Council of Europe (CM COE) requires political efforts and sometimes increased diplomatic pressure (Sicilianos, Kostopoulou 2020: 169, 173). Against this background, the words of London School of Economics Professor Spyros Economides, which were uttered in the context of international criminal justice, are highly redolent: “A court is a legal institution, but a highly politicised one, which will be viable and successful only thanks to the cooperation of states and a policy of consensus” (Economides 2003: 49).

When considering international disputes concerning national identity, the following competing interests clash. On the one hand, the respondent State is interested in protecting its identity in various ways, depending on the sensitivity of the issue being raised, up to and including a complete refusal to comply with the decision of an international court that questions or revises these values. On the other hand, since any court is clearly interested in the execution of its decision, its portfolio contains as few unexecuted acts as possible. The existence of such acts suggests that their recipients do not take them seriously, which creates an impression either of the poor quality of justice dispensed by such a court, or of off-putting judicial activism that unnecessarily provokes states into protest.

From this perspective, the implementation of an international court decision affecting issues of national identity is transformed from a banal legal procedure into a creative search for mutually acceptable political solutions, often at the initiative of the interna-

tional court itself. Let us consider this process using two specific cases as examples.

The most resonant of these was the case “*Bayev and Others v. Russia*”. The case concerned a situation in which participants in public events aimed at defending non-traditional sexual relations and raising awareness about the rights of sexual minorities (recognised as an extremist organisation by a decision of the Supreme Court of the Russian Federation dated 30 November 2023) were subjected to administrative penalties for their promotion of such relations among minors under Article 6.21 of the Russian Code of Administrative Offences. The ECHR decision, which found Article 10 of the Convention had been violated, became controversial in Russia due to being at odds with traditional ideas about sexual relations.

Here it is significant that the subject of the ECHR’s consideration was not so much the nature of the demonstrations held by the applicants¹⁸, but rather the Russian legislation on administrative offences itself. Thus, the ECHR expressed the following opinions regarding the quality (“conventionality”) of national legislation:

– the legal norms under consideration [Article 6.21 of the Code of Administrative Offences of the Russian Federation] “do not serve to advance the legitimate aim of the protection of morals”¹⁹;

– The Court emphasised the “vagueness of the terminology used in the legislation at hand, allowing for extensive interpretation of the relevant provisions”²⁰;

– “inferiority of same-sex relationships compared with opposite-sex relationships” is determined by legislation, and not by specific law enforcement decisions²¹.

The main conclusion of the ECHR was that Russia had gone beyond the scope of its discretion under Article 10 of the Convention precisely as a result of the “adoption of general measures” – i.e., legislation prohibiting the promotion of non-traditional sexual relations. At the same time, contrary to the position of the majority of critics, the ECHR took Russia’s position into account when awarding

¹⁸ In this part, the ECHR concluded that, when conducting their demonstrations, the applicants did not seek to interact with minors and did not invade their personal space. See: ECHR. *Bayev and others v. Russia*. § 80.

¹⁹ ECHR. *Bayev and others v. Russia*. § 83.

²⁰ *Ibid.*

²¹ *Ibid.* § 90–91.

remedies to the applicants, which is presented in detail in the present case²². The court understood that Russia would not revise this legislation, including for fundamental reasons of protecting traditional values, and that it would not implement it in the event of a decision to the contrary. The ECHR also took into account that this legislation was the subject of an assessment by the Constitutional Court of Russia, which recognised it as constitutional²³, thus emphasising the principled nature of Russia's position. Considering, finally, that there were no grounds for applying the pilot procedure under Rule 61 of the ECHR Rules, the Court refrained from ordering Russia to take measures to adjust its legislation and limited itself to awarding monetary compensation. In doing so, the Court attempted to find a balance between the conflicting interests mentioned above rather than seeking to force Russia to take measures that it would sabotage by refusing to engage in political dialogue, thereby sacrificing its national identity.

An even more striking example is the case “*Fedotova and Others v. Russia*”, which was based on the refusal of Russian civil registry offices to register same-sex marriages, citing family law. The case was examined by the Chamber²⁴ and the Grand Chamber of the ECHR²⁵. Both times, a violation of the applicants' right to respect for their family life was found (Article 8 of the Convention).

Here too, the ECHR presumed to assess the quality of Russian law. The Court linked the violation of the Convention precisely to the defectiveness of the law, which does not provide for any form of legalisation of same-sex relations²⁶. However, in making its decision, the ECHR faced the same competition of political interests as in the case of *Bayev and Others v. Russia*: the court was aware that it was raising an issue that was extremely sensitive for Russia due to the traditional views on same-sex relations that prevail in the coun-

²² *Ibid.* § 45–50.

²³ *Ibid.* § 20, 22, 25.

²⁴ ECHR. *Fedotova and others v. Russia*. Judgement of 13 July 2021. Application no. 40792/10, HUDOC, available at: <https://hudoc.echr.coe.int/fre?i=001-211016> (accessed May 22, 2025).

²⁵ ECHR. *Fedotova and others v. Russia* (Grand Chamber). Judgement of 17 January 2023. Application no. 40792/10, HUDOC, available at: <https://hudoc.echr.coe.int/fre?i=001-222750> (accessed May 22, 2025).

²⁶ *Ibid.* § 224; ECHR. *Fedotova and others v. Russia*. § 56.

try. The Chamber even acknowledged that the enshrinement in the Russian Constitution from 2020 of the concept of marriage as a union between a man and a woman may be aimed at achieving the legitimate goal of strengthening marital institutions²⁷. As a result, both the Chamber and the Grand Chamber limited themselves to merely finding a violation of Article 8 of the Convention, refraining in this case even from awarding compensation to the applicants. Contrary to the opinion of some critics of this decision, the ECHR did not formulate instructions to Russia on measures of a general nature, including the legalisation of non-traditional forms of relations.

In this way, the ECHR tried to make a politically balanced decision. On the one hand, it did not require any active actions from Russia: neither general nor individual, i.e., nothing that even in the slightest degree forces the state to transgress its identity. On the other hand, the decision is purely declaratory in nature and, in principle, does not require any implementation, which deprives the respondent state of any legal means to overcome it within the national legal system.

It is equally important to maintain a balance of political interests at the stage of implementing a decision. To this end, the international court may be more lenient towards measures taken by a state to implement a decision that conflicts with certain aspects of its identity. An example is the ECHR ruling in the case of “*Ünal Tekeli v. Turkey*”²⁸, in which the absence in Turkish legislation of the option for a woman to retain her maiden name upon marriage was recognised as a violation of the right to respect for private life. As can be seen, the ECHR in this case also linked the violation of conventional rights with defects in legislation – Article 187 of the Turkish Civil Code, which required a woman to use either her husband’s surname or a double surname when entering into marriage²⁹. Although the Court did not order Turkey to amend its legislation, it

²⁷ ECHR. *Fedotova and others v. Russia*. § 54.

²⁸ ECHR. *Ünal Tekeli v. Turkey*. Judgement of 16 November 2004. Application no. 29865/96, available at: <https://hudoc.echr.coe.int/eng?i=001-67482> (дата обращения: 23.05.2025).

²⁹ *Türk Medenî Kanunu*. 4721 sayılı, *Lexpera*, available at: <https://www.lexpera.com.tr/mevzuat/kanunlar/turk-medeni-kanunu-4721> (дата обращения: 25.05.2025).

is clear that the remedy for the violation of the Convention – based on the root causes of the violation – would require such an amendment.

Despite the fact that the decision was made back in 2004, it remained unimplemented for almost twenty years, until the Constitutional Court of Turkey in 2023 disqualified Article 187 of the Civil Code of Turkey, including with reference to the position of the ECHR³⁰. At the same time, such prolonged inaction by the Turkish side did not receive any censure from the Committee of Ministers of the Council of Europe, which supervises the execution of ECHR judgments. Only in the same year 2023, the Committee of Ministers was satisfied with a reference to the clearly belated decision of the Turkish Constitutional Court, indicating that “the fact that the case remains under consideration by the Committee does not mean that the respondent State is ignoring the court decision”³¹. The reasons for this lie not only in legal nuances (the execution of the judgment was not subject to a temporal limitation, the operative part of the decision did not contain any indication that Turkish legislation needed to be amended, there is currently a heavy workload on the Committee of Ministers of the Council of Europe, etc.), but also in political factors: the question of which surname a married woman should bear is particularly sensitive for Turkish society and, given its traditions, is rooted in the country’s unique family values.

Conclusion. As can be seen, the process of protecting national identity by states in the international legal plane can proceed according to two scenarios.

The first scenario involves a unilateral refusal by a state to fulfil its international obligations to implement the judicial decisions resulting therefrom, even if this means literally violating international law. In this case, the state, in abrogating from its international obligations, does not raise the question of “to where” it will have to retreat. Such a scenario can be chosen intentionally if the state

³⁰ Anayasa Mahkemesinin 2 Şubat 2023 kararı. Tarihli ve E: 2022/155, K: 2023/38, *Lexpera*, available at: https://www.lexpera.com.tr/Appendix/publication_tr/rg801y2023n32174p6_483908533_1.pdf (accessed May 25, 2025).

³¹ Supervision of The Execution of Judgments and Decisions of The European Court of Human Rights. 17th Annual Report of the Committee of Ministers, *The Council of Europe*, 2024. P. 13.

intends to signal to the international community the principled nature and sensitivity of the issues raised (including in view of their connection with issues of identity).

Meanwhile, when the state operates with arguments about national identity, it is worth considering that the state and civil society's ideas about its content may not coincide. Moreover, the citizens of that country, based on their own feelings of community and professed values, may be bearers of an identity different from that which the state intends to protect (for example, when civil society rejects the values imposed by the state based on its utilitarian interests). In such cases, national identity turns from a substantive argument into a formal one that is aimed at the artificial creation of a "space" for the state to retreat from its obligations. Be that as it may, this scenario is conceivable in an exceptionally favourable political and legal context, which objectively allows the state to dictate to the relevant international court, in the words of V.D. Zorkin, its "limits of compliance" (Zorkin 2024: 29) (the passivity of the international court in ordering general measures for the state, the irregularity of supervision over the execution of its decisions, concessions in it, etc.).

According to the second scenario, issues of protecting national identity are resolved in the process of international legal communication, i.e. they are the subject of lengthy diplomatic efforts, competition in an international court, and even political bargaining, including in the execution of acts of international justice. This scenario is more intuitive for the following reasons.

Firstly, as a rule, an international court does not limit a state in its choice of methods for executing its decision. This is the nature of sovereignty and subsidiarity of international justice, which, as Paolo Carozza notes, "recognise... the responsibility of national [authorities] to ensure human rights and regard international intervention [only] as... a complementary or auxiliary mechanism" (Carozza 2003: 67). As a result, the state is given the opportunity to choose the "lesser of two evils": a method of execution that will meet the requirements of protecting national identity or, at any rate, will cause it less damage.

Secondly, international law encourages active international communication. It is no coincidence, for example, that the UN International Law Commission points out that a state's objection

to an emerging international custom (*persistent objector doctrine*) must not only be brought to the attention of all states involved, but also consistently defended in the international arena,³² which is only possible under conditions of continuous international legal communication. Otherwise, the state will not be considered to have objected to a norm that is undesirable to it, which threatens the national values that it sought to protect through this objection. The intuitiveness of this approach is confirmed by ancient Roman lawyers, who said that “laws help those who are awake, not those who are asleep” (Latin: *vigilantibus, non dormientibus, jura subveniunt*).

In this context, the difference between genuine law and momentary political interests lies precisely in the observance of due procedure: “even in the event of a disagreement of interests and desires” and “even a decision ‘tainted’ by value preferences... will ultimately still be recognised, even without approval, if it... took place in a legal procedure” (Aranovsky, Knyazev 2016: 71, 121). The same applies to international law: if a state intends to “protect” itself from the application to it of any international legal norms (for example, by preventing the emergence of a custom or consensus that contradicts internal traditional values) or standards (for example, by using its discretion), this is possible only within the framework of the international legal regime that enshrines these norms or standards, namely through constant, open and timely communication, including in the procedures established by this regime, not excluding judicial ones. If we recognise the protection of national identity as an important sovereign interest of the state – a boundary beyond which there is no retreat – then we must also recognise that sovereignty, being an international legal attribute, can and must be protected only by means of international law.

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The Russian Criminal-Anthropological School in the Light of Soviet Historiography (1920s–1960s)

Abstract. The creation of a Russian historiographical model of political and legal knowledge requires systematic reference to creative individuals who were underappreciated in their time, even forgotten for long periods or erased from scientific and cultural discourse – along with their biographies, works, ideas and concepts. Such work also requires the study of their later images and interpretations, which, one way or another, developed and functioned in Russian socio-legal thought and played a role in the fact that some names constantly remained in sight and on everyone's lips, while others were swallowed up by the darkness of oblivion. The Russian criminal anthropology school of the late 19th and early 20th centuries, in which the ideas of the Italian criminologist Cesare Lombroso were developed by figures including Dmitry Dril and Vladimir Chizh, along with lesser-known authors, became the object less of impartial research during the Soviet era than of distorted, ideologically biased interpretations or simple silence. In the present article, two interpretative approaches to criminal anthropology are considered as corresponding to two significantly different stages of Soviet history. During the 1920s, when a relatively tolerant academic atmosphere prevailed and the ideas of criminal anthropology were still in vogue, the epistemological content of the latter exerted considerable influence on discussions related to explaining the causes of crime and selecting guidelines for penal policy. Conversely, during the 1930s–1960s, “Lombrosianism” became an ideological and political stigma, the possibility of developing its scientific potential was completely repudiated, and an objective study of the roots of crime was replaced by aggressive and empty rhetoric, which became the norm in criminological discourse, legal education and official propaganda. Thus, the aims of the present article are, firstly, to restore an increment of historical justice in relation to one of the significant scientific directions of pre-revolutionary

Russian criminology, and, secondly, to contribute to the development of promising means for countering those forces that aimed at preventing Russia's return to the path of sovereign civilisational development.

Keywords: criminal anthropology; Russian criminal anthropological school, Cesare Lombroso; Lombrosianism; Dmitry Dril; Vladimir Chizh; Soviet legal historiography

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Consideration of the current state of a given scientific problem necessarily presupposes periodic reference to the concepts, methods, and approaches with which it was considered in the past – of course, taking account of the fact that it was previously understood and formulated at a different level, using different concepts, and, quite possibly, in different academic and cultural contexts. A historiographical analysis of relevant sources not only allows for a more detailed and adequate outline of the main trajectory along with a consideration of divergent, sometimes dead-end paths to solving a given problem, but also highlights those aspects that were either not fully understood or appreciated in their time, or which later receded into the background for various reasons, even to the extent of being forgotten by subsequent generations of researchers. This also applies to the history of Russian social thought: the better we know our predecessors, their ideas, motivations and debates, the more clearly we will understand where we have arrived today – and consequently the easier it will be to decide where to go tomorrow.

In this connection, the analysis of the perception and interpretation of a particular doctrine by authors who worked in approximately the same subject area somewhat later appears to represent a very promising undertaking. The critical assessments that were given to this doctrine (whether positive or negative) inevitably bore the imprint not only of purely epistemological innovations, but also of the spirit of the era that gave rise to these assessments. Therefore, a historiographical examination of the sources containing these assessments seems important at least in two respects: (1) as a way of more deeply penetrating into the authentic meaning of the specific

doctrine to which they were dedicated; (2) as a tool for understanding the cultural and historical time at which the authors of these texts worked.

The Russian criminal anthropological school, represented by the names of Dmitry Dril (1846–1910) (Vasechko 2024), Vladimir Chizh (1855–1922?) (Vasechko 2025) and lesser-known personalities, which actively functioned in the last decades of the 19th century and until 1917, arose under the powerful influence of the teachings of the Italian psychiatrist Cesare Lombroso concerning the supposed existence of a hereditary and anthropological predisposition to criminal behaviour and mentation¹. Inspired, like their Western colleagues, by the broad prospects that many of the then young sciences (anthropology, psychology, physiology, mathematical and social statistics, etc.) were opening up for the study of the phenomenon of crime, Russian criminal anthropologists came up with a detailed and compelling critique of the so-called classical school of criminal law and its traditional ideas about the causes of crime, guilt and sanity, as well as about the need for repressive measures against subjects who committed criminal acts. Although in Russia (as, indeed, in the West) the proponents of criminal anthropology failed to achieve a radical restructuring of the criminal law, criminal procedure, and penitentiary systems, their activities had a certain influence on the work of law enforcement agencies, and also – to an even greater extent – on the heated debates that took place among Russian jurists and in Russian educated society in general.

1920s: Criminal anthropology as a “fellow traveller” in the formation of a new man. The role assigned to the old, pre-revolutionary intelligentsia by the new communist government in Russia was generally described both in the pre- and post-revolutionary works of Vladimir Lenin; in this matter, the first leader of the Soviet

¹ In addition to the most famous figure who gave the name to the entire movement (“Lombrosianism”), certain French psychiatrists of the mid-19th century are commonly named as its representatives. These included Bénédict Morel and Prosper Despine, from whose works Lombroso borrowed heavily, as well as his younger compatriots, Raffaele Garofalo and Enrico Ferri. In 1880, Lombroso and his associates initiated the publication of a special printed organ – the journal “Archive of Criminal Psychiatry and Criminal Anthropology”. From that time on, international congresses on criminal anthropology began to be held at which Russian criminologists were increasingly in attendance.

state was quite consistent. On the one hand, it was obvious that the Communist Party and government could not do without such people as possessed the necessary specific knowledge, whether in economics, technology, military affairs, medicine, natural sciences, or law, etc. As Lenin wrote in *Materialism and Empirio-Criticism* (1909): "...you cannot take a single step in studying new economic phenomena, for example, without utilising the works of these clerks" (Lenin 1968: 364), implying by the latter term the contemporary professors of political economy. And where the party and (after 1917) the Soviet government needed it, they never hesitated to resort to the services of these "learned clerks" – these, as Lenin, following Joseph Dietzgen, called them, "certified lackeys" of the old regime. In this case, the discussion was about natural scientists, engineers, military specialists, cultural figures – or, as in our case, jurists.

On the other hand, this entire public was made to understand from the very beginning that their assistance was needed only for the time being: the only part of it that could count on a worthy place in the new society was the part that could be "reforged" – that is, that would reject the prejudices instilled by life in the former exploitative society and accept the "all-conquering teaching of Marx and Engels" in its entirety, including both their philosophy and socio-political doctrine, and in general everything that would be proposed at the moment by their official interpreters. For that part of the population that was unable – and especially unwilling – to betray its former ideals, the prospects were rather bleak: the "revolutionary workers and peasants", whose will was personified by the repressive organs, would quickly make it clear to such backward individuals that society was no longer interested in their professional talents, knowledge and skills, with all that this entailed.

As is well known, not all intellectuals who grew up and formed their worldview before the revolution accepted these strict rules of the game. Millions of them refused any cooperation with the new authorities, instead choosing the uncertainty, suffering and hardships of life in exile. However, others – and there were quite a few of them – made a different choice; this category includes many prominent jurists of the old school. At the same time, a significant portion of them, having entered the service of the Soviet regime, giving lectures at Soviet universities, publishing one new book after another, and even sometimes conscientiously working in various

law enforcement agencies, continued to adhere to their customary views, including where it concerned the causes of crime and the fight against it.

Lenin's contemporary, legal scholar and psychologist **Sergey Poznyshev** (1870–1943), who long before the revolution received a doctorate in criminal law and a professorship and in 1915–1917 even served as vice-rector of Moscow University developed his own classification of criminal types while openly relying on Lombroso, Ferri and Garofalo (Poznyshev 1923; Poznyshev 1926)². Admittedly, he stipulates that there is no “anthropological type of criminal” – one that could be identified by external features such as the shape of the skull, facial asymmetry, or the structure of the ears. For him, however, there was no doubt that the criminal type as such is an objective phenomenon; one simply needs to understand that it is determined not by the physical, but by the mental constitution of the individual, and is manifested in his practical actions: “The content of the criminal type forms that combination of constant properties, by virtue of which the individual reacted to the impressions he received with criminal behaviour of a certain nature” (Poznyshev 1926: 31). And in this matter, there can be no talk of any break between Poznyshev and the principles of Lombroso's teaching: even during his lifetime, some of the closest followers of the author of *Criminal Man* acknowledged the problematic nature of detecting a criminal type using anthropometric methods. Although the Russian “Lombrosians” – in particular, Dril³

² Recently, in 2023, almost a hundred years after it was first published, Poznyshev's *Criminal Psychology* was reissued by the Yurait publishing house. The annotation defines the value of this book for today's Russian reader as being based on material taken from the author's contemporary reality (as stated on the publisher's website. – V.V.).

³ Regarding the various anthropometric, physiognomic and physiological characteristics on which Lombroso focused, Dril notes that there are insufficient grounds for singling them out as the stigmata of a “criminal type”: “...The described signs were observed in various quantities and combinations in various criminals and are united in their entirety into one general whole, into a type, only by description... In order to have grounds for singling out a special ‘criminal type’, it was first necessary to prove that the given signs, or at least some of them, are specific signs, inherent only to criminals and not found in non-criminal people. Nothing like this has been proven – and it cannot be proven...” (Dril 2010: 475).

and Chizh⁴ – often wrote about this, it must be emphasised that they never questioned the fundamental theses of criminal anthropology.

It is quite characteristic that, in drawing empirical material from contemporary realities – namely, from criminal materials and court cases of Soviet Russia in the first half of the 1920s – Poznyshev bases his theoretical constructions on the same authorities as his pre-revolutionary predecessors in criminal anthropology. The names of Esquirol, Morel, Lombroso, Despina, Garofalo, Ribot and others constantly appear in his books and are almost exclusively cited in a positive context as scientists who discovered certain important, fundamental truths, against which their successors essentially have nothing to object. One of such basic texts for Poznyshev was Theodor Ziegen's *Physiological Psychology* (Poznyshev 1926: 64), the first translation of which in Russia (as is clear from its imprint) was published under the editorship of Vladimir Chizh, who was at that time a professor at Yuryev University (Ziegen 1896). Poznyshev also repeatedly mentioned various works by Dril (Poznyshev 1923: 85, 98, 199, 231). He also cites the monograph *Murderers* written by the former Sakhalin doctor N.S. Lobas (Lobas 1913), a personal acquaintance and follower of Dril (Poznyshev 1923: 231–232). It is quite possible that Lobas' work influenced Poznyshev's rich illustration of *Criminal Psychology* with photographs of defendants in criminal cases, which was intended to support the thesis that the criminal type is an objective – one might even say “medical” – fact, and not an idle fiction of armchair theorists.

An innovation in the criminal anthropological discourse of the 1920s consisted in the active appeal to the works of Freud. With his open atheism and declarations of commitment to a scientific-materialistic worldview, Sigmund Freud was rightly viewed by many Bolshevik leaders (in particular, Trotsky) as an ideological ally who could and should be used for the benefit of communism; for this reason, the Viennese psychologist's works were repeatedly translated

⁴ Chizh points out, for example, that having independently conducted research on the asymmetry of human faces for three years, he came to the conclusion that complete facial symmetry is extremely rare, as a result of which, according to the logic of the first Lombrosians, the absolute majority of people should be classified as mentally degenerate and representatives of the “criminal type” (Chizh 1890: 209).

and published to become the subject of lively discussions. Freud fits perfectly into Lenin's template of those "representatives of modern natural science who are inclined toward materialism and are not afraid to defend and preach it against the fashionable philosophical genuflection toward idealism and scepticism that prevail in the so-called 'educated society'" (Lenin 1970: 29). As a contemporary researcher notes, Freud and Chizh (the latter being only one year older) were moving along parallel paths in their research into the problem of the unconscious until the beginning of the 20th century; as such, the fact that the name of the first was so "promoted" while the second was rather quickly forgotten should be attributed to certain personal character traits that prevented Chizh from doing what Freud did – creating a complete theory of personality and developing a psychoanalytic method on its basis (Slabinsky 2015: 10-12). It is quite likely that Chizh's relatively early death also played a role here: if he, like Freud, had been able to continue his work during the 1920s and 1930s, his contribution to science, including the science of criminal anthropology, might have been much more significant.

Be that as it may, Freudian psychoanalysis turned out to be interesting not only to the younger generation of Russian (now Soviet) scientists, such as the famous psychologists **Alexander Luria** (1902–1977) and **Filipp Bassin** (1905–1992)⁵, but also to intellectuals of the old school, including criminologists. The same Poznyshev refers to the recently published translations of *Lectures on Introduction to Psychoanalysis* and the book *Psychoanalysis and the Doctrine of Characters* (Poznyshev 1926: 67). **Lev Orshansky** (1866–1937), having given a detailed retelling of Freud's teachings and having noted that not every one of his ideas should be accepted unconditionally, makes the following significant conclusion: "All of Freud's teachings... still await a serious examination in application to criminology. Among us, Freud has found several ardent adherents among doctors and teachers who interpret him in a crooked and oblique

⁵See: (Graham 1991: 168-171, 189). However, some young philosophers also spoke of Freud quite enthusiastically. In 1923, Bernard Bykhovsky, in the journal "Under the Banner of Marxism" (then the main theoretical organ of the party and the country), asserted that "psychoanalysis is, at its core, a teaching imbued with monism, materialism... and dialectics, that is, the methodological principles of dialectical materialism" (Quoted from: (Graham 1991: 171)).

manner; Russian criminologists have so far passed him over in silence” (Orshansky 1927: 50).

In general, then, the attitude towards criminal anthropology on the part of authors of the first Soviet decade should be assessed as quite favourable⁶. Even where the image of Western “Lombrosianism” is painted in very negative terms, this cannot be equated with the attitude of its domestic supporters. **Mikhail Isaev** (1880–1950), another jurist with a solid pre-revolutionary background, having mentioned (for example, in his university textbook) Dril as a follower of the anthropological school, points out that “...his views, in contrast to Western European anthropologists, were distinguished by a surprisingly humane attitude towards the criminal” (Isaev 1927: 41). In general, such leniency and such liberalism in relation to a teaching that would soon be saddled with the most severe accusations may seem quite unexpected. However, when the broader social and cultural context is taken into account, much becomes clear.

The twenties in the USSR were a time of active scientific research and energetic social and technical experimentation. Inspired by their recent victory, the Bolshevik leaders were confident that they could do anything, that they could “make a fairy tale come true”, and that it was in their hands to radically transform not only the external, material world, but also man himself, including his biological nature. This sublime enthusiasm is transmitted not only to thousands of young people who do not yet know or think about what Russia has lost, but also to the middle generation, already quite wise in life. For example, it was Nikolai Koltsov, already in his 50s in 1923, who published the pamphlet *Improving the Human Race*, in which he describes the tasks and possibilities of the new biological science of *eugenics*, “the science of human nobility” (Koltsov 1923). And from 1922 to 1930, seven volumes of the “Russian Eugenics Journal” were published under his editorship (Shnol 1997: 73-75). Here Koltsov is not merely reasoning, but also, by virtue of his position the head of the Institute of Experimental Biology

⁶As a contemporary author emphasises, “...criminology in the first years of Soviet power was distinguished by tradition, i.e., continuity in views with its pre-revolutionary predecessors, especially since many of them continued their research under the new regime” (Bakharev 2023: 37).

(which enjoys the patronage of the authorities and large material and technical resources, attracting, when necessary, the best foreign personnel), launching a broad research programme to nurture “Homo creator”, i.e., the creative person of the future. At the same time, it is assumed a priori that in people of such a wonderful and in principle perfected type, no antisocial – or especially criminal – inclinations can exist.

Naturally, against this backdrop, concepts that interpreted the hereditary and anthropological roots of crime seemed appropriate and even quite respectable. There was no talk of any pessimism or misanthropy on their part; on the contrary, there was confidence that if it were possible to ascertain the genetic root of the evil of crime and determine its nature, then it would be possible to find the means to, if not eradicate it completely, then at least reduce its harm to a minimum. After all, if we are capable of artificial selection that improves the natural properties of plants and animals, then why can't we also correct our own natural inclinations – where they are self-evidently defective and negative? From this perspective, criminal anthropology served as one of the scientific disciplines for providing knowledge about the ways of forming a new human being – knowledge that was both practically valuable and socially in demand, and which could therefore justifiably count on a relatively comfortable existence under the Soviet regime.

1930–1960s: “Lombrosianism as an ideology of reaction and obscurantism”. The end of the 1920s was marked in the USSR by the rise to power of Stalin's clique, which single-handedly concentrated in its hands all the levers of control not only of the state and society, but also of intellectual culture. For science generally, and particularly those sciences that deal with society and man, this meant that the time of more or less broad pluralism and relatively free expression of views had passed. As it turned out, this tendency was to be quite marked and would continue for a long time. By the mid-1930s, the situation for continuing research in human genetics had become unbearable. In 1936, Hermann Muller, an American geneticist and future Nobel laureate who had worked for several years at the Institute of Genetics headed by Nikolai Vavilov, made a desperate attempt to support his Soviet colleagues by writing a personal letter to Stalin. However, the only response was a tightening of repression against scientists, an official ban on medical genetic

research, and the designation of genetics and eugenics as pseudo-sciences in the service of imperialism, fascism and racism (Soyfer 2016: 153-159, 179-186, 203-218).

This change in the official course also had a decidedly chilling effect on the disciplinary status of criminal anthropology: for several decades, “Lombrosianism” was transformed into a scurrilous epithet, declared to be not just an *unscientific* concept like quackery or popular superstition, but a system of *anti-scientific*, *anti-humanitarian* views, deliberately developed by pseudo-scientists and financed by the bigwigs of the capitalist world⁷. Any expression of sympathy for Lombroso’s ideas, even a modest mention of some of his scientific merits, thus became a pretext for the most derogatory criticism, bordering on political accusations of preaching bourgeois ideology and betraying the cause of socialism. As a result, not only Western “Lombrosians”, but also domestic ones, including those long gone, were methodically vilified at all levels, from the periodical press and mass propaganda to university lecture courses and scholarly monographs.

The theoretical basis of Soviet criminology consists in the theses about the *social nature of crime* and the *all-powerful role of education*, which are proclaimed as the only correct ones and are placed in an inextricable connection with Marxist theory. These theses, which were transformed into unquestionable dogmas during the Stalin era, are being given not only a philosophical but also a natural scientific justification: it was believed that the primacy of education over any individual predisposition is fully proven by Ivan Pavlov’s teaching on conditioned reflexes (Graham 1991: 223). Accordingly, any attempt to somehow explain the existence of crime in some other way is seen not simply as an honest mistake (considered excusable only

⁷ Here is a typical example of the manner in which views that were inconsistent with Marxist-Leninist dogmas were presented to the Soviet reader of that time: “From all that has been stated, it is clear that the philosophical, sociological and general legal basis of the teachings of the ‘anthropological’ and ‘sociological’ schools is an eclectic mixture of reactionary anti-scientific theories, which in many ways predetermines the reactionary and anti-scientific character of the anthropological-sociological direction in bourgeois criminal law” (Reshetnikov 1966: 69). Not only is the argumentation poor and primitive, but there is also a scarcity of vocabulary that is striking for a university professor (as in this case), for all its sharpness, incisiveness, and belligerence.

for thinkers who had worked in the pre-Marxist era), but as a deliberate and malicious distortion of the truth.

Thus, **Sergey Sergeevich Ostroumov** (1909–1979), while making a number of exceptions for representatives of the so-called Russian sociological school in criminal law, is unambiguous and irreconcilable in relation to the anthropological direction: it, in his words, “has always been purely reactionary”, “it was from the very beginning of its emergence purely reactionary, fully corresponding to the political views and interests of the most conservative part of the ruling classes” (Ostroumov 1960: 275, 320). From Ostroumov’s point of view, if Lombrosianism in Russia was sometimes criticised, it was only by liberals, but it allegedly always found support among obvious conservatives such as monarchists and Black Hundreds (Ostroumov 1960: 309).

Fedor Reshetnikov (1930–1998), arbitrarily conflating “anthropologists” with “sociologists”, states that after the Paris Commune the bourgeoisie used both “to justify the most reactionary measures of criminal repression, to destroy the formal democratic principles of bourgeois justice and legality” (Reshetnikov 1965: 4). Reshetnikov contrasts the creator of the theory of the “criminal man” Lombroso (this “apologist for reaction” and “disseminator of anti-scientific views”) with another Italian, Cesare Beccaria, an 18th-century enlightener, who was described as “a true scientist who strove for a scientific understanding of the causes of crime” (Reshetnikov 1965: 36)⁸. Mikhail Rogovin in the *Philosophical Encyclopaedia* (in general, a fairly advanced and tolerant publication for the 1960s) is equally categorical: “The interest in L[ombroso]’s concepts on the part of bourgeois criminology is undoubtedly determined to a significant extent by their objectively reactionary social orientation” (Rogovin 1964: 251). It is clear that such a characterisation also applied to everyone who, in one way or another,

⁸ Reshetnikov finds it outrageous to draw parallels between Beccaria and Lombroso as rebels against the inertia and prejudices of the contemporary criminal legal system, a popular practice in the West. One of the objects of his virulent attacks in this regard is the prominent French lawyer Marc Ancel (1902–1990), a leading theorist of the “new social protection” (Reshetnikov 1965: 35). It is ironic that the Soviet author in 1965 does not know that in 1982 he will be elected as a foreign member to the... USSR Academy of Sciences.

expressed solidarity with Lombrosianism, whether in the West or in Russia.

Even among those representatives of the classical school and the sociological school who sharply (and often essentially) criticised the “anthropologists”, statements are found that bring them closer to the latter and thus, in addition to the subjective desires of the “classics” and “sociologists”, reveal their true goals and motives. When, for example, Ivan Fojnickij or Nikolai Tagantsev assert that the main cause of crime lies in the personal qualities of the criminal, who often cannot be corrected even by the most favourable environment, then this is, of course, an obvious concession to the “Lombrosians” (Ostroumov 1960: 322). If Fojnickij admits that, in addition to a “perverted upbringing” the reasons why someone “falls into crime” may include “an excess of impulsive force over restraint” or “passivity and flabbiness of character”, then, according to Ostroumov, “any anthropologist would probably subscribe to these words...” (Ostroumov 1960: 270). Reshetnikov, having quoted Friedrich List, the head of German legal sociologists (“Crime – is eternal, like death and illness”), notes with satisfaction that “this statement by List almost verbatim repeats the statement of the head of the ‘anthropologists’– Lombroso” (Reshetnikov 1966: 80)⁹. Here, the “sociologist” List is related to the “anthropologists” (of course, without doing him any credit) according to the concept of a “permanent criminal in a state of chronic criminality”¹⁰; that is, in terms of the demand for a rejection of the principle of the individual guilt of the offender, albeit substantiated according to different principles than those used by the “anthropologists” (Reshetnikov 1966: 85-87).

As for the “Russian Lombrosians” specifically, some authors try to downplay their role in pre-revolutionary legal thought, or even remain silent about their existence. **Mikhail Shargorodsky**

⁹ This refers to the following passage from “The Criminal Man”: “Crime... is a natural phenomenon, a necessary phenomenon, like conception, like birth, like death, like mental illness” (Quoted from: Reshetnikov 1966: 71)..

¹⁰ Chronic criminality, according to List, is a condition in which “the crime stems from the very organisation of the criminal, from the deeply rooted properties of his nature, whose true essence this crime reveals” (Quoted from: Reshetnikov 1966: 85).

(1904–1973) in his 1957 work speaks only of the classical and sociological directions, adding to them the “third school” represented by Emmanuel Nemirovsky and Pavel Lublinsky, but does not single out “anthropologists” as a special school (Shargorodsky 2004: 271). However, when it comes to specific individuals, there are sometimes disagreements about whether a particular author belongs to this camp and how his views should be assessed.

This is especially true of Dril, who, as is well known, positioned himself primarily as a supporter of criminal anthropology, but at the same time did not at all deny the legitimacy of the sociological approach to crime.¹¹ Therefore, it is not surprising that **Boris Utevsy** (1887–1970), for example, is classified as belonging to the anthropological direction (Utevsy 1950: 231), while Reshetnikov is stated to belong to the sociological direction (Reshetnikov 1966: 78). Ostroumov dwells on this point in the greatest detail, leaving Dril in the anthropological camp, but at the same time, taking into account his clearly expressed sympathies not only for the “sociologists”, but also for Marx, Engels, and socialists in general, qualifying him as an “honest scientist” who conscientiously analyses the “antagonisms of capitalism” and, even if it comes into conflict with his own liberal views, “comes to the idea of the inevitability of revolution” (Ostroumov 1960: 295). The obvious interest of the “humane Dril” in the “teachings of the reactionary Lombroso” is explained by the Soviet professor, firstly, in terms of the former’s dissatisfaction with the speculative doctrines of the classical school of criminal law and, secondly, by his fascination with the “ideas of vulgar materialism, which at that time were still quite widespread in natural science and medicine, which Dril avidly studied” (Ostroumov 1960: 293).

¹¹ The opposition of the criminal-anthropological school to the sociological school seemed to Dril completely unjustified, appearing as “a strange misunderstanding and some kind of scientific oversight”, a kind of “vivisection of science”: “If a scientific worker is necessarily one-sided, then science, on the contrary, must be comprehensive... The behaviour and actions of a person are the resultant of the efforts of factors of two categories: the characteristics of the psychophysical nature of the actor and those of the external influences to which he is exposed. It is impossible to determine these two categories of factors with any precision in order to weigh the proportionate influence of each. Therefore, in studying human crime we must not follow either the social or the organic theory one-sidedly” (Dril 2010: 340–341). Cf. also: (Dril 1890: VI–VII).

However, regarding “anthropologist-doctors” (especially such “ardent Lombrosians” as Vladimir Chizh and Praskovya Tarnovskaya), Ostroumov’s opinion is quite clear and categorical. Chizh, who reasonably doubts (as indeed any sober scientist and simply sane person would) that “if social conditions change, a person will change too”, and who is trying to establish the characteristics of an “innate or habitual” criminal, is portrayed as a cunning and politically engaged manipulator of statistical and anthropometric data. Ostroumov sees demagogic juggling with numbers even where, it would seem, Chizh speaks out against the bourgeois system – he notes, for example, the immorality and corruption of the powerful of this world, pointing out that “in all countries the number of criminals among the upper classes of society is relatively greater than among the lower” (Chizh 1894: 13). But in order to show that Chizh is wrong here too, his Soviet critic is forced, also citing statistics, to admit that “more than 90% of the total number of criminals are people from the ‘lower strata of the population’, former unemployed, beggars, vagrants, prostitutes, etc.” (Ostroumov 1960: 300-301). And the critic seems not to notice that this argument does not work in favour of the high morality of the “lower classes”.

Praskovya Tarnovskaya also comes in for criticism from Ostroumov (Ostroumov 1960: 302-308, 322); on the basis of a vast body of empirical material she personally collected and processed, she sought to prove the existence, in the majority of criminal women, of characteristics indicating their deviation from the normal type in both physical and psychological respects. He also does not forget about such a “disseminator of vicious views” as the Sakhalin doctor-ascetic Nikolai Lobas, who in his book “Murderers” shows that it is not only in “life conditions” that one must seek the causes of crime, but also in the criminal personality itself, in the imperfection of its psychophysical organisation (Ostroumov 1960: 322-323). By constantly misrepresenting the facts and failing to engage with the substance of the criminological problems and the criminal-procedural and penitentiary reforms proposed by the ‘anthropologists’ (or by dismissing them as ‘utopian projects’), Ostroumov portrays his long-dead opponents as limited and malicious philistines, whose intellect is little better than that of an average, semi-educated monarchist from the early twentieth century. Thus, for example,

Ostromov writes: “The harsh measures against criminals proposed by the anthropologists found the most fervent support among reactionaries, who demanded from the government not only the retention, but also the even wider application of the death penalty, the introduction of corporal punishment, and the like”. He then gives a couple of quotations from petitions by the Black Hundreds, accompanying them with the classic phrase, “Comments are superfluous” (Ostromov 1960: 323-324).

Even the legal scholars of the post-Stalin 1960s demonstrate the required good intentions and vigilance in relation to “fellow traveller” jurists, revealing, whenever possible, the unscientific nature of their views or the ideological underpinnings and contradictions with Marxist postulates. For example, **Boris Volzhenkin** (1937–2008) in his candidate’s dissertation of 1965, having praised in passing Poznyshev’s above-mentioned “Criminal Psychology”, does not miss the opportunity to chide the venerable old school jurist with his theory of criminal types for ideological inconsistency and passion for psychoanalysis: “Poznyshev’s mistake was that he saw the basis of social danger in the mental constitution, which is largely predetermined hereditarily. In the doctrine of the criminogenic and criminal-repulsive parts of the mental constitution and their relationship, the influence of Freudian concepts is felt.” And he adds below once again, just to be sure: “However, his [Poznyshev’s. – V.V.] teaching about the criminal type is erroneous” (Volzhenkin 2008: 99, 103). That same Ostromov, citing a brief quotation from the book *Crime and its Factors* (Moscow, 1922) by **Alexander Zhizhilenko** (1873–1930?), lets the reader know that its author, just as in the pre-revolutionary period when he was a professor at St Petersburg University, continues with his flawed, Lombrosian-style explanations to do the same as before – “to distort the real causes of crime in bourgeois countries” (Ostromov 1960: 324-325).

In general, it is clear that crude and pompous rhetoric, coupled with a clear reluctance (and perhaps even an inability) to delve into the essence of any given real criminological problem, had become the norm in the historiographical digressions of legal scholars of the Stalinist and post-Stalinist periods. At the same time that in the West one discovery after another was being made in the field of human genetics and open, free discussion was underway concerning the highly probable hereditary basis of deviant behaviour

(at least among a significant portion of the criminal contingent), scientists in the USSR were deprived of the opportunity to conduct any experimental research in this area or, at least theoretically – at an academic level – to consider the results of similar research in other countries. Only social scientists were allowed to speak out publicly, but even they were forced either to repeatedly chew over the same official dogmas at the level (at most) of 19th-century science, or to engage in unfounded criticism and defamation of those foreign criminal-legal concepts that seriously sought to understand the consequences of the latest discoveries in the fields of psychology, psychiatry, anthropogenetics and other human sciences.

Conclusion. Our historiographical review has shown that the criminological problems that concerned scientists of various specialities at the turn of the 19th and 20th centuries were by no means narrowly academic in nature, but in one way or another affected the interests of many social strata – and, by and large, society as a whole. The emergence of a Russian school of criminal anthropology was by no means a coincidence: Dmitry Dril, Vladimir Chizh, Praskovya Tarnovskaya, and others sought to provide answers to the pressing questions that had already been posed both by science and by life itself. While it is obvious that, despite the immeasurably increased volume of scientific knowledge, there are still no definitive answers to these questions today (if they are even possible in principle), we must always remember the merits of those who took the first steps in this area, examine the difficulties they had to go through, and try to uncover the reasons that prevented them from achieving their noble goals.

The examination of Soviet legal historiography from the 1920s to the 1960s, in the sense that it chose criminal anthropology (both domestic and foreign) as its subject, confirms that no significant discoveries were made in this direction. And the main reason for this is the objective situation, the external circumstances in which Soviet science – both experimental and theoretical – found itself. Whereas in the first Soviet decade some traditions of pre-revolutionary criminology and certain opportunities for scientific inquiry were still preserved, for the subsequent 40 years Soviet scholars found themselves under intense ideological and administrative pressure, which deprived empirical researchers of the ability to engage in work at the forefront of science, and prevented

theorists from freely and impartially constructing fundamental, generalising concepts. Everyone suffered from this pressure: scientists (doctors, biologists, lawyers, sociologists, etc.), those who are called practical workers, the law enforcement system – and, indeed, society as a whole.

Like any serious historiological investigation, the work with the legacy of Soviet criminological historiography also extends to the present day. As a result of this work, complex problems that currently face criminal law science, both domestic and international, are illuminated more clearly, deeply and concretely. For criminology, even when it solves its disciplinary problems, always has to experience, in one way or another, the influence of various social forces and corporations – an influence that is sometimes benevolent, partner-like and supportive, but can also be inhibiting, hostile and destructive.

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A. A. Blagoveshchensky as a Representative of the Historical School of Law

Abstract. The article is devoted to the analysis of the scientific heritage of Alexey Andreevich Blagoveshchensky, one of the prominent representatives of the historical school of law in Russia. It outlines the biography of the jurist who completed the full course at the Moscow Theological Academy and was recruited by Mikhail Speransky to the Second Section of His Imperial Majesty's Own Chancellery for training in practical jurisprudence. The Second Section, which is characterised as a "school of Russian professors", is particularly noted for its programme for training Russian legal scholars, its academic staff, and the completion of internships abroad with Friedrich Carl von Savigny and other renowned German scholars. Particular attention is devoted to analysing the content of the dissertation *History and Method of the Science of Law in the 18th and 19th Centuries*, in which the author, firstly, investigated in considerable detail the views of Christian Wolff and Immanuel Kant, critically assessing their influence on general jurisprudence; secondly, examined the teachings of Gustav Hugo, who was the first to challenge natural law theory and became the herald of the historical school of law in Germany; thirdly, characterised Savigny's conception as establishing the scientific foundations of this direction in legal doctrine; fourthly, set forth his own ideas about comparative jurisprudence, formulating a definition of diachronic comparativistics and developing a methodology for conducting comparative legal research. The conclusion presents brief findings that are primarily related to the 19th-century scholar's

contribution to the concept of the historical school in general and historical-comparative law in particular.

Keywords: law; historical school of law; Hugo; Savigny; Blagoveshchensky; Second Section of the Chancellery of the Emperor; training of lawyers; academic disciplines; Russian legislation; 18th- and early 19th-century Russian legal thought

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Alexey Andreevich Blagoveshchensky occupies a special place in the history of the formation and development of the historical school of law in Russia. Having shone brightly in the scholarly firmament, he departed life early (at the age of 35) without accomplishing all that would have corresponded to his talent and knowledge¹. However, the work he left behind “testifies to his extensive knowledge and clear view of the Science of Law”².

Blagoveshchensky was born into a priest’s family in 1800. In 1828, he graduated from the Moscow Theological Seminary, but was not destined to become a clergyman: in the same year, he was sent to St. Petersburg along with five other most gifted graduates and senior students of the seminary personally selected by Mikhail Speransky. His role involved the study of legal sciences and practical jurisprudence – in particular, the drafting of laws – in the Second Section of His Imperial Majesty’s Chancellery (with attendance at lectures at St. Petersburg University), which played an important role in the development of higher legal education and the training of officials for the administrative apparatus (Smirnova 2009).

¹ See: *Russian Biographical Dictionary*. [In 25 vols]. Vol. 3. St. Petersburg, Imperatorskoye Russkoye istoricheskoye obshchestvo, 1908. P. 85. (in Russ.).

² Stanislavsky A. *On the Course of Legal Studies in Russia and the Results of its Modern Trend, with the Addition of a Systematic Index of Legal Works Published in Russia from 1830 to 1852 inclusive*, St. Petersburg, 1855. P. 55. (in Russ.).

The Second Section was formed in 1826 to replace the Commission for the Drafting of Laws, which had been created at one time under the State Council.³ Its tasks included mainly putting in order previously adopted legal regulations, and not drafting new laws, as this was entrusted to the Commission. While the department was officially headed by Mikhail Balugyansky (Tebiev 2021: 326)⁴, in fact, it was Speransky who effectively supervised its work.

The legal status of the Second Section has been the subject of much debate, possibly from its very date of formation (Andreeva 2019: 43). Some authors recognise it as a temporary, emergency body in the state apparatus, since the scope of its powers and the competence of its personnel, as well as its existence, were not defined by law and did not find themselves “within the framework of the legal ministerial system of governance...”, in connection with which “its position in the system of governance of the Russian Empire of the 19th century seems too illogical” (Utkin, Smirnova 2013: 92). Other scholars proceed from the fact that the organisation of the department was indeed characterised by its own peculiarity; it “was created *anew*, not a *transformation* of the Commission for the Drafting of Laws”. The department became the main “legislative institution in which the process of lawmaking was concentrated” until 1882; its competence included “the functions of *creating* new laws”. Thus, the Second Section can be spoken of as “a separate ministry of codification”, which makes it a unique structure in 19th-century legal history (Ruzhitskaya 2018: 60, 62).

³ On January 31, 1826, Prince Lopukhin received a rescript (personal letter from the emperor), which stated: “During the initial review of various parts of state administration, paying special attention to the code of our domestic laws, I noticed that the work undertaken in this area over the years had not yet achieved its goal due to having been interrupted many times. Wishing to ensure as much as possible their successful completion, I deemed it necessary to take them under My direct control. For this purpose, I have ordered the establishment of a special department for them in my own chancery. <...> I am assured... that your experience and knowledge in state affairs, acquired through your many years of service in various parts, will be of useful and faithful assistance to me” (quoted from: Maikov P.M. *The Second Department of His Imperial Majesty's Chancellery. 1826–1882. Historical essay.* St. Petersburg, 1906. pp. 114–115. (in Russ.)).

⁴ His original surname was Baludyansky.

During the first half of the 19th century, the training of legal personnel in Russia clearly left much to be desired: since universities lacked uniform programmes, students were simply given a certain set of information from Roman law, various European theories about individual branches of law, commentaries on laws, etc., as determined by the teacher himself (Kodan 2005: 18). As noted in the literature, the training courses represented attempts to apply the principles of the law of foreign states to Russian legislative provisions (Tomsinov 1992: 51). S.V. Kodan draws attention to another significant reason for the current situation: “The state of Russian legislation and the practical needs for its application did not at all contribute to the formation of tasks in the state’s legal policy aimed at developing legal education” (Kodan 2003: 89).

According to A.G. Stanislavsky, during the first quarter of the 19th century, “the dominant direction in teaching and legal literature was practical-dogmatic. For the most part, they limited themselves to a piecemeal exposition of the provisions of current legislation, i.e., without explaining it with historical research and without trying, through the prudent use of the philosophical method, to penetrate the general spirit of the legislation being studied... As for the most ancient sources of legislation, although the most important and extensive of them were already known, many others remained obscure to researchers of the history of Russian law. Given the state of the sources, it is not surprising that jurists for the most part limited themselves in their teaching and writings to a very incomplete presentation of current legislation – and in so doing lost sight of its history”⁵.

The creation by Speransky of the “school of professors of Russian law” at the Second Department significantly influenced the situation with staffing of universities in Russia. In addition to Blagoveshchensky, other prominent personages such as Vasily Znamensky (several months before completing the course) and Konstantin Nevolin (future dean of the law faculty of St. Petersburg University) were sent from the Moscow Theological Academy to study at this “school”⁶. The first recruitment of future Russian professor-

⁵ Stanislavsky A. Op. cit. P. 48.

⁶ D.M. Review of the “Archive of historical and practical information related to Russia. Book 1 and its appendix. St. Petersburg, 1859”, *Zhurnal*

ship from the “spiritual academies of St. Petersburg and Moscow... three students each, the best in talent and conduct and having fully completed the course”, in our view, was conditioned by two possible circumstances: firstly, in the first half of the 19th century, the most high-quality general preparation in the field of natural and humanitarian sciences, knowledge of foreign languages, including Latin, was provided by ecclesiastical educational institutions; secondly, it was probably also influenced by the fact that Speransky himself had also graduated from the St. Petersburg Spiritual Academy⁷.

According to plan, lawyers were to be trained in the Second Section for a period of three years. During his first year, Blagoveshchensky studied “General legal and political sciences leading to an accurate understanding of Russian legislation” (included 6 disciplines); in the second year – primarily Russian legislation and the so-called continuing disciplines; in the third year – Russian legal proceedings, criminal law, folk law⁸, the history of Roman law, statistics and foreign languages (Kodan 2003: 90). The classes were

Ministerstva yustitsii, 1859, October. P. 103. (in Russ.). Speransky in his parting words to future jurists especially emphasised: “You must lay the foundation for the science of Russian jurisprudence. I want it to be taught in universities in a truly scholarly manner, not merely according to command”.

⁷ Yakov Ivanovich Barshev (future ordinary professor and dean of the law faculty of St. Petersburg University), who was sent for education to the Second Division from the Moscow Spiritual Academy together with his brother Sergey (future professor and rector of Moscow University), recalls: “Brought up in boundless obedience and reverence to the Supreme will, the students chosen by them strive with joy and inspiration onto the path indicated to them by the will of the Sovereign, abandoning everything to which they had acquired rights in their former field after long-term, tireless labours and successes. Transferred to a new field of sciences that was foreign to them, they employ more than ordinary efforts to make themselves worthy of Supreme condescension. <...> The Sovereign, with astonishing, inexpressible participation and benevolence, condescended to the minutest details concerning the jurists, students of the Second Division of His Imperial Majesty’s Own Chancellery” (Barshev Ya.I. *Historical Note on the Assistance of the Second Department of His Imperial Majesty’s Own Chancellery to the Development of Legal Sciences in Russia*, St. Petersburg, 1876. P. 29-30).

⁸ As Blagoveshchensky points out, “People’s law [international law]... is a strange mixture of moral and heterogeneous positive laws and rules of

taught by famous scholars and talented teachers such as A.P. Kunityn, M.G. Pilisov and K.I. Arsenyev (all three were dismissed from St. Petersburg University in 1821–1822 “for freethinking”). Professor August Wilhelm von Schneider (known in Russia as Vasily Vasilyevich Schneider) from St. Petersburg University was invited to give lectures. Officials of the Second Section, including V.E. Klovov and M.A. Korf, one of the main authors of the Digest of Laws, also took part in the work with the students.

In 1835, Blagoveshchensky, characterising the preparation of lawyers in Russia in the first third of the 19th century, wrote: “With the multiplication of universities and lyceums in the 19th century, a new, rapid and extensive activity awakened in the field of Jurisprudence, as in all other types of Sciences and Arts. <...> A large quantity of various compositions and translations appeared... Most of all, so-called Natural Law was being developed, and from Russian laws – Civil and Criminal Law. However, all efforts remained only experiments, attempts to advance Science further. Without a general overview and unity of direction, it oscillated within the same boundaries, in the same customary circle. Foundations, guides, experimental drafts of Russian Civil and Criminal Law embraced these types of Laws mostly incompletely and without maintaining internal union with the entire composition of Russian Legislation, being composed according to methods borrowed either from Justinian’s Institutes of Roman Law, or from systems of so-called Natural Law, and were often expounded in language completely alien to the spirit of Russian Legislation. <...> All these Sciences were offered almost exclusively in dogmatic form”⁹.

After completing his course of studies, Blagoveshchensky was sent for internship to Germany together with other students, where he studied mainly at Berlin University (simultaneously attending seminars at other educational institutions), attending a course of lectures “on encyclopaedia and philosophy of law, history and

one State in relation to others” (Blagoveshchensky A.A. History and Method of the Science of Law in the 18th and 19th Centuries, *Zhurnal Ministerstva narodnogo prosveshcheniya*, 1835, pt. 6. P. 405. (in Russ.)).

⁹ Blagoveshchensky A.A. History and Method of the Science of Law in the 18th and 19th Centuries, *Zhurnal Ministerstva narodnogo prosveshcheniya*, 1835, pt. 7. P. 47-49. (in Russ.).

theory of state law, Roman, Germanic, Prussian and European international rights”, which were delivered by prominent scholars and professors of law including Hegel, Savigny, Karl Friedrich Eichhorn and others.

Returning from his internship, he continued working under Speransky in the Second Section while simultaneously beginning to prepare his dissertation *History and Method of the Science of Law in the 18th and 19th Centuries*¹⁰, which he defended in 1834. In the same year, he passed the examination for the degree of Doctor of Science.

It should be borne in mind that during the 18th century, it was either scholasticism (Yurtaeva 2012: 86) or “the desire to philosophise about the existing State structure and governance, to explain the course of legislation in History, to penetrate into its spirit and test the original foundations of human societies”¹¹, that prevailed in Russian jurisprudence.

In a speech delivered at the ceremonial meeting of the Imperial Kazan University on 1st June 1853, Stanislavsky noted that jurisprudence was “the exclusive property of rulers, judges, and especially of those engaged in office work – *speakers, rasskazchiki* [case presenters] or officers-in-charge, *prince’s scribes* or *underscribes*, or the so-called *clerks*”¹². Since the essence of the knowledge of such clerks consisted of the ability to write business papers and acts and to attend cases in court, the measure of their knowledge was in terms of their performance of one or another type of service. Stanislavsky noted: “...no Science can be called the fruit of Government to such an extent as the Science of Law. While in other states the successes of Jurisprudence often gave rise to activity on

¹⁰ The title of the work is given according to the original source; according to the rules of modern grammar, after the word “history” either an additional word (for example, is) or a dash is required. It should be said that there is also another title for Blagoveshchensky’s dissertation, for example, in Wikipedia it is presented as “On the Methods of the Science of Law”, while the Brockhaus and Efron Encyclopaedic Dictionary – “History and Method of the Science of Law in the 18th Century”, which does not fully correspond to the original.

¹¹ Blagoveshchensky A.A. *History and Method of the Science of Law in the 18th and 19th Centuries*, *Zhurnal Ministerstva narodnogo prosveshcheniya*, 1835, pt. 6. P. 376. (in Russ.).

¹² Stanislavsky A. Op. cit. P. 22-23.

the part of public authorities to improve legislation, a contrary tendency can be observed in Russia: as laws were formed and improved, the teaching about them acquired greater significance and moved forward. Indeed, this can rightly be claimed to be the distinctive feature of Russian Jurisprudence. While this partly explains to us its later successes, on the other hand, we also see in this circumstance a reliable guarantee of its correct development in the future”¹³.

In his dissertation, Blagoveshchensky appears as a bright and convinced supporter of the historical school of jurisprudence (Malikov, Chuchaev 2025a), which undoubtedly reflects the influence of Savigny’s lectures. The author notes that the 18th century saw jurisprudence entering a new period of its existence in the European context. Having originated in Italy and been subsequently advanced in France and the Netherlands, it commenced a new phase of its development in Germany, filling itself with philosophical content that primarily bore the imprint of the views of Christian Wolff and Immanuel Kant. Although by this time several directions in the doctrine of law had emerged (“archaeology and criticism, history and dogmatics, scholasticism and Ramism”), philosophical currents continued to prevail. “Science has acquired more order in its internal development, more certainty in its external formation, more precision in its limits, more firmness in its foundations, or at least more consciousness and constancy in the striving for their investigation and affirmation: and with such nobility of Science, life has also become ennobled”¹⁴.

Characterising Wolff’s influence on jurisprudence, Blagoveshchensky points out that the philosophical element inherent in the latter ensured the knowledge of all legal subjects, making it possible to explain all positive jurisprudence on the basis of philosophical jurisprudence and prove it mathematically. According to

¹³ Ibid. Pavel Degay also draws attention to this circumstance, observing that “...in Russia, the successes of legislation have outpaced the successes of private legal works, while in other States the improvement of legal doctrine usually precedes the improvement of domestic laws” (Degay P.I. *Manuals and Rules for Studying Russian Laws, or Materials for the Encyclopaedia of the Methodology and History of Literature of Russian Law*, Moscow, 1831. P. 142).

¹⁴ Blagoveshchensky A.A. *History and Method of the Science of Law in the 18th and 19th Centuries*, *Zhurnal Ministerstva narodnogo prosveshcheniya*, 1835, pt. 6. P. 377. (in Russ.).

the author, his students and followers, with the notable exception of Johann Adam von Ickstatt, Daniel Nettelblatt and Johann Gottlieb Heineccius, distorted the essence of Wolff's teaching.

"Immanuel Kant, having subjected to rigorous examination the cognitive powers of the human spirit, determined their essence, their mutual relations amongst themselves and to objects outside them, designated the circles and boundaries of their activity... indicated universal and necessary forms and categories for all types of... cognition of truth... established limits between the domain of theoretical reason and the domain of practical reason... affirmed the supreme principle of internal and external Legislation in practical reason. Hence, independently of History and experience, Kant outlined his metaphysical fundamental principles of Jurisprudence, in which he enclosed a complete system of rational Legislation, which ought to serve as a model and touchstone for all positive Legislations"¹⁵. Kant's principles of legal doctrine were laid out as forming the basis for the teaching of Roman, ecclesiastical, state, civil and criminal law. Jurisprudence made use of certain provisions of his philosophy in order to establish the difference between morality and righteousness, to penetrate more deeply into the essence of the concepts that form the basis of all legislation, to distinguish between parts of positive jurisprudence, to organically develop individual legal teachings, and to improve the encyclopaedia and methodology of law.

At the same time, Blagoveshchensky criticises Kant's teaching for its desire to replace legal science or at least to rise above it, noting that his philosophy rejects the history of legislation and thus turns his legal doctrine into a scholasticism divorced from real life. In this regard, he comes to the following conclusion: at the end of the 18th century, law is looking for new paradigms capable of explaining the emergence of laws "in the living state life of peoples" and their historical development. In other words, the legal scholar turns to the historical school of law.

Blagoveshchensky considers Gustav Hugo to be the founder of the historical direction in law, having placed philology, history and so-called sound philosophy at the foundation of his teaching. Hugo, having decided to "restore" the science of Roman jurisprudence, turned to the juridical sources of Rome. On their basis he

¹⁵ Ibid. P. 382-383.

wrote a history of Roman law, in which, in Blagoveshchensky's opinion, he excellently reflected the external and internal state of legislation. He prepared instructions on Roman jurisprudence for its initial study, arranging the institutes in the order proposed by Justinian. In addition, he compiled a chrestomathy, encompassing "proofs for each proposition contained in them (the institutes. – *Authors*), according to the order of teachings and in the most precise words of the law"¹⁶. Thus, he showed the true purpose of educational books, which "should not at all focus the attention of students, but serve only as a guide to the sources of laws themselves and be used as a guide when drawing information from these sources"¹⁷. This approach was fully consistent with the concept of the historical school of law.

According to Blagoveshchensky, Hugo turned to Roman legislation for a number of reasons: firstly, in its level ("in its internal dignity") it surpasses the legislation of other countries; secondly, it forms the basis for the training of German lawyers; thirdly, it is actively used in judicial activity ("forms the root of civil practice").

Hugo did not limit himself to Roman civilistics, but studied all the main branches ("types") of legislation: state, church, military, national, criminal, etc. In this way, the branches of science were identified that, taken together, constitute the science of jurisprudence. The essence of the latter, its boundaries and main directions of development were outlined by Hugo in a legal encyclopaedia. Hugo considered all branches of law from three positions: current legislation, philosophy and history. In addition, he prepared a textbook on natural law (by which Hugo, according to him, fulfilled the dream of Gottfried Leibniz, whom he considered as his chief inspiration).

Thus, as it appears to us, even in the first half of the 19th century, Blagoveshchensky clearly demonstrated that it was precisely Hugo who, having challenged the theory of natural law that had dominated Europe for several centuries, was the first not only to express the idea of the historical continuity of law as the heritage of a specific people, but also convincingly proved this, thereby creating, firstly, the necessary prerequisites for the development of the his-

¹⁶ Ibid. P. 377.

¹⁷ Ibid.

torical school of law, and secondly, the foundation for the future emergence of legal positivism and its development in the 20th century. Blagoveshchensky devoted considerable attention to Savigny's conception, the occasion for which was the 'codification dispute' between him and Anton Thibaut, who advocated for the creation of unified civil and criminal codes for all of Germany, as well as judicial proceedings.

As the author writes, "Savigny... proved that the legislation of each people does not depend on the arbitrariness of the Legislator, but is formed everywhere through internal, secretly acting forces, namely first through the customs and beliefs of the people, and then through Jurisprudence, as an organ of the general consciousness of the people; that the ability to compose a new Code... is revealed only in few times, and needs never... one can extract all the necessary benefit for practice and theory from existing domestic Legislation through deep study of its History..."¹⁸. Blagoveshchensky saw the essence of Savigny's teaching as consisting in the fact that, according to the concept of the historical school, "Legislation is determined by the totality of the past times of the nation... it arises from the inner essence of the nation itself and its history. And the rational activity of each century must be directed towards contemplating, renewing and maintaining freshness of this content or substance, which was initially formed by necessity"¹⁹. This presupposes the need to study legislation from the moment of its inception, to determine its origins, to establish its conformity with the modern way of life and, based on the latter, to preserve legal provisions or to abandon them. Blagoveshchensky emphasises that Savigny's historical method does not exclude the use of other methods, in particular dogmatic and philosophical, but only as complementary to the first.

In characterising Savigny's attitude to the idea of "universal jurisprudence" of Ludwig Feuerbach and Thibaut, he gives the following arguments: firstly, the only merit of history is the knowledge of the available details, which cannot be the case when turning to general history; secondly, there are no appropriate sources for studying the history of many peoples; thirdly, not all peoples have

¹⁸ Ibid. P. 398.

¹⁹ Ibid. P. 399.

an instructive history of legislation²⁰. At the same time, Blagoveshchensky notes that some reconciliation of the parties to the discussion has occurred: the comparative-historical direction of research into the legal systems of different countries has been recognised as fruitful (in essence, we are talking about the recognition of diachronic comparativism as an independent component of the historical school of law).

According to Blagoveshchensky, the influence of the German historical school of law is noticeable in the works of a number of Russian historians and lawyers: Evers, Reitz, Bunge, Rosenkampf, and others. (Malikov, Chuchayev 2025b; Malikov, Chuchayev 2025c) Thus, Degay writes: ‘The circle of Juridical knowledge in all its extent must reveal the general origin of laws (philosophical knowledge), present their gradual transformation (historical knowledge), show the influence that locality has on them (empirical knowledge), define with precision the currently operating law (dogmatic knowledge) and describe the gradual improvement of the doctrine of law (literary knowledge). <...> A jurist will only then understand domestic law with clarity when he well comprehends the general purpose of laws; only then will he successfully contribute to the improve-

²⁰ The Prussian philosopher and historian Friedrich Ancillon, in particular, noted: “...there is nothing more deceptive, nothing more imperfect and even more dangerous than the general theory... of legislation and government. These are represented by a small number of principles by which in our time their proponents thought to achieve everything, to manage everything and to establish everything. But these principles are continually refuted and challenged by the boundless diversity of Nature, which produces among peoples a multitude of private and local differences, which can never be forgotten with impunity. “The art of the Legislator... consists in comprehending them, following them, calculating their actions and seeing what they allow or forbid to be undertaken. <...> To wish that all peoples should have the same political forms, and to assert that there is only one regulation that can and should serve as a rule and a model, means attempting to subordinate the infinite to the petty measurements of a limited mind” (Ancillon. On the Use of History, *Zhurnal Ministerstva narodnogo prosveshcheniya*, 1835, pt. 8. P. 280-281. (in Russ.)).

“We want”, writes J. Michelet, “...for the facts to be true in their smallest details. The same love for truth will lead us to the search for relationships, to the discovery of the laws by which they are governed, and, finally, to the testing of the possibility of pouring History into the form of Science” (Michelet J. Life and System of Vico, *Zhurnal Ministerstva narodnogo prosveshcheniya*, 1835, pt. 8. P. 443. (in Russ.)).

ment of jurisprudence when he makes use of the experience of other positive laws...”²¹.

Blagoveshchensky not only analyses the teachings of the historical school of law, but also formulates his proposals on a number of issues. Thus, he offers his own definition of comparative law: “Under the name of comparative law one can understand that way of studying and teaching laws, according to which the laws and legal rules of a certain State (for example, the Russian) are compared with the laws of the same State, for example, the present laws with the previous ones, or with the laws of other States, taken in greater or lesser numbers, or, finally, with the laws and customs of all States and peoples, both previously existing and currently existing. Understanding it in this last and most extensive sense, we recognise it as the science of Jurisprudence...”²².

According to the jurist, legal science should consist of two relatively independent parts: general and specific. The general part, which serves as an introduction, foundation and overview of the relevant branch of science, reveals the concepts on the basis of which the exact meaning of all private laws and all legislation is established. Here the author proposes a method of comparative research, which, according to him, is the only one – a complete, consistent (“coherent”) and continuous comparison of laws for the entire period of existence of a certain state. It allows us to identify the fundamental, unchanging principles of truth and justice inherent in all peoples, which are the cornerstone of the general part of the science of jurisprudence.

The special part encompasses all positive legislation, specifying the provisions contained in the general part. It should not be limited to the study of national (domestic) legislation, as only by drawing upon foreign law can one clarify the purpose and essence of state institutions and legislative acts borrowed from the practice of other countries. Moreover, their comparison with analogous institutions and legal establishments operating in one’s own state should not be carried out only with part of them (even if the most important ones) or be discrete. When conducting comparative legal research, as Blagoveshchensky recommends, one should take one’s

²¹ Degay P.I. Op. cit. P. 109.

²² Ibid.

own legislation as the foundation; “domestic laws must form the point of departure and the centre towards which all comparative work should be directed”²³.

The sequence of compared objects is not chosen arbitrarily, but in accordance with individual parts of the science of jurisprudence.

Since the current legislation “in each State depicts only its current legal status”, limiting the study to only this array of normative acts fails to satisfy the requirements of both theory and practice. This is the primary reason for the need to turn to legal precedents, for which reason it is necessary to cover the entire history of the existence of state legal institutions. “History necessarily involves descending to the foundations and explaining their connection harmoniously and gradually. It includes all studies related to the origin and formation of the national State, its laws and other forms of development of its life”²⁴.

The study of the history of laws should in particular:

1) display the external history of laws – when and how the people formed the state; what caused the emergence of certain legislative acts; how they related to the “national spirit” (Savigny 2011); what influence they had on the state of affairs in the state; what was their fate;

2) ascertain the history of each law that was in force in the state, taking into account all its changes and transformations. This is what should show the state of the legislation that determines and ensures the rights and obligations of the state and its members, such as: (a) general and private institutions of the state, laws, the system of public administration, the court; (b) the formation of state estates, their rights and duties; (c) ecclesiastical, moral, political, etc. institutions;

3) identify the internal side of laws – the state or fate of laws that define and protect the external rights and obligations of the state and its constituents.

Blagoveshchensky warns that the history of domestic legislation does not always allow one to clarify the essence of all phenom-

²³ Blagoveshchensky A.A. History and Method of the Science of Law in the 18th and 19th Centuries, *Zhurnal Ministerstva narodnogo prosveshcheniya*, 1835, pt. 6. P. 414. (in Russ.).

²⁴ Ibid. P. 419.

ena of the legislative system “from itself”; proceeding from this circumstance, it becomes necessary to consider the history of legislation in other countries. It is important to keep in mind that there have always been various connections between different countries and their peoples – religious, economic, military, etc. Such interactivity has had a mutual influence on various aspects of the life of states, including the formation and development of the legal system, which is important for comparative law. This study must be carried out as part of the same sequence as the dogmatic analysis of legislation²⁵. First, one should compare the legislation of those countries with which Russia is closely connected geographically and historically, and then that of other foreign countries.

Perhaps the most important feature of Blagoveshchensky’s work was his study of the evolution of Russian legislation and legal thought. In his opinion, it was Peter I’s desire to have worthy advisers, judges and “executors of the law”, which resulted in many young people being sent to study in foreign universities, that laid the foundation for theoretical jurisprudence in Russia. As well as commissioning “translations of books on Jurisprudence”, the Emperor ordered “the establishment of an Academy”, at which “Politics, Ethics and the Law of Nature” were to be taught.

The reign of Peter’s daughter Elizabeth Petrovna’s saw the establishment of the Moscow State University and two gymnasiums for “preparatory knowledge”. All students were required to study Jurisprudence. In connection with this, the staff of the Faculty of Law included: “(1) a professor of all Jurisprudence, who must teach Natural and Popular Laws and the laws of Roman and Modern History. (2) a professor of Russian Jurisprudence, who, in addition to

²⁵ As noted by F.V. Taranovsky, “in the field of legal history, the indicative moments of evolution are served by diverse manifestations of normative and juridical facts, particularly precedents, laws, codes, acts of judicial and extrajudicial practice. <...> Having established... the existence of evolutionary changes, the historian... reconstructs the course of continuous development. <...> For a sequential series of changes to appear as a continuous course of evolutionary process... it is necessary to reveal their interdependence in the sense of causal relationships between them...” (Taranovsky F. V. Periodisation in Legal History, *A.I. Kaminka (ed.), Trudy russkikh uchenykh za granitsey : sb. akad. gruppy v Berline : v 2 t.*, Berlin, 1922, Vol. 2. P. 204-205. (in Russ.)).

the above-mentioned laws, knows and teaches especially internal State Laws...". Teachers were required to conduct classes in Latin or Russian based exclusively on the works of authors recommended by the Professorial Assembly²⁶.

Until the first half of the 19th century, Russian lawyers, as Blagoveshchensky asserts, could not create a theory of law for objective reasons – first of all, because they did not (yet) have either a Complete Collection or a Digest of Laws²⁷. Meanwhile, “only reading authentic legal sources can provide a vivid understanding of antiquity”²⁸. “Now these sources are opened in all possible purity and completeness... The Science of Domestic Jurisprudence will be complete, true and perfect when it shall: (a) embrace the entire composition of Russian laws; (b) be expounded in the order and words extracted from the essence and intention of the Laws themselves, namely, as they appear in the legal books (in the Code), which must be *the foundation both in the conduct of affairs and in academic education...*; (c) survey each type of law in the full completeness of being, that is, dogmatically, historically and philosophically, as we have depicted in the History the method of science in general; (d) constantly consider and compare Domestic Laws with the laws of other peoples and times, near and distant, kindred and alien; (e) unite theory with practice, so that they constantly penetrate into each other, supplement and support one another; and (f) be animated by

²⁶ Blagoveshchensky A.A. History and Method of the Science of Law in the 18th and 19th Centuries, *Zhurnal Ministerstva narodnogo prosveshcheniya*, 1835, pt. 6. P. 434. (in Russ.).

²⁷ F.I. Leontovich connects the beginning of a systematic study of the history of Russian law with the work of Gustav von Ewers “The Oldest Russian Law in Its Historical Disclosure” (first published in German in 1826; in Russian – in 1835) which covered the state of legislation during the period of Russkaya Pravda. “Familiar with the state of the historical and legal sciences in Western Europe, Ewers tried to apply the results they had obtained to the history of Russian law, to clarify the general idea underlying the legal life of our ancestors... Ewers’s work is important as the first attempt to give historical and legal research a strictly scientific character – an attempt to explain Russian life using principles developed by science and the life of Western European peoples” (Leontovich F.I. *History of Russian Law. Vol. 1*, Odessa, 1869. P. 47. (in Russ.)).

²⁸ Sergeevich V.I. *Russian legal antiquities. Vol. 1. Territory and population*, St. Petersburg, 1880. P. V. (in Russ.).

the unified spirit of Orthodoxy, Sovereignty and Nationality. In this harmonious union and interaction of experience, History, Philosophy and Art our science will flourish and preserve itself in the eternal renewal of beauty”²⁹.

Let us briefly summarise the foregoing.

1. Blagoveshchensky was a member of the first group of those “called” to Speransky’s “school of Russian professors” after graduating from the Moscow Theological Academy. Having completed practical-oriented legal training in the Second Section of His Imperial Majesty’s Chancellery, upon returning from a foreign mission, he prepared and defended his dissertation on the topic of “History and Method of the Science of Law in the 18th and 19th Centuries” in 1834; in the same year, he passed the so-called professorial examination.

2. In his dissertation, Blagoveshchensky appears as a strong supporter of the historical school of law, which can most likely be explained by the influence of the ideas of Savigny and other famous German scholars whose lectures he attended while in Germany. The study addresses three blocks of problems: the evolution of legislation and legal doctrine in Europe in the 18th century; the emergence and characteristics of the historical school of law; the development of legislation, jurisprudence and legal education in Russia, beginning with the reign of Peter I and ending with the reign of Emperor Nicholas I; explanations regarding the late start of the theoretical development of Russian law.

3. The work not only establishes the role of Gustav Hugo as the forerunner of the concept of the historical school of law, but also reveals his views on the history of law and the comparative legal (diachronic-comparativistic) direction in the theory of law.

4. The concept of comparative law is formulated along with a methodology for carrying out historical and comparative research, which essentially contains an algorithm for a legal researcher’s actions. The significance of this type of research for both legislation and legal doctrine, as well as the training of law students, is revealed.

²⁹Blagoveshchensky A.A. History and Method of the Science of Law in the 18th and 19th Centuries, *Zhurnal Ministerstva narodnogo prosveshcheniya*, 1835, pt. 7. P. 51-52. (in Russ.).

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Doctrinal and Historiographical Foundations of Modern Chinese Public Law

Abstract. This article examines a foundational question of public law development in contemporary Chinese jurisprudence. Situating the analysis within the broader framework of public-private law interactions, the study accounts for the distinctive features of China's socialist legal system with Chinese characteristics. Drawing upon doctrinal and historiographical foundations, the author explores the historical preconditions for the differentiation of Chinese law into public and private spheres. The analysis demonstrates that traditional Chinese legal thought did not distinguish between private and public law, with the first substantive impetus toward private law formation emerging only in the 20th century under the influence of Western European legal traditions. The study further investigates contemporary trends in public and private law under China's socialist market economy, highlighting the erosion of traditional boundaries between the two domains. This blurring results from three key processes: *convergence of public and private law* (chin. 公私法混合, pin. *Gōngsī fǎ hùnhé*), *privatization of public law* (chin. 公法私法化, pin. *Gōngfǎ sīfǎ huà*), and *publicization of private law* (chin. 私法公法化, pin. *Sīfǎ gōngfǎ huà*). The author contends that existing domestic scholarship has yet to sufficiently address these developments. However, such research lays the groundwork for a robust theoretical and ideological foundation for studying China's legal system and statehood, facilitating a comprehensive comparative legal analysis of the nation's historical and jurisprudential evolution.

Keywords: historiography; Chinese historiography; public law; private law; Chinese law

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In recent years, both domestic and international legal scholarship has witnessed a growing research interest in Chinese law, a trend likely inspired by the nation's increasing influence on the global political stage. Chinese law, founded on a synthesis of China's cultural-historical legal traditions and modern Marxist axioms, constitutes a distinctive archetype. Despite the vast body of legal sources now in existence, it remains insufficiently studied and demands renewed scholarly reinterpretation. This situation is understandable given that the Chinese legal tradition, being one of the world's oldest, is deeply rooted in a unique philosophical and religious heritage. This profound cultural embeddedness renders it particularly challenging to comprehend from the perspective of European legal discourse, which is itself predicated on the value systems of the Romano-Germanic and Anglo-Saxon legal traditions.

It is important to note that while China did not develop philosophy in the Western European sense, this by no means implies a lack of distinct philosophical tradition within Chinese civilization. As Alexander N. Savenkov, an Academician of the Russian Academy of Sciences, aptly observes, “philosophy is, first and foremost, a culture of thinking that seeks to answer questions about the essence and significance of humankind and the world in which we live. Consequently, philosophy always possesses specific features, a particular intellectual, spiritual, and cultural character” (Savenkov 2024: 322). Unlike the Western European tradition, ancient Chinese thought focused on concepts of *balance*, *harmony*, and *the correct path* (chin. 道, pin. *Dào*), prioritizing collective values over individualism. Philosophy, oriented toward achieving harmony between humans, society, and nature, played a pivotal role in shaping behavioral norms and rules, as well as in establishing the principles of governance.

Despite a history of philosophical thought spanning millennia, philosophical knowledge as a distinct theoretical discipline did not exist in China for a long period. Consequently, when Catholic missionaries introduced China to Western philosophical thought and texts in the 17th century, they resorted to transcribing the word “philosophy”. The term in its modern meaning (chin. 哲学, pin.

zhéxué), only came into use in the 20th century, and the very phrase “Chinese philosophy” (chin. 中国哲学, pin. *Zhōngguó zhéxué*), denoting the traditional teachings of the sages and the study of the classics, was first employed by the classical scholar Liu Shipei in 1906 (Kiselev 2017: 27). This step marked a crucial milestone in the conceptualization of China’s rich philosophical heritage.

Chinese law, much like its philosophy, is highly distinctive and original. It is therefore essential to adhere to a Chinese reading of the specificities of Chinese legal culture, which has been shaped decisively by the influences of historiosophy, philosophy, and political trends. Given that many categories and concepts inherent to Chinese legal thought lack direct analogues in Western European intellectual traditions, interpreting Chinese notions through the lens of a Western European historical and cultural perspective risks semantic distortion, inaccuracies, and erroneous conclusions.

Furthermore, the formation of the socialist legal system with Chinese characteristics has been influenced not only by Chinese cultural-legal traditions but also by achievements of the Western legal tradition. It is crucial to recognize, however, that theories, approaches, and ideas borrowed from Western European legal science have undergone significant adaptation, conditioned by the Chinese ideological discourse that necessitates their synthesis with the legacy of traditional Chinese culture. Consequently, applying concepts and theories solely from a Western European scholarly perspective, without due regard for the ideological and cultural heritage of Chinese society, leads to a misrepresentation of Chinese legal thought.

A philosophical examination of the problems within China’s public law necessitates, first and foremost, a return to the fundamental question of dividing Chinese law into private (chin. 私法, pin. *sīfǎ*) and public (chin. 公法, pin. *gōngfǎ*). This step is warranted by the insufficient coverage of this issue in domestic literature, and by the fact that private and public law, while distinct, are nevertheless interconnected domains. In contemplating the demarcation between private and public law, it is essential to consider not only the historical context but also the peculiarities of language and the formal modes of expressing scientific information, as these elements best illuminate the specificity of Chinese law. In this regard, one cannot but agree with the assertion that “regarding the influence of language on the social sciences, particularly on legal theory, one

must be attentive and cautious, avoiding latent or overt attempts to introduce an entirely alien variant under the guise of progressive thinking” (Gorban 2025: 125).

However, a fundamental methodological difficulty in distinguishing between private and public law lies in the fact that this dichotomy is not inherent to the Chinese legal tradition. This happened primarily because the conceptual division of law into private and public spheres, which originates in Roman law, found little reflection in the traditional corpus of Chinese legal thought. The law of Ancient China was predominantly represented by norms of *criminal law*, whereas the norms of *private law* never developed as an autonomous domain within traditional Chinese jurisprudence. Consequently, a significant body of both domestic and international scholarship is devoted specifically to Chinese criminal law and its history.

When characterizing the legal thought of Ancient China, one may refer to the historiographical work of the Chinese legal history scholar Yang Honglie, *The History of Chinese Legal Thought* (1936)¹. Yang notes that a significant contribution to the development of criminal law during the formative period of China’s slave-owning society was made by the statesman Zhou Gong (the Duke of Zhou). He proposed that in sentencing, consideration should be given to circumstances such as *the form of guilt* – distinguishing between intentional (chin. 非眚) and unintentional (chin. 眚) offenses – as well as whether the crime was a first-time offense (chin. 偶犯非终) or a recidivist act (chin. 累犯惟终). Furthermore, he advocated for the abandonment of the principle of clan-based collective responsibility. The existence of such doctrines unequivocally attests to the sophistication of ancient Chinese legal thought.

Furthermore, it is important to note that the first written legal code from China to have survived in its complete form is *the Tang Code* (pin. *Tang lǚ shu yì*), which represents a compilation of the penal statutes of the Tang government. Serving as a model and foundation for the penal legislation of subsequent dynasties, *the Tang Code* exerted a profound influence on the development of criminal law up until the twentieth century. It is noteworthy that until the 19th

¹ Yang Honglie. *History of Chinese legal thought*, China University of Political Science and Law, 2004, 316 p. (in Chinese: 杨鸿烈. 中国法律思想史. 中国政法大学出版社, 年第2004.316页).

century, Chinese law relied exclusively on its ancient legal tradition, a fact which underscores its exceptional and distinctive character. The core of imperial Chinese law remained centered on penal and administrative norms. For instance, the primary legal code in effect during the Ming dynasty was the *Da Ming lü* (chin. 大明律), or *The Great Ming Code*, which consisted largely of penal statutes. The legal system of the succeeding Qing dynasty was represented by the *Da Qing lüli* (chin. 大清律例) or *The Great Qing Legal Code* of 1646 – a comprehensive collection of the empire’s penal laws – and the *Da Qing Huidian* (chin. 大清会典), or *Collected Statutes of the Great Qing*, a compendium of administrative regulations detailing the functions of all governmental institutions. Despite the fact that the *Da Qing lüli* contained provisions pertaining to civil and family matters alongside its penal statutes, these did not coalesce into a system of private law, nor was a clear distinction drawn between them.

However, the events of the 19th century served as a catalyst for change in China’s traditional legal order. As noted in a contemporary study by Dr. Xin Nie, Associate Professor at Tsinghua University Law School, prior to China’s confrontation with Western Europe in the *Opium Wars*, all lands beyond China’s borders were considered barbaric, and no other civilization was recognized as equal to the Chinese (Xin Nie 2025: 235). It was only after a series of military defeats that Western influence grew in the Chinese consciousness, and the derogatory term *barbarians* (chin. 夷) was replaced first by the neutral *Western* (chin. 西), and later by the concept of the *Far West* (chin. 泰西). Consequently, as the scholar argues, China was compelled to initiate a process of transformation by borrowing Western models and establishing modern state institutions (Xin Nie 2025: 243). Such diffusion of West European legal concepts and ideas into Chinese law resulted into the adoption of new legislation that provided the impetus for formatting private law framework. In 1912, a relatively progressive Criminal Code (*Provisional New Criminal Code*) was enacted. Subsequently, between 1929 and 1931, the first Civil Code in Chinese history was promulgated, modeled after the Swiss and German codifications.

However, with the establishment of the People’s Republic of China, the trajectory of legal development underwent a fundamental shift. From 1949 to 1978, the legal system was constructed within the framework of the Maoist ideological paradigm, which

itself was shaped by influences from Marxism-Leninism, Stalinism, and traditional Chinese philosophy. Consequently, the conceptual division between *public* and *private law*, a hallmark of Western legal systems, found no footing in the legal thought of this period. Chinese scholars are in general agreement that, prior to the 1978 reforms, the era of a highly centralized planned economy saw state authority permeate virtually every sphere of social life. As a result, there was no foundation for the development of private law².

The genesis of private law in China – specifically civil and commercial law – is linked to the policy of *Reform and opening-up* (chin. 改革开放, pin. *Gǎigé kāifàng*) in the late 1970s, a program chiefly architected by Deng Xiaoping. Scholarly discourse on the relationship between public and private law within Chinese legal thought only began to develop actively in the 1990s; throughout the 1980s and into the early 1990s, this subject was largely avoided³. The research of Professor Liang Huxi of the Chinese Academy of Social Sciences is considered to be one of the pioneering, dedicated to the problem of dividing law into public and private spheres⁴. In his *Market Economy and the Modernization of the Legal System*, Liang articulated the argument for the necessity of distinguishing between public and private law for the first time in Chinese legal doctrine.

Simultaneously, Chinese legal thought was profoundly influenced by the theory distinguishing *public* from *private law*, as advanced by the Japanese statesman and legal scholar Tatsukichi Minobe in his work *Public Law and Private Law*⁵. First translated into Chinese in 1941, this Japanese scholar's research occupied an exceptional position within the existing corpus of literature on this subject. As one of the first comprehensive treatments available to

²Tadamitsu Akira. The relationship between public and private law in China: through the lens of “Minobé theory”, *Jiaoda Law Review*, 2013, no. 1, pp. 130–147. (in Chinese: 但见亮.中国公法与私法的关系—以“美浓部理论”为线索//载“交大法学”.年第2013.期1.页134).

³Ibid. P. 134-135.

⁴Liang Huxi. Market economy and legal modernization: summary of a round table discussion, *Legal Studies*, 1992, no. 6. (in Chinese: 梁慧星.市场经济与法制现代化—座谈会发言摘要//载“法学研究”.年第1992.期6).

⁵Tatsukichi Minobe. *Public law and private law*, China University of Political Science and Law Press, 2003, 251 p. (in Chinese: 美浓部达吉. 2003. 公法与私法//译: 黄冯明. 中国政法大学出版社. 年第2003.251页).

a Chinese audience, it served as a foundational text for numerous subsequent works, including contemporary studies⁶. Early scholarship focused less on establishing precise criteria for delineating the spheres of public and private law, and more on addressing a pivotal question of the time: whether private law was viable within a socialist system or merely a product of the Western European legal tradition. For instance, Professor Yang Lixin argued that the formation of civil law regulation was an essential prerequisite for developing a socialist market economy⁷.

These new socio-economic and political conditions led to a resurgence of academic interest in the topic. In recent decades, China has witnessed an active re-evaluation of the public/private law dichotomy. Modern Chinese legal doctrine identifies several criteria for their distinction. *Public law* is characterized by the participation of the state as a mandatory subject, an unequal nature of legal relations, the presence of public interest, and an imperative method of legal regulation. *Private law*, in contrast, governs relationships between individuals and legal entities based on the autonomy of will and the equality of the parties.

Nevertheless, a position highlighting the blurred boundary between public and private law is increasingly voiced, which can be explained by *privatization of public law* (chin. 公法私法化), *publicization of private law* (chin. 私法公法化), and *convergence of public and private law* (chin. 公私法混合). These trends reflect a gradual convergence of private-law and public-law principles in the legal regulation of social relations. For instance, the scholar Wang Lusheng touches this division in his article Repeated rejection of the division between public and private law and concludes that it is inapplicable under modern conditions⁸. Furthermore, the author notes that the history of Chinese legal thought has seen previous rejections

⁶Tadamitsu Akira. Op. cit. P. 131–132.

⁷ Yang Lixin. Socio economic development and civil law protection of personal rights, *Central Institute of Political and Legal Cadres Journal*, 1995, no. 6. (in Chinese: 楊立新. 社會經濟發展與人身權民法保護//載“中央政法管理幹部學院學報”. 年第1995.期6).

⁸ Wang Lusheng. Repeated rejection of the division between public and private law, *Sichuan Institute of Education Journal*, 2006, no. 7, pp. 24–26. (in Chinese: 王祿生. 对公法和私法分类的再次否定//載“四川教育学院学报”. 年第 2006.期7.页24–26).

of this borrowed Western theory, particularly during periods of significant Soviet legal influence.

However, as scholar Yu Baihua points out, contemporary Chinese scholarship contains erroneous judgments and misconceptions arising from the incorrect application of three distinct conceptual categories: *convergence of public and private law* (chin. 公私法混合, pin. *Gōngsī fǎ hùnhé*), *privatization of public law* (chin. 公法私法化, pin. *Gōngfǎ sīfǎ huà*), and *publicization of private law* (chin. 私法公法化, pin. *Sīfǎ gōngfǎ huà*)⁹. According to him, *privatization of public law* should be understood as the application of instruments traditionally characteristic of private law within public-law relations, thereby enhancing the efficiency and flexibility of governance (e.g., the state acting as a subject in civil-law relations by engaging in property relations regulated by civil legislation). *Publicization of private law* refers to the introduction of public-law instruments into private-law relations (for instance, limiting the autonomy of will in civil law to protect public interests). As a separate category, Yu highlights *convergence of public and private law*, wherein the two legal domains “coexist” and interact with one another. Professor Ding Xiaodong provides an example of such “coexistence”, noting that legal regulation of personal data protection is based on fundamental norms derived from both private (civil) and public (constitutional) law, thereby demonstrating the convergence of public and private law in contemporary Chinese law¹⁰.

Although Chinese law has historically been predominantly public in character, private law has developed significantly since the start of the *Reform and Opening-Up policy* and now exists in close interaction with public law. We can observe a trend towards the erosion of boundaries between these two legal spheres, driven by historical, cultural, and socio-economic factors. However, this contemporary tendency

⁹ Yú Baihua. Analysis of “mixing public and private law”, “public law privatization”, and “private law publicization”, *Journal of Heilongjiang Administrative Cadre Institute of Politics And Law*, 2010, no. 1, pp. 18–20. (in Chinese: 于柏华. “公私法混合”、“公法私法化”与“私法公法化”辨析//载“黑龙江省政法管理干部学院学报”.年第 2010.期1.页18–20).

¹⁰ Ding Xiaodong. 2022. A multidimensional interpretation of integrated protection of personal information under public and private law. *Rule of Law Research*, (5), 14–25. (in Chinese: 丁晓东. 个人信息公私法融合保护的多维解读//载“法治研究”.年第2022.期5.页14–25).

towards convergence may well lead back to the fundamental question of distinguishing between *private* and *public law*. As Professor Genady V. Maltsev aptly observes, “The difficulties and disappointments for those who see the problem of private and public law as a universal key to unlocking the ‘secrets’ of legal regulation stem precisely from the relativity and conventionality of the methods and objective criteria needed to solve this problem. Therefore, in the age-old and endless debates, researchers constantly slip from the question of *where the boundary between private and public law lies* to the question of *where this boundary should be drawn*” (Maltsev 2003: 20-21).

Conclusion. Contemporary Chinese law represents a synthesis of China’s historical legal tradition, modern axioms of Marxism, and, simultaneously, borrowed constructs and values from Western legal systems. Consequently, understanding the formation of China’s past, including its law, comprehending its present, and constructing its future, require an accounting of cultural, historical, and philosophical contexts, as well as the dominant political line and state ideology. At the same time, ignoring the national language of law and its internal grammar can lead to erroneous judgments and a distortion of meanings. From the presented analysis, it becomes evident that at an institutional level, Chinese law resembles the civil law tradition, while its substantive content is imbued with a unique meaning, conditioned by distinctiveness of its culture, socio-religious consciousness, language. This convergence of systems enables us for the conclusion that China, while preserving its cultural and historical distinctiveness, is ready for changes.

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Epistemological Characteristics of Judicial Cognition in Civil Proceedings

Abstract. The article analyses judicial cognition in legal proceedings in the context of establishing the truth. Obtaining objective, reliable and true knowledge is a condition and prerequisite for the court to make a decision that satisfies the goals and objectives of legal proceedings. It is demonstrated that the development of a theoretical and legal model of legal proceedings, in which the opposition of two paradigms for establishing truth – formal and material – is removed, is possible only through the description of judicial cognition as a specific method of understanding social reality. This necessitates an explication of its epistemological aspects. The place of judicial cognition in the system of legal and procedural knowledge, as well as the relationship between judicial cognition and judicial proof, are considered in philosophical and legal contexts. The reduction of judicial cognition to judicial proof raises controversial issues about the relationship between adversarial and judicial-activist models of legal proceedings. It is argued that both judicial cognition and judicial proof can be considered as a single epistemological process due to being carried out within the framework of a single process of civil proceedings. Based on this assumption, it is possible to identify elements common to them in terms of phases of implementation. However, due to differences in the object, subject matter, and tasks of the subjects, the substantive content of these elements varies. The conclusion is substantiated that, as representing a particular case of legal cognition, judicial cognition is organised and directed by procedural principles and norms, constituting procedural cognition, whose content is comprised of legal norms (the formal, legal aspect) and factual circumstances of legal relations (the substantive, object aspect), while judicial proof serves as the mechanism for moving judicial cognition from probabilistic subjective knowledge to objective and reliable knowledge.

Keywords: legal cognition; procedural cognition; judicial cognition;

judicial proof; subject matter of judicial cognition; subject matter of judicial proof; judicial truth

Prospects for the implementation of intelligent systems based on artificial intelligence technologies in legal proceedings foreground research into the nature of truth established in civil proceedings. However, the results obtained during previous investigations into this issue may be deemed to be largely unsatisfactory. We will argue that this is largely due to the research having been carried out within the framework of theories that remained within the boundaries of classical scientific rationality. The dissertation of M.D. Olegov (Olegov 1999), in which questions of establishing truth in civil proceedings are systematically analysed within the framework of paradigmatic models of adversarial proceedings and judicial activism with their inherent principles, manifestations of interests, etc., and in which a synthesis of both models is also proposed, clearly demonstrates the limits of the approaches used in domestic jurisprudence when conducting research on this subject matter.

The main reasons for this are related to the limitations built into classical theories of establishing truth in legal proceedings. From our point of view, this consists primarily in a reliance on the correspondence theory of truth, extensive negative criticism of which from philosophical-legal positions is given in: (Przhilensky 2015). However, the relied-upon gnoseological schema of cognitive activity also turns out to be a relevant factor¹.

¹ In the context of the article, the gnoseological schema of cognitive activity is understood as the relationship between the subject of cognition and the object of cognition. In this regard, the subject of cognition in Russian theories of legal cognition is understood as an individual subject, while the epistemological schema of cognitive activity is understood as the relationship between the subject of cognition and the system of knowledge. However, in (post)non-classical theories, the subject is understood as a complexly organised collective of individuals communicating on the basis of universally recognised norms; the foundations of such understanding as applied to judicial proceedings can be found in: (Korneev 2006: 235-240). In Russian theories of legal knowledge, the subject of cognition is generally understood as referring to an individual subject. Accordingly, law as an object of analysis acquires the character of a discourse that integrates logical and legal components.

The development of a theory based on non-classical methodological positions opens new research perspectives in the field of establishing truth in legal proceedings, whose philosophical-legal explication is provided in: (Denikina 2008). The theoretical and legal foundations for a possible theory are currently being actively developed in Russian jurisprudence within the framework of the communicative theory of law proposed by Andrei Vasilyevich Polyakov.

The non-classical research programme set out in the present work will attempt to preserve the positive developments of previous research as foundational points for its development. Since classical theories of formal (juridical) and material (objective) truth established in legal proceedings have not, as far as the author is aware, been examined from this perspective, such an analysis constitutes the main purpose of this article.

Based on this, the present work undertakes the following tasks:

- Reconstruction of the classical model of establishing truth in civil proceedings;
- Identification of its elements that may become points for the formation and development of a new research programme;
- Determination of the methodological direction within which the construction of one of the possible non-classical theories of establishing truth in civil proceedings is promising.

To this end, judicial cognition not only turns out to be the only procedural means of solving the tasks of justice, but is also necessary for determining the veracity of the approach itself (the procedural means and methods of achieving the goal). Meanwhile, the establishment of objective, true and reliable knowledge serves as a prerequisite for making a judicial decision on a specific judicial case.

In the history of legal thought, the two main approaches to resolving the question of the nature of truth established in judicial proceedings are closely connected with two paradigms for organising the judicial process: pure adversarialism, which is characterised by the activity of parties and the formality of truth, and judicial activism, whose chief characteristics are the passivity of parties and the materiality (objectivity) of truth. However, practical considerations push towards the creation of a synthesis of these approaches

to understanding the nature of truth established in judicial proceedings. In this connection, one approach to creating a coherent conception of truth establishment in civil proceedings views the process through the lens of judicial cognition (Olegov 1999).

Judicial cognition encompasses both legal and cognitive aspects, constituting an act of cognition carried out in legal form. Consequently, civil proceedings, when viewed as judicial cognition, represent cognition structured within a procedural-legal framework. Thus, discussions about paradigms of organising the judicial process appear as discussions about models for the organisation of judicial cognition in civil proceedings.

Addressing the question of truth establishment through the lens of judicial cognition means that the two paradigms of civil judicial process organisation can be viewed as two paradigmatic models of judicial cognition organisation. However, such formulation necessarily leads to a synthesis of both positions because real civil proceedings possess unity. In other words, the subject of such cognition must possess unity, and the method of establishing the actual circumstances of the case must also possess unity, since establishing objective reliable knowledge about these circumstances is a prerequisite for court decision-making in accordance with the requirements of Article 2 of the Civil Procedure Code of the Russian Federation².

The heuristic nature of civil judicial proceedings lies in their very essence, with the civil procedural form and its rules establishing the algorithm of judicial cognition; however, their substance transcends mere cognition of the procedural subject matter. Its meaning is that the court, dealing with variable quantities at the beginning and during the process, is obliged to proceed from knowledge of the assumed to reliable and true knowledge based on facts that have legal significance; that is to say, to come with the help of legal means and methods that themselves require knowledge and

² See: *The Civil Code of the Russian Federation (Civil Code of the Russian Federation). Part One (introduced by the Federal Law of November 30, 1994 No. 51-FZ)*, available at: https://www.consultant.ru/document/cons_doc_LAW_5142/ (accessed July 02, 2025) (in Russ.); *The Code of Civil Procedure of the Russian Federation (CPC RF) (put into effect by Federal Law No. 138-FZ of November 14, 2002)*, available at: https://www.consultant.ru/document/cons_doc_LAW_39570/ (accessed July 02, 2025) (in Russ.).

qualification in the course of cognitive activity. Cognition of the subject matter of a specific proceeding is preceded by cognition of the juridical instrumentarium of judicial cognition; in order for knowledge to become true at the end of the process, it is important that the means of its comprehension also be true.

In other words, judicial proceedings, which from the perspective of cognition constitute a process of translating knowledge from hypothetical modality to apodictic modality, can be analysed as an applied research method, whose structure, in addition to principles, contains ontological, gnoseological, categorial-conceptual and logical-semantic components. The result of judicial proceedings, which is typologically predetermined by the structure of judicial proceedings, thus constitutes a new knowledge object whose characteristics are ideally and typically defined by the Civil and Civil Procedural Codes of the Russian Federation.

Contemporary procedural thought understands judicial cognition as formally constituting a synthesis of the logical and juridical in procedural activity, as the synchronous actualisation of theoretical and empirical knowledge of epistemological and legal material. According to this approach, which leads to an understanding of judicial cognition as the unity of gnoseological and procedural activity, it becomes possible to identify the distinctive features of judicial cognition at each stage of the development of judicial proceedings.

Through the categories of legal and procedural knowledge, judicial cognition is linked to an epistemological problematic. Legal cognition is viewed by jurists as a combination of cognitive processes, procedures and methods for acquiring theoretical and empirical knowledge about the phenomena and patterns of functioning and development of socio-legal systems (Gavritsky 2007). This effectively asserts that legal cognition is cognition that is realised by specific (juridical, legal) means and carried out within a legal categorial-conceptual system. Figuratively speaking, this represents a view of social phenomena and processes through the “optics” (theory) of law. At the theoretical level, such a vision provides discursively formed ideal constructs that are enshrined in legal norms, comprising specific ideal objects that integrate apodictic (descriptive-affirmative) and deontic (imperative-binding) modalities. Such modalities are “glued together” at the empirical level according to the objective reality of legal consciousness, whose phenomenon

and real social relations are perceived by their participants and observers in terms of legal relations.

The transition to the problematic of judicial cognition from the problematic of legal cognition is carried out according to the category of procedural cognition. In this context, legal cognition appears as a set of processes aimed at studying, collecting, generalising, systematising and analysing legal facts, along with their interrelations and procedural cognition that arises within the framework of a specific case. In other words, the presence of theoretical and empirical cognition recognised within the framework of civil proceedings must be linked by the category of procedural cognition while also taking into account the mechanism and means of such linking.

However, procedural cognition is a pragmatically oriented disquisition associated with procedural proof, the conditions for the implementation of which determine the characteristics of procedural cognition. (Belkin 2005). The specificity of this enquiry lies in being limited to a particular circle of individual facts constituting the event under consideration in judicial proceedings, and in establishing truth for the purpose of the correct resolution of a specific judicial case, i.e., the correct solution of tasks facing the court (Trusov 1960). At the same time, “such cognition... is rational and systemic, but its systemic nature, as the need to bring knowledge into a certain order based on the logical interconnection of concepts and judgments, is expressed by the subject of proof” (Borulenkov 2006: 75).

The procedural doctrine considers judicial knowledge as a system of related types of cognitive activity: cognition and proof of the factual, substantive and procedural circumstances of the case, cognition of the disputed legal relationship, the rights and obligations of the parties, as well as cognition carried out by higher courts when verifying or reviewing judicial decisions (Gureev 1981).

In other words, the analysed theory of judicial cognition points to proof as a mechanism for linking the theoretical and empirical levels of judicial cognition, while the subject-matter of proof, which is correlated with the object of judicial cognition, turns out to be the key means for linking these levels. Within the framework of proof as a mechanism for translating existing knowledge from random, chaotic knowledge (from the modality of hypothetical knowledge) into systematically ordered knowledge (apodictic

modality), the principle of non ultra petita (disposition principle) performs a key function as a means of transferring the material norms of the Civil Code of the Russian Federation into an ad hoc normative system “created” by the court for the consideration of each specific case.

Cognition and proof in civil proceedings share a common ontological source. That is to say, while they may differ in terms of the procedural activity that represents their content, they cannot be carried out separately due to being procedurally linked.

The arguments of the supporters of this position are based on an analysis of the powers of the court, as enshrined in the Civil Procedure Code of the Russian Federation, and in the process of establishing the actual circumstances of the case, the real rights and obligations of the disputing parties – in particular, in the course of proof: “Judicial procedural actions in the course of the parties’ activities to prove evidence are aimed at obtaining knowledge (cognition) of the actual circumstances of the case, their real rights and obligations.” The court does not bear responsibility for the outcomes of the case, but establishes and determines the circumstances as having significance for the case, as well as the party responsible for proving these circumstances. In accordance with Article 67 of the Civil Procedure Code of the Russian Federation, the court examines the evidence, evaluates it individually for reliability, sufficiency and interrelation (i.e., logical consistency), and accepts or rejects it. Based on this, it is argued that, as a participant in the process of proof, the court can be defined “... only as a subject of cognitive activity” (Boltuyev 2015: 156). Judicial cognition is oriented towards finding answers to questions arising from the procedural tasks of judicial proceedings (in particular, Article 196 of the Civil Procedure Code of the Russian Federation, paragraph 17 of the Resolution of the Plenum of the Supreme Court of the Russian Federation of 24/06/2008 No. 11³). Although the search for such answers is entrusted to the court, it can obtain them only through the proactive and evidentiary activities of interested parties.

³ *Resolution of the Plenum of the Supreme Court of the Russian Federation of 24/06/2008 No. 11 (as amended on 09.02.2012) “On the preparation of civil cases for trial”, available at: https://www.consultant.ru/document/cons_doc_LAW_78038/ (accessed July 02, 2025) (in Russ.).*

Thus, despite the commonality of the procedural goal and object, such a contradictory unity leads to a difference in the objects of judicial cognition and judicial proof. This contradiction also problematises the concept of the subject of cognitive activity in civil proceedings.

The object of judicial cognition is the material legal relationship that exists between the parties to the legal dispute. It is important to note that in the course of judicial cognition, a reconstruction of the disputed legal relationship is carried out post factum, which implies the “disappearance” of the real socio-legal relationship from the visibility of the court and its replacement with an ad hoc semiotic construct. For this reason, the study of the means of such construction and the methods of their application, as well as their recording in procedural norms, becomes an independent cognitive task.

According to the opinion of Yu. Borulenkov “...the truth should include not only reliably established circumstances of the case, but also the correct qualification from the point of view of the current law” (Borulenkov 2006: 80). Legal proceedings in civil cases are carried out on the basis of two codes – the Civil Code and the Civil Procedure Code. The norms of the first provide the basis for identifying and defining an offence. Based on the norms of the second, the issue of violation of the rights of specific individuals and legal entities is decided. The provision of paragraph 3 of part 4 of Article 198 of the Code of Civil Procedure of the Russian Federation directly indicates that, when making a court decision, the laws and other regulatory legal acts that the court relied on when making it, as well as the reasons why the court did not apply the laws and other regulatory legal acts referred to by the persons participating in the case, are to be indicated. This concerns both the court’s updating of legal knowledge and its use in relation to a specific case. The result of this cognitive activity is the knowledge formed by the court about a specific socio-legal situation (ontological aspect), which is described in legal terms of a specific material legal norm (gnoseological aspect).

The specificity of this knowledge is determined through the mediation of judicial cognition. The circumstances to be established in a case usually exist in reality before the initiation of civil proceedings; the court obtains all knowledge about them as a result of examining information contained in clearly defined sources

of such information (Article 55 of the Civil Procedure Code of the Russian Federation), i.e. as a result of examining legally recognised evidence in a given case. For this reason, judicial cognition in the methodological sense can be conceptualised as an algorithm of legal reconstruction.

In an epistemological context, this means that the court must establish the legal facts directly provided for by the hypothesis of the material norm, and, on their basis, conduct a reconstruction of real relations during the trial. Nevertheless, such a reconstruction is necessarily preceded by an act of construction, which in the field of law is carried out by the legislator. If in the act of construction, the material object and real relations remain visible to the knowing subject, then in the act of reconstruction they disappear and are replaced by semiotic objects. From an epistemological perspective, such a “semiotisation” of the object of cognition changes the characteristic of truth’s objectivity by transforming it from correspondent to conventional.

The consequences of this kind of transformation are that it forces us to place the emphasis of the participants in the civil process as epistemological agents somewhat differently. The traditional approach of specialists in the field of civil procedure recognises the subjects of judicial knowledge as the court and the persons participating in the case. However, the only obligated subject of cognition, by virtue of the function of justice assigned to it as an organ of public authority, is the court. As such, it undertakes to correctly determine the circumstances that are significant to the case. And since the court has no right to evade the judicial process, it is necessarily obliged to perform the functions of the subject of cognition.

Due to the presence of a substantive and legal interest of the parties to the process and a “procedural interest in its outcome” among a number of other participants in the process, they cannot be considered as “obligated” subjects of cognition, i.e. subjects oriented toward establishing objective and reliable truth. Moreover, the disposition principle presupposes the attitude of the party to the process to present its position as reliable and to record it as “legally correct”. While the principle of adversarialism establishes the existing agonism of the parties’ interests, the principle of the equality of parties levels their asymmetry. However these principles are notably inapplicable to the court, which is appropriately character-

ised by its connection to public interest and passivity in the proof process. Thus, the two models of organising civil legal proceedings are specifically based on the different roles of its participants (including the court) as epistemological agents. This explains precisely why it is **two** – and no more – characteristics of judicial truth that appear. Moreover, these characteristics must be reduced to a common denominator due to the general direction of the civil process and the imperative nature of the decision made by the court.

Discussion of the problematic nature of truth as established in a legal-procedural form again leads to the question of the object and subject of judicial cognition and judicial proof (Olegov 1999: 159).

In both cases, we are talking about the same circumstances that have legal significance and constitute the basis for the demands and objections of the disputing parties to the trial. But the non-identity of procedural knowledge and proof leads to a significant difference in their subject matter. “Proof is characterised by the selfish interest of a specific party, which, based on its capabilities, forms the subject of its proof. Whereas the subject of cognition must obtain a full, objective and comprehensive understanding of the actual circumstances of the case, the real rights and obligations of the parties... In civil proceedings, subjects of cognition, especially the court, are obliged to establish all the circumstances that are significant for the case” (Boltuyev 2015).

There are three things that stand out in the above quotation. Firstly, behind the difference between the subjects of procedural cognition and proof there is a real, objective conflict not only between the parties to the process, but also between all its participants. Secondly, both the subject of proof and the subject of cognition are formed by the subjects participating in the civil process. Thirdly, specific mechanisms are involved in the formation of the subject of cognition and the subject of proof in civil legal proceedings.

Taken together, these circumstances allow us to propose two theses. The first is that the difference between the two models of civil proceedings – adversarial and judicial activism – conceals the difference between two subjects of outwardly similar types of activity within the framework of a single judicial process. Thus, the observed tension in jurisprudential discussions is to a large extent connected with the theoretical indistinguishability between

the subjects of these epistemological processes. According to the second thesis, the subject of proof links the theoretical and empirical levels of procedural cognition through its correlation with the subject of judicial cognition as a single (protocol) statement with a general statement recorded in the material norm of the Civil Code. In this context, the “verification by modus tollens” of protocol statements is an ideal-typical model of the movement of civil legal proceedings.

Taking into account the above, the focus of research attention when discussing the nature of the truth established in the judicial process shifts to the mechanisms of formation of the connection of the objects of cognition and proof in civil proceedings, to the identities and differences of the stages of these processes and their content.

In a real civil trial, the stages of knowledge and proof occur in parallel – and in some cases may even coincide in the procedural actions performed. Here it is also true that the name and content of the stages of cognition may differ somewhat from the same components of proof, since they are carried out by different subjects of civil proceedings, who have different legal status and different goals of activity (Olegov 1999: 159-160).

Within the framework of civil legal proceedings, it is customary to minimally distinguish the following stages of procedural knowledge:

- (1) Definition of the subject of cognition and the range of relevant evidence;
- (2) Gathering (assistance in collection) of evidence;
- (3) Evidential argumentation;
- (4) Examination of evidence;
- (5) Evaluation of evidence.

The first stage of the cognitive process occurs at the stages of initiating a civil case and preparing the case for trial. Its content is the definition of the subject of cognition and the range of evidence relevant to the case. The central subject at this stage is the court, which begins the process of cognition by studying the essence of the claim presented by the plaintiff. In this case, the object of cognition will be the norms of substantive law, i.e., the legal grounds for claims. On the basis of the norms of substantive law applicable in a given specific case, circumstances are determined

that are important for the correct resolution of the case, the range of which can be determined in advance by the legislator.

However, the parties to the process also take part in determining the subject of cognition and the circumstances relevant to the case. The plaintiff, assuming a violation of his rights and/or failure of the defendant to fulfil his obligations, appeals to his understanding of the circumstances that are relevant to the case, thereby effectively determining the subject matter of his proof. The defendant also declares his understanding of his rights and obligations, including circumstances that may be ignored or concealed by the plaintiff for various reasons and motives. In this way, he similarly determines the subject matter of his proof. Formulating a list of circumstances of the case for a legally correct resolution of the case that take into account the positions of the parties, the court then determines the subject of proof based on the subject of judicial cognition. From the epistemological side, this is normative knowledge, i.e. formal knowledge that creates the conditions for obtaining a true judicial decision.

At the second stage, the main subjects of knowledge are the parties to the process: the plaintiff, the defendant and other participants in the process. In his unambiguous recognition of the plaintiff and the defendant as subjects of proof, the legislator imposes on them the obligation to present evidence. It is clear that the court cannot be a subject of proof due to its functional goals and duties in civil proceedings. Since knowledge at this stage occurs within the framework of the subject of proof, the court, which is within the framework of the subject matter of judicial cognition, cannot demand evidence from the parties that goes beyond the subject matter of proof. The limitation of the court's cognitive activity to the subject matter of judicial cognition is predetermined by its position as a point of entry of public interest with the aim of removing the conflict of private interests of the parties. The court's connection with the public interest is most clearly revealed in a situation where, as an authority operating within strictly defined procedural frameworks, it assists the parties in obtaining evidence.

At the third stage of evidentiary argumentation the main cognitive activity also belongs to the parties and their representatives. In terms of content, this stage involves the presentation of their positions by the parties and their support with arguments. At this

important stage, it is the direct examination of evidence that ensures the self-evidence (before the eyes of the court) – and thus the reliability – of the knowledge obtained. This is a translation of judicial cognition as mediated knowledge of the past into direct (testimonial) cognition, i.e. “here and now” an event occurring; this is a reconstruction of the past in the present.

At this stage, each party pursues its own interests, trying to convince the court that it is right. Due to the subordination of evidentiary argumentation to the subjective goal, the knowledge obtained by the court is not yet objective in nature, instead comprising probabilistic judgements. The task of the court is to clear the acquired knowledge of its subjective nature and to obtain, on its basis, reliable knowledge about the actual circumstances of the case, which has the character of necessary reliable knowledge. This problem is solved by the court at the next stage.

At the fourth stage – examination of evidence – activity in cognitive operations, according to paragraph 3 of Article 67 of the Civil Procedure Code of the Russian Federation, once again returns to the court. The essence of this stage is the perception and study of evidentiary information by the court and the persons participating in the case (Bonner 2000: 73). The examination of certain properties of a source of evidence through the use of legally permitted means of proof may create the impression that this stage is part of the process of evidential argumentation. This is precisely the position that prevails in most jurisprudential publications. In reality, however, examination of evidence, apart from the formal juridical-procedural aspect – namely, the acceptability of evidence from the standpoint of law – also has a substantive aspect: the formation of judicial conviction in the correctness of the proving party’s position. That is, the cognitive task of this stage is to form the reliability of the knowledge obtained.

The isolation of this stage is important not only due to legal and epistemological aspects, since its independent isolation also follows from the interest of the party presenting evidence in the outcome of the trial. It is the party to the proceedings that is interested in convincing the court of its rightness on the basis of and with the use of this particular evidence. This interest can be interpreted within the framework of the process as the interest of the party in the evidence being recognised as legally admissible, legally reliable and legally significant.

Due to the latter aspect, one cannot help but recognise the parties as participants in the process of examining evidence as a stage of cognitive activity. However, in connection with the activity of the parties in the examination of evidence, taking into account the principle of competition and the agonistic nature of their interests, specific tasks arise before the court.

Thus, in addition to guiding the entire process of examining evidence, the court as a subject of cognitive activity links the evidence obtained with the circumstances of the case that are subject to knowledge and identifies the presence or absence of a causal relationship between them. Insofar as it is the public figure authorised to do so, the court also establishes the existence of this causal relationship as legally significant and the legal consequences arising from this relationship.

In other words, cognitive activity at this stage again unfolds within the framework of the subject matter of judicial cognition.

The fifth stage – evaluation of evidence – follows from the previous stage. It is no coincidence that the Civil Procedure Code of the Russian Federation does not separately distinguish the examination of evidence but regulates both stages in Article 67. The participants in cognitive activity remain the same; they are objectively compelled to conduct evaluation of evidence from all parties for the achievement of their own goals, but their functions change (Lelchitsky 2008: 9). Within the framework of proof as a mechanism for translating existing knowledge (from random, chaotic knowledge in the modality of hypothetical knowledge) into systematically ordered knowledge with apodictic modality, the principle of dispositivity performs a key function as a means of transferring the material norms of the Civil Code of the Russian Federation into an ad hoc normative system “created” by the court for the consideration of each specific case.

In other words, based on the provisions of Article 67, paragraphs 3, 4, part 2, Article 198 of the Civil Procedure Code of the Russian Federation, on the basis of the accepted argumentation of the parties, the court constructs a new object of knowledge in which the identified systemic relationships between all the circumstances of the case are reproduced in legal concepts. From an epistemological position, at this stage, complex cognitive work is carried out, as a result of which the reliability of each of the investigated

circumstances is confirmed. Only after reconstructing the entire set of actual circumstances of the case is it possible to confirm the correspondence of the information contained in the evidence to reality; only comparison with the entire set of circumstances allows the reliability of the information in a particular piece of evidence to be assessed. However, each individual circumstance is a consequence of the information contained in a separate piece of evidence. The ensuing problematic cognitive situation is resolved by moving along the hermeneutic circle. In turn, obtaining the totality of the circumstances of the case imposes a number of requirements on the totality of evidence as its premise – logical consistency, etc. – which, in their entirety, provide grounds for the evaluation of evidence by the court as the subject of cognition.

The analysis carried out allows us to draw the following conclusion based on the dynamics of the trial. Procedural cognition occurs at two ontological levels. Having a common object in the specific circumstances of the case, cognitive activity is carried out within the framework of two subjects of cognition. Within the framework of the subject matter of judicial cognition, it is realised at the level of ideal-typical objects. Within these limits, the knowledge obtained acquires an objective (material) character as corresponding to the object – i.e., the norm of substantive law. It is at this same level that its truth is ensured. Since the method of connecting the obtained results is logic, the thus established truth takes on a formal character. Within the framework of the subject of judicial proof, cognitive activity is realised at the level of empirical facts – i.e., the actual circumstances of the case. The procedural nature of cognition leads to their acquisition of legal – i.e. formalised – characteristics, thanks to which they can be introduced into judicial cognition. The mechanism for introducing factual circumstances of a case into judicial knowledge as legal facts is their description according to procedural rules in terms of the applicable substantive rules. Thanks to such cognitive activity, what is acquired in forensic knowledge acquires the characteristic of reliability.

Summarising the material presented in the article, we can conclude that, although the issue of the nature of truth established in civil litigation is a fairly “well-trodden path”, legal theorists have yet to propose an entirely satisfactory solution. The reason for this lies in the “empirical-utilitarian” approach to the discussion of this

issue by legal scholars. Given that the practical unity and integrity of the civil judicial process make it imperatively necessary, it is therefore all the more surprising that the question of synthesising the two approaches is rarely raised.

The approach proposed within the framework of the procedural theory, whose main provisions are reproduced above, contains a number of “tension points” and contradictions that tend not to be recognised as constituting a unified complex. Again, the most likely reason for this state of affairs is the continued attempt to solve problems of judicial knowledge within the paradigm of theories of “classical scientific rationality”. The analysis conducted allows us to assert that behind the “utilitarian” problem of the nature of judicial truth lies a whole complex of theoretical problems associated with the understanding of the procedural code as a method of studying social phenomena by legal means. However, the “nodes” of the problematic explicated in the article are only part of the problematic field. Along with the study of the connection between ontological levels, logical modalities and other issues raised in the text, an important part of this field are such issues as the mechanism for transferring an object (provisions of material norms) into a new constructed legal object (judicial act), temporal aspects of the modalities of procedural knowledge, etc. Looking at the list of such questions, it becomes clear that theories based on “classical scientific rationality” have reached the limit of their heuristic capabilities. The search for answers to emerging questions must therefore be conducted within the framework of theories formed on the basis of (post)non-classical scientific rationality. And, as it appears to the author of the article, good prospects for this search are provided by the methodologies of communicative and/or transcendental pragmatics.

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Problem of the Separation of Powers in Public Law From the Perspective of Boolean Algebra of Natural Law (Constitutional Law and Discrete Mathematical Model of the Philosophical and Legal Doctrines of Rousseau and Hegel)

Abstract. The article sets out to investigate the problem of contradiction inherent in the mutual restraint of divided powers in public law. In order to do so, the work considers the algebraic aspect of the problem. The main methods of research are discrete mathematical modeling and the hypothetico-deductive method. Scientific novelty of the research result: for the first time in the field of constitutional law, the necessity of a contradiction in authority over the people for the reliable provision of the indivisible sovereignty of the people – i.e. its exercise of power (democracy) – is substantiated on a *strictly deductive* basis (by careful calculation of the compositions of the corresponding value functions).

Keywords: principle of separation of powers; Rousseau; sovereignty; indivisibility sovereignty; sovereignty of the people; democracy; power over the people; Hegel; internal contradiction; algebra of natural law

Introduction to the problematic. In the theory of state law in the 19th century, there was (and still is) a seemingly intellectually respectable tendency to consider the doctrine of the separation of powers (Locke 1988: 346-356; Montesquieu 1999: 138-139; Rousseau 1998: 231, 254) to be theoretically erroneous and practically harmful. Representatives of this trend include Professor of Law Léon Duguit and Professor of Law Bohdan Kistiakowski. In their works (Duguit 1908: 430-458; Kistyakovsky 1999: 472-488) they argued that the separation of powers is impossible, since their inevitable

interaction, interconnection, mutual adaptation, mutual limitation, mutual restraint represent a contradiction, and the internally contradictory is impossible. The phrase “internal contradiction is impossible” is involuntarily associated with formal logic and with G.V.F. Hegel, whose teaching, according to some, is incompatible with the formal logical teaching on contradiction. It seems that the problem emerging in this particular relation is that of *antinomy*. However, the present article demonstrates that this *only appears to be the case*. The *illusion* (apparency) that resembles the truth is dispelled with the help of the hypothetico-deductive method and the systematic use of the conceptual apparatus of discrete mathematics. While the internal contradiction of divided power over the people noted by Kistyakovskiy does indeed exist, according to the results of the study presented below, it is not dangerous for the people, but on the contrary, is expedient for ensuring their sovereignty. The author of the famous “Science of Logic” (who proclaimed in it that *all phenomena are internally contradictory*), when discussing the separation of powers, wrote:

“...We must mention the idea of the *necessary separation of powers* in the state – an extremely important definition, which, taken in its true sense, could rightfully be considered as a guarantee of public freedom; but precisely those who imagine that they speak of it with enthusiasm and love know nothing about it and do not want to know, for it is precisely in it that the moment of *rational certainty* lies. The principle of separation of powers also contains an essential element of difference, of real rationality; however, in the understanding of abstract reason, it contains partly a false definition of the absolute independence of powers in relation to each other, and partly a one-sided understanding of their relationship to each other as negative, as a mutual *limitation*. This view presupposes hostility, the fear of each of the powers of what the other carries out against it as evil, and at the same time the determination of opposition to it and the establishment by means of such a counterweight of a general equilibrium, but not of a living unity. [...].

The *independence* of powers, for example, *the executive* and *the legislative*, as they are usually called, directly presupposes, as we have seen on a large scale, the destruction of the

state – or, since the state is essentially preserved, a struggle arises as a result of which one power subordinates another and thereby creates a unity, whatever its character, and thus saves the essential, the existence of the state” (Hegel 1990: 309-310).

From this quote it follows that not only Duguit and Kistyakovsky, but to some extent also Hegel, are among the authoritative critics of the system of separation of powers as a system of *reciprocal limitations* (checks and balances). Although this theoretical *problem-contradiction* is obvious, there has until now been no successful attempt to develop a formally logically consistent solution to it on the part of constitutional law theorists, whether in the Russian or foreign scholarly literature. Jurists typically avoid the indicated abstract-theoretical antinomy problem, creating instead in their interlocutors and in themselves a plausible *illusion* of its solution by mean of a formal-logically contradictory agglomeration of complex sentences of a *purely natural* language, which is known for the intractable *polysemy* of its words and phrases. Jurists all over the planet also apparently fail to take into account that the word “state” itself has *multiple meanings*, being used in natural human language to connote at least *two qualitatively different value-functional meanings* (and at most – even in four). What are these *qualitatively different meanings* (why are there exactly 4 of them, and not 3 or 5) and is it possible to *strictly formally* define them, as required by legal culture itself? For all professional jurists of the past, without exception, as well as for all contemporary professional jurists of planet Earth, even the question itself is incomprehensible. But this cannot go on forever: it is time already *to start acting decisively* in the direction indicated by O. Spengler *more than a hundred years ago*, namely, to begin the systematic use of *the artificial* language of discrete mathematics, which is necessary for the systematic study of value *functions* (Spengler 1928: 67, 82, 83) and their compositions in the already existing *algebraic system of natural law* (Lobovikov 2011; Lobovikov 2014; Lobovikov 2016; Lobovikov 2020; Lobovikov 2022; Lobovikov 2023). When referring to Spengler, we have in mind first of all the following statements:

“Classical law is a law of bodies. In the general stock composing the world it distinguishes bodily Persons and bodily

Things and, like a sort of Euclidean mathematic of public life, establishes ratios between them. The affinity between mathematical and legal thought is very close” (Spengler 1928: 67).

* * *

“It must be emphasized then – and with all rigor – that Classical law was a law of *bodies* while ours is a law of *functions*. The Romans created a juristic static; our task is juristic dynamics. For us persons are not bodies, but units of force and will; and things are not bodies, but aims, means and creations of these units. The Classical relation between bodies was positional, but the relation between forces is called action” (Spengler 1928: 82).

* * *

“The future will be called upon to transpose our entire legal thought into alignment with our higher physics and mathematics. Our whole social, economic, and technical life is waiting to be understood, at long last, in this wise. We shall need a century and more of keenest and deepest thought to arrive at the goal. And the prerequisite is a wholly new kind of preparatory training in the jurist” (Spengler 1928: 83).

In these quotes, Spengler brilliantly prophesies about a hypothetical *qualitatively new paradigm* of legal activity *of the future* (both in the sphere of scientific and theoretical research of law and in the sphere of professional education of lawyers). Thus, it is a statement not about what already exists, but about what, in Spengler’s opinion, would be good to be. The attitude of jurists to Spengler’s prophecy is ambiguous: some ignore it, because they do not want to agree with it for fundamental ideological and methodological reasons, while others could agree with it in words (and some of them would even sincerely like to), but cannot participate in the implementation of Spengler’s project for objective reasons, namely because the legal education they received does not give them the opportunity to fruitfully use artificial languages, abstract concepts and methods of modern discrete mathematics. However, the situation is not hopeless: the world is changing rapidly: computerisation, informatisation, “digitalisation”, “artificial intelligence”, etc. irresistibly influence the formation of modern standards of higher education in

general and legal education in particular. Therefore, at the present time, whoever can take part in the implementation of the project under discussion should do so to the extent possible.

Research methods (*precise definitions* of the basic concepts *necessary* to obtain and substantiate the above-mentioned new scientific results)

«*Ius est ars boni et aequi*»
(Law is the art of what is good and just).
Quoted from (Dozhdev 2016: 61).

The famous Latin saying “*Ius est ars boni et aequi*” of the outstanding ancient Roman lawyer Celsus (Publius Juventus the Younger¹) was significantly cited by another outstanding ancient Roman lawyer Ulpian in his definition of the concept of “natural law” that interests us in this article. Ulpian wrote:

“When a man means to give his attention to law (*jus*), he ought first to know whence the term *jus* is derived. Now *jus* is so called from *justitia*; in fact, according to the nice definition of Celsus, *jus* is the art of what is good and fair. 1. Of this art we may deservedly be called the priests; we cherish justice and profess the knowledge of what is good and fair, we separate what is fair from what is unfair, we discriminate between what is allowed and what is forbidden, we desire to make men good, not only by putting them in fear of penalties, but also by appealing to them through rewards, proceeding, if I am not mistaken, on a real and not a pretended philosophy. 2. Of this subject there are two departments, public law and private law. Public law is that which regards the constitution of the Roman state, private law looks at the interest of individuals; as a matter of fact, some things are beneficial from the point of view of the state, and some with reference to private persons. Public

¹ His father, who was also an ancient Roman jurist, went under the same name “Publius Juventius Celsus”; therefore, in order to distinguish the son from the father, the addition of the word *Younger* (or *son*) to his name is usually used. The full name of the author of the Latin saying *Ius est ars boni et aequi* is given as follows: *Celsus, Publius Iuventius Titus Aufidius Hoenius Severianus*.

law is concerned with sacred rites, with priests, with public officers. Private law has a threefold division – it is deduced partly from the rules of natural law, partly from those of the *jus gentium*, partly from those of the civil law. 3. Natural law is that which all animals have been taught by nature; this law is not peculiar to the human species, but is common to all animals which are produced on land or sea, and to fowls of the air as well. From it comes the union of man and woman called by us matrimony, and there with the procreation and rearing of children; we find in fact that animals in general, the very wild beasts, are marked by acquaintance with this law. 4. *Jus gentium* is the law used by the various tribes of mankind, and there is no difficulty in seeing that it falls short of natural law, as the latter is common to all animated beings, whereas the former is only common to human beings in respect of their mutual relations” (Monroe 1904: 3).

From the point of view of modern canons of scientific ethics, Ulpian's citation of Celsus's dictum was entirely correct: Ulpian clearly referred to Celsus when he stated that natural “law is the science of the good and just” (Peretersky 1984: 23; Monroe 1904: 3; Watson 1998: 1). Another outstanding ancient Roman lawyer – Paul (Paulus) also considered natural law to be a science of the *good* and just. He wrote: “The word ‘right’ is used in several senses: first, ‘right’ means that which is always just and good – such as natural law” (Peretersky 1984: 25; Watson 1998: 2-3). It is indisputable that good (benevolent) and evil (bad) are *evaluative* concepts; therefore, the consideration of natural law as a formal *axiology* (universal theory of moral and legal values) has deep foundations in the legal theory of the ancient Roman Empire. In turn, in his fascinatingly written philosophical article “Mathematics and Good” (Whitehead 1990), the outstanding twentieth-century mathematician drew special attention to the possibility of fruitfully applying abstract concepts and effective methods of mathematics (especially algebra) to significantly clarify the vague idea of natural law (the concept of good) and to transform it into a true scientific theory by means of precisely formulating its strictly formally defined universal laws in the artificial language of mathematics.

In order to investigate the possibilities of fruitful application of the conceptual apparatus of *discrete mathematics* (Yablonsky

1979) to *natural law* in general, as well as to study the possible consequences of applying a *discrete mathematical model of natural law as a formal-axiological system* to the public-law problem of separation of powers in particular, this article uses the hypothetico-deductive method, artificial languages, and discrete mathematical modeling – namely, the construction of algebraic systems suitable for this purpose. *The deductive method* is used in the present article to deduce and analyse the logical consequences of the fundamental *hypothesis*, according to which, in essence, *natural law is a universal formal axiology*: either (1) of *rational activity* (both *human* and *Divine*), or (2) of *any activity* (including irrational) of *any possible forms of life*, as Ulpian asserted (Peretersky 1984: 23; Monroe 1904: 3; Watson 1998: 1). We will not deal with the exclusive choice between the disjuncts included in the previous complex sentence in this article, since they do not exclude each other and both are of scientific and theoretical interest. That non-trivial hypothesis, the derivation of logical consequences from which this article is devoted, represents a coherent system of logically interconnected, strictly formally defined abstract concepts of *natural public (constitutional) law*. Now let us move directly to the formulation of precise definitions of the concepts included in this system.

Let us begin with the fact that, by *definition*, which is the basis of the hypothesis under study, a *two-valued algebraic system of natural law as formal axiology* is a triple of sets $\langle \Pi, O, R \rangle$, in which the symbol Π denotes a non-empty (even potentially infinite) set of all such and only such existing or non-existent actions and persons (whether individual or collective), which are either good or bad, from the point of view of a certain subject of assessment (appraiser) Σ (whether individual or collective, natural or artificial). It is obvious that Σ – *variable*: changing its values can lead to a change in the estimates of specific elements of the set Π . However, if the value of the variable Σ is completely defined (rigidly fixed), then the estimates of specific elements of the set Π turn out to be completely defined. Elements of the set Π – actions or persons (individuals) are called *formal-axiological objects* of the theory of natural law (regardless of their existence or non-existence). The symbols “g (good)” and “b (bad)” denote *the axiological (value) meanings* of the elements of set Π .

In the triple of sets $\langle \Pi, O, R \rangle$, the symbol O denotes the set of all *n-ary algebraic operationsth* (or simply *operations*), defined on

the set Π . The elements of the set O are called *formal-axiological operations* of the two-valued *algebra of natural law* (as a formal axiology). In a two-valued algebraic system $\langle \Pi, O, R \rangle$, *n-ary algebraic operations* defined on the set Π are those *functions* (and only those functions) that put into a one-to-one correspondence with each ordered n -k of elements of the set Π some element of the set Π , called the result of applying the said n -ary algebraic operation to the said ordered n -k of elements of the set Π . In other words, the *n-ary (algebraic) operation defined on the set Π* is the n -place function: $\Pi^n \rightarrow \Pi$. Here the symbol \rightarrow denotes a “mapping” of one set into another (in the proper mathematical meaning of the word “mapping”).

Let us now determine (in the above-mentioned triple of sets) the value of symbol R . In this triple of sets the symbol R denotes the set of all *n-ary formal-axiological relations*, defined on the set Π . For example, the binary relation defined below “*formal-axiological equivalence* (of elements of the set Π)” belongs to the set R . Since all three sets Π , O , and R are not empty, then, according to the precise definition of the concept of “algebraic system” generally accepted in modern mathematics, the triple discussed in this paper $\langle \Pi, O, R \rangle$ represents *an algebraic system* in the *strictly mathematical* sense of the term (Maltsev 1970; Cohn 1968).

The results of natural-legal (i.e. moral-legal) algebraic operations defined on a set Π are elements of the set Π . Consequently, by the definition of the set Π , they are either good or bad (from the point of view of Σ). Between the axiological values and – g (good) or b (bad) – of those elements of the set Π to which the moral-legal algebraic operation defined on the set Π was applied, and axiologically the value (g or b) of the result of this operation, there exists a *value-functional* correlation. The value (g or b) of the result of an algebraic operation defined on Π is the value of a certain *value function*, the permissible values of whose variables are the axiological values (g or b) of those elements of the set Π to which the aforementioned algebraic operation is applied.

By definition, a *value function in the broad sense of the term* is any and only such function for which the domain (of change) of values of this function is a two-element set of $\{g$ (good), b (bad) $\}$. By definition, a *value function in the narrow sense* is such and only such a function whose domain of admissible values of its variables is the two-element set $\{g$ (good), b (bad) $\}$, and the domain of (changes in)

values of this function is the same two-element set. In other words, when discussing value functions *in the narrow sense of the term*, the following mappings are meant: $\{g,b\} \rightarrow \{g,b\}$, if we are talking about functions determined by *one* value argument; $\{g,b\} \times \{g,b\} \rightarrow \{g,b\}$, if we are talking about functions determined by *two* value arguments (here “ \times ” denotes the Cartesian product of sets); $\{g,b\}^N \rightarrow \{g,b\}$, if we are talking about functions determined by *N*-value arguments, (here *N* denotes some finite positive integer). By definition, a *mixed value function* is any such and only such *value function* whose range of admissible values of variables is the set Π defined above. Thus, according to the definitions given above, the sets of *purely* value functions and of *mixed* value functions are not identical to each other, but they are both subsets of the set value functions in the broad sense of the term.

Now let us consider specific examples of elementary natural-legal algebraic operations (elements of the set O) and the corresponding moral-legal value functions. Let us begin by considering the moral and legal algebraic operations defined on Π , determined by *one* argument.

Glossary for the table below 1. Symbol $\mathbb{D}x$ denotes a moral and legal act “*restraint, holding* (of what, whom) *x*”. Symbol Dx – “*division, division, divisibility* (of what, whom) *x*”. Ex – “*unity, indivisibility, inseparability, unification* (of what, whom) *x*”. Yx – “*destruction, ruin, corruption* (of what, whom) *x*”. Sx – “*salvation, preservation* (of what, whom) *x*”. Nx – “*non-existence, absence* (of what, whom) *x*”. Bx – “*being, existence* (of what, whom) *x*”. Lx – “*freedom* (of what, whom, whose) *x*” or “*freedom for* (of what, whom) *x*”. Fx – “*freedom from* (of what, whom) *x*”. \textcircled{x} – “*arbitrariness, i.e. absolute freedom* (of actions), *in relation to* (of what, whom) *x*”. $\mathcal{B}x$ – “*freedom of moral choice* and the commission of an act, which can be constructed *from a pair* (acts) *x* and *Nx*”. In other words, $\mathcal{B}x$ – “*freedom of moral choice* (actions) *in relation to* (what, to whom) *x*, or *non-existence of arbitrariness* (absolute freedom of actions) *in relation to* (what, to whom) *x*, i.e. *freedom from arbitrariness in relation to* (what, to whom) *x*”. Πx – “*production, creation, creation* (of what, whom) *x*”. In the two-valued algebra of natural law, the functional dependence of the moral and legal axiological (value) value (*g* – good, or *b* – bad) of each of the above-mentioned moral and legal acts on the moral and legal value value of the variable *x* is precisely determined by the following table 1.

When getting acquainted with the value tables presented here, it is necessary to keep in mind that the symbols x, y, z , denote some (any) elements of the set Π , in it, and are symbols having the form $\Omega^n x_1, \dots, x_n$ и $\Psi^n y_1, \dots, y_n$, denote such results of application of n -ary algebraic operations (belonging to the set O) to some (any) ordered n - k elements from Π , which (results) themselves are also elements of the set Π . It makes sense to recall that *axiological (value) values* (elements of the set Π) are called in the two-valued algebra of natural law the elements of the set $\{g$ (good), b (bad) $\}$. The symbols $\sqrt{x}, \sqrt{y}, \sqrt{z}$ denote *axiological values* of the variables x, y, z of the discussed *value functions* (determined by some positive integer number of value variables), while the symbols $\sqrt{\Delta}x, \sqrt{D}x, \sqrt{Y^2}xy, \sqrt{\Pi^2}xy$ denote *axiological values of value functions* $\Delta x, D x, Y^2 xy, \Pi^2 xy$, respectively. Value functions $\sqrt{x}, \sqrt{y}, \sqrt{z}$ take values from the set $\{g$ (good), b (bad) $\}$. Axiological meanings of value functions $\sqrt{\Delta}x, \sqrt{D}x, \sqrt{Y^2}xy, \sqrt{\Pi^2}xy$ also belong to the set $\{g$ (хорошо), b (плохо) $\}$.

Table 1. *Unary moral and legal operations*

\sqrt{x}	$\sqrt{\Delta}x$	$\sqrt{D}x$	$\sqrt{E}x$	$\sqrt{Y}x$	$\sqrt{S}x$	$\sqrt{N}x$	$\sqrt{B}x$	$\sqrt{L}x$	$\sqrt{F}x$	$\sqrt{\otimes}x$	$\sqrt{\mathcal{B}}x$	$\sqrt{\Pi}x$
g	b	b	g	b	g	b	g	g	b	b	g	g
b	g	g	b	g	b	g	b	b	g	b	g	b

In connection with the fact that in the philosophy of law the maxim “Law is the *mathematics of freedom*” is popular as a beautiful metaphor, it makes sense to pay special attention to the fact that, according to Table 1, in the *formal-axiological semantics* of natural language there are several *mathematically different value-functional meanings of the word “freedom”*. In the case of *two-valued* formal axiology there are exactly four of them, namely: $\sqrt{L}x, \sqrt{F}x, \sqrt{\otimes}x, \sqrt{\mathcal{B}}x$. Previously, *these* four mathematically distinct *value-functional* meanings of the word “freedom” were tabulated and examined in an English-language article (Lobovikov 2022a).

Glossary for the following Table 2. Px – “power (strength), dominance (of what, whom) x”. Ax – “anarchy (what, whom, whose) x”. Vx – “power (strength), dominance over (what, whom) x”. Wx – “anarchy over (what, whom) x”. Ox – “limitation, definition, i.e. establishment of limits for (what, whom) x” or “limitation, certainty (of what, whom) x”. Jx – “judgement (what, whom, whose) x”. Ux – “judgement over (what, whom) x”. Bx – “law (what, whom, whose) x”. Zx – “law for

(what, whom) x , as a means of regulation, ordering, regulation (what, whom) x ". Ix – "execution, implementation, fulfillment, realisation (of what) x ". Gx – "state (what, whom, whose) x ". Rx – "state over (what, by whom) x ". The value values of the results of the unary algebraic operations (defined on the set Π), listed above in this glossary are precisely defined by the value Table 2 below.

Table 2. *Unary operations of natural law algebra*

\sqrt{x}	\sqrt{Px}	\sqrt{Ax}	\sqrt{Vx}	\sqrt{Wx}	\sqrt{Ox}	\sqrt{Jx}	\sqrt{Ux}	$\sqrt{3x}$	\sqrt{Zx}	\sqrt{Ix}	\sqrt{Gx}	\sqrt{Rx}
g	g	b	b	g	b	g	b	g	b	g	g	b
b	b	g	g	b	g	b	g	b	g	b	b	g

Glossary for the value table below Table 3. Hx – "people (what, whom, whose) x ". Yx – "sovereignty (of what, whom, whose) x " or "sovereign (what, who) x ". ∇x – "sovereignty over (of what, whom) x ". Bx – "connectedness, constraint (of what, whom) x ". Symbol $\uparrow x$ – "subordination, obedience, submission, subservience (to what, to whom) x ". Symbol $\downarrow x$ – "subordination, obedience, submission, subservience (of what, whom, whose) x ". $\#x$ – "the opposite of (of what, whom, whose) x " or "the opposite of (of what, whom) x ". $\odot x$ – "democracy (of what, whom, whose) x ". $\ominus x$ – "democracy over (what, whom) x ". The axiological meanings of the results of these unary algebraic operations (defined on the set Π) are precisely defined by Table 3 located below.

Table 3. *Unary operations on elements of Π*

\sqrt{x}	\sqrt{Hx}	\sqrt{Yx}	$\sqrt{\nabla x}$	\sqrt{Bx}	$\sqrt{\uparrow x}$	$\sqrt{\downarrow x}$	$\sqrt{\#x}$	$\sqrt{\odot x}$	$\sqrt{\ominus x}$
g	g	g	b	b	g	b	b	g	b
b	b	b	g	g	b	g	g	b	g

Now let us consider specific examples of elementary moral and legal algebraic operations (elements of set O) defined on the set Π and the corresponding moral and legal value functions determined by two moral and legal value arguments.

Glossary for Table below 4. Let the symbol Y^2xy denote the binary moral and legal algebraic operation "destruction, ruin, decay, corruption (of what, of whom) x (of what, by whom) y ". (Here and further in the text of this article, the upper numeric index 2 informs that the indexed symbol denotes binary operation of the algebra

of natural law.) Symbol S^2xy denotes binary moral-legal algebraic operation “*salvation, preservation* (of what, whom) x (by what, by whom) y ”. K^2xy denotes the binary moral and legal algebraic operation “*unity, union* (of what, of whom) x with (of what, of whom) y ”. D^2xy – “*division, separateness* (of what, whom) x and (of what, whom) y ”. \mathcal{D}^2xy – “*containment, holding, holding* (of what, whom) x (of what, by whom) y ”. O^2xy – “*limitation, definition, i.e. establishment of limits* (by whom, what) y for (of what, whom) x ”. V^2xy – “*coercion or superiority in force* (of what, whom, whose) y over (of what, by whom) x ”. P^2xy – “*power* (of what, whom, whose) y over (of what, by whom) x ”. Γ^2xy – “*state* (of what, whom, whose) y over (by what, by whom) x ”. The functional dependence of the axiological values of the results of the above-mentioned binary operations of the algebra of natural law on the axiological values of the variables x and y is precisely determined by the following table 4.

Table 4. Binary operations algebra of natural law

\sqrt{x}	\sqrt{y}	$\sqrt{y^2xy}$	$\sqrt{S^2xy}$	$\sqrt{K^2xy}$	$\sqrt{D^2xy}$	$\sqrt{\mathcal{D}^2xy}$	$\sqrt{O^2xy}$	$\sqrt{V^2xy}$	$\sqrt{P^2xy}$	$\sqrt{\Gamma^2xy}$
g	g	b	g	g	b	b	b	b	b	b
g	b	b	g	b	g	b	b	b	b	b
b	g	g	b	b	g	g	g	g	g	g
b	b	b	g	b	g	b	b	b	b	b

Glossary for the following value Table 5. J^2xy – “*judgement* (of what, whom, whose) y over (of what, by whom) x ”. Z^2xy – “*law* (of what, whom, whose) y for (of what, whom) x , as a means of regulation, ordering, regulation (of what, whom) x (by what, by whom) y ”. Π^2xy – “*production, creation, making, implementation, execution* (of what, whom) x (by whom, than) y ”. X^2xy – “*anarchy* (of what, whom, whose) y over (of what, by whom) x ”. C^2xy – “*existence, being, presence, presence* (of what, whom, whose) y in (by what, whom) x ”. T^2xy – “*identity, identification* (of what, whom) x with (of what, by whom) y ”. U^2xy – “*excluding moral and legal choice between* (what, whom) x and (what, whom) y ”, i.e. (1) realisation of good and abstinence from bad, if x and y have opposite moral and legal meanings; (2) the realisation of the better and abstinence from the less good, if both (both x and y) have the moral-legal meaning of “good”; (3) the realisation of the less bad and abstinence from the worse, if both

(both x and y) have the moral-legal meaning of “bad”; (4) the realisation of any one and only one arbitrarily chosen either x or y , if there is no quantitative difference in their identical moral-legal meaning. N^2xy – “unification non-realisation (of what, whom) x and non-realisation (of what, whom) y ”. A^2xy – “non-exclusive moral and legal choice between (what, whom) x and (what, whom) y ”. More precisely, A^2xy is: (1) realisation of K^2xy , i.e. “realisation of (of what, whom) y together with the realisation of (of what, whom) x ”, if both (x and y) have the moral value “good”; (2) realisation of U^2xy , if x and y have qualitatively different moral meanings; (3) realisation U^2xy , if both (x and y) have the moral meaning “bad”. The axiological meanings of the results of these *binary* algebraic operations (defined on the set Π) are precisely determined by Table 5 below.

Table 5. Binary moral and legal operations

\sqrt{x}	\sqrt{y}	$\sqrt{J^2xy}$	$\sqrt{Z^2xy}$	$\sqrt{IT^2xy}$	$\sqrt{X^2xy}$	$\sqrt{C^2xy}$	$\sqrt{T^2xy}$	$\sqrt{U^2xy}$	$\sqrt{N^2xy}$	A^2xy
g	g	b	b	g	g	g	g	b	b	g
g	b	b	b	g	g	b	b	g	b	g
b	g	g	g	b	b	g	b	g	b	g
b	b	b	b	g	g	g	g	b	g	b

Glossary for Table 6. The symbol B^2xy means “connectedness, connection (of what, whom) x (by what, by whom) y ”. Q^2xy – “contradiction, opposition (of what, whom) y (of what, whom) x ”. III^2xy – “transformation (of what, whom) x into (what, whom) y ”. Y^2xy – “impact, action y on x ”. R^2xy – “counteraction (of what, whom) y (to what, whom) x ”.

Table 6. Binary operations

\sqrt{x}	\sqrt{y}	$\sqrt{B^2xy}$	$\sqrt{Q^2xy}$	$\sqrt{III^2xy}$	$\sqrt{Y^2xy}$	$\sqrt{R^2xy}$
g	g	b	b	b	b	b
g	b	b	b	b	b	b
b	g	g	g	g	g	g
b	b	b	b	b	b	b

Now, from the above-presented precise tabular definitions of value values, defined on the set Π of algebraic operations (belonging to the set O), we will move on to strictly formal definitions

of the basic concepts of the *modern* (precisely formulated in artificial mathematical language) theory of natural law: “*the law of natural law*”, “*formal-axiological contradiction*”, “*formal-axiological equivalence of the elements of the set Π* ”.

DEFINITION DF-1. By definition, for any elements φ and λ of the set Π , which have, respectively, moral and legal forms $\varphi(x_1, \dots, x_n)$ and $\lambda(y_1, \dots, y_k)$, it is true that λ and φ are *formally-axiologically equivalent (in natural law)*, if and only if, for any axiological values of the moral and legal forms x_1, \dots, x_n and y_1, \dots, y_k , it is true that $\sqrt{\varphi}(\sqrt{x_1}, \dots, \sqrt{x_n}) = \sqrt{\lambda}(\sqrt{y_1}, \dots, \sqrt{y_k})$.

DEFINITION DF-2. By definition, any element φ of the set Π , having moral-legal form $\varphi(x_1, \dots, x_n)$, is a (necessarily universal and immutable) *natural law* or (which is the same) a *formal-axiological law*, if and only if $\sqrt{\varphi}(\sqrt{x_1}, \dots, \sqrt{x_n}) = g$, for any value values of moral and legal forms x_1, \dots, x_n . Let us agree to denote *formal-axiological law* with the symbol @.

DEFINITION DF-3. By definition, any element φ of the set Π , having the moral-legal form $\varphi(x_1, \dots, x_n)$, is a *formal-axiological contradiction* or (which is the same) *non-fulfillment (violation, crime) of the law of natural law*, if and only if $\sqrt{\varphi}(\sqrt{x_1}, \dots, \sqrt{x_n}) = b$, for any value values of moral and legal forms x_1, \dots, x_n . Let us agree to designate the *formal-axiological contradiction* with the symbol ©.

New scientific results (obtained using the above strictly defined abstract concepts and methods).

“I will allow myself to doubt that between the two schools, the school of Montesquieu and the school of Rousseau, there really exists that deep line of difference which is usually drawn, and that both will not serve to form a single political doctrine...” (Kovalevsky 1895: 613).

If the reader has fully realised and is ready to systematically use in his reasoning about natural public law in general and about the problem of separation of powers in particular all those strictly formally defined above concepts of the two-valued algebraic system of jus-naturalism, he can independently double-check (by carefully “calculating” the corresponding functions) the following algebraic “equations” and the translations of these “equations” into natural human language placed to the right of them (immediately after the colon).

1) $K^2O^2PxPyO^2PyPx=+=\odot$: mutual *limitation (definition)* of the powers x and y there is a contradiction (Hegel 1990: 309).

2) $K^2\mathcal{L}^2PxPy\mathcal{L}^2PyPx=+=\odot$: inmutual *restraint* of the authorities x and y there is a contradiction.

3) $K^2R^2PxPyR^2PyPx=+=\odot$: mutual *opposition* of the authorities x and y (i.e. their *action "in opposition"*, contrary to each other) is a contradiction (Hegel 1990: 309).

4) $K^2Y^2PxPyY^2PyPx=+=\odot$: the mutualaction of the authorities x and y there is a contradiction.

5) $K^2B^2PxPyB^2PyPx=+=\odot$: the relationship between the authorities of x and y is a contradiction.

6) $K^2\Pi^2PxPy\Pi^2PyPx=+=\odot$: mutual transformation of powers x and y there is a contradiction.

7) $\mathcal{P}^2xx=+=\odot$: self-contradiction x is a contradiction.

8) $O^2xx=+=\mathcal{P}^2xx$: self-determination (self-limitation) x is a self-contradiction.

9) $O^2xx=+=\odot$: self-determination (self-limitation) x is a contradiction.

10) $P^2xx=+=\odot$: autocracy x is a contradiction.

11) $C^2x\odot=+=Nx$: being *contradictions* in x is equivalent to non-being (of what, whom) x .

12) $C^2VHx\odot=+=NVHx$: the existence of the *contradiction* within of power over the people x is equivalent to the non-existence of power over the people x .

13) $NVHx=+=EЯHx=+=ЯHx$: the non-existence of power over the people x is equivalent to the (indivisible) sovereignty of the people x . (Rousseau 1998: 209-211, 216-217, 220-224).

14) $Dx=+=Vx$: division (of what, whom) x is equivalent to power over x . (How can one not recall the famous credo of the politicians of Ancient Rome: "Divide and rule!")

15) $Dx=+=Nx$: division (of what, whom) x is equivalent to non-existence x .

16) $DPRHx=+=NPRHx$: division of state power over the people x is equivalent to non-existence of state power over the people x . (Rousseau 1998: 54, 209-211, 216-217, 220-224, 246).

17) $DPRHx=+=ЯHx=+=EЯHx$: the division of power of the state over the people x is equivalent to the (indivisible) sovereignty of the people x . (Rousseau 1998: 209-217).

In discussing the separation of powers, Hegel wrote about the being of *self-determination of x within x* (i.e. within itself) the following: “Only *self-determination* of the concept within itself, and not any other goals and considerations of utility, represents the source of the absolute origin of the distinct powers, and only thanks to it is the state organisation within itself rational and a reflection of the eternal reason” (Hegel 1990: 309-310). The quoted idea, in my opinion, is quite adequately clarified and modeled by the following equations.

18) $C^2VxO^2VxVx=+=\mathcal{A}x$: being (*self-determination* (power over x)) in (power over x) means sovereignty x . This equation heuristically significantly *models* what was said in (Hegel 1990: 309).

19) $C^2RxO^2PRxPRx=+=\mathcal{A}x$: being *self-determination* (power (of the state over x)) in the state over x means sovereignty x . This equation is a heuristically significant *model* of what was said in (Hegel 1990: 309).

20) $C^2RHxO^2PRHxPRHx=+=\mathcal{A}x=+=E\mathcal{A}x$: being *self-determination* (power (of the state over the people x)) in the state over the people x is equivalent to the (indivisible) sovereignty of the people x .

This was to be substantiated by a careful calculation of the compositions of the corresponding value functions, according to the strict definitions of the concepts given in Section 2 of this article.

Duguit and Kistyakovsky considered Montesquieu’s teaching on the separation of powers and Rousseau’s teaching on both the indivisibility of sovereignty in general and the indivisibility of the sovereignty of the people in democracy in particular to be logically incompatible (mutually exclusive) (Kistyakovsky 1999: 484). Kistyakovsky criticised Maksim Kovalevsky’s attempts to logically and consistently combine the mentioned teachings into some kind of unified political doctrine. According to Kistyakovski, these attempts, undertaken in the work “The Origin of Modern Democracy” (Kovalevsky 1895: 612-658), were not only *in fact* unsuccessful; they *could not* be crowned with success (Kistyakovsky 1999: 484). However, according to the system of equations presented above, this opinion of Kistyakovsky is erroneous, since the indicated system of equations: (1) is logically consistent; (2) is a discrete mathematical model of the *unification* of the discussed theory of Montesquieu and the discussed theory of Rousseau. Moreover, the above system of

equations is also a discrete mathematical model of a very non-trivial *formal-axiological interpretation* of Hegel's dialectical teaching on the denial of internally contradictory being. Expressed in a *purely natural* (very *polysemantic*) language "*objective dialectic*" (Hegel 2021), to many rationally thinking scientists *seems like "the ravings of a madman"*, a striking example of irrationalism, but, in my opinion, its psychologically unexpected *formal-axiological interpretation*, being adequately expressed in some completely unambiguous *artificial* language, *can be completely rational* and heuristically valuable for both philosophy and constitutional law.

"Paradoxes" of two-valued Boolean algebra of logic and two-valued Boolean algebra of natural law. According to modern philosophy of science, *the immediate* subject of any abstract theory is not sensually perceived, but abstract idealised objects; *the laws of abstract theory are necessarily universal relations between its abstract idealised objects*. Attempts to directly compare theoretical laws with empirical material lead to "paradoxes" (psychologically naturally arising illusions of the inadequacy) of the theory. This general position of modern philosophy of science is well illustrated by the "paradoxes of material implication" in two-valued Boolean algebra of logic, but the abstract-theoretical laws of classical algebra of logic, relating to disjunction and conjunction, from the point of view of everyday consciousness, also seem clearly paradoxical². The two-valued algebra of logic and the two-valued algebra of natural law are qualitatively different interpretations of the same algebraic structure – the two-valued Boolean algebra. Since between these two *qualitatively different interpretations* (areas of application) of the same *proper (purely) mathematical* apparatus there is a relationship of mutual *analogy*, it is entirely plausible that in

²For example, the conjunction expressed in natural language by the union "and" is *commutative*. Direct application of this law of logical theory to real life gives the following result: the statement "Jane gave birth and got married" is logically equivalent to the statement "Jane got married and gave birth". However, if the logical equivalence of these two statements were put to a vote by the broad masses of the people, then with a very high probability one can predict that it would be rejected by a majority of votes as clearly contradicting the rich empirical material from the personal lives of voters, thus representing a "paradox"!

the Boolean algebra of natural law under discussion, the ordinary consciousness of a normal person also cannot fail to notice a certain strangeness of its abstract idealised objects and the paradoxicality of its laws representing the necessarily universal relations between its abstract idealised objects.

Let us consider this using a specific example of the above-defined operations $\uparrow x$ – “subordination, obedience, submission, subservience (to what, to whom) x ” and $\downarrow x$ – “subordination, obedience, submission, subservience (of what, of whom) x ”. The reader may find that some of the meanings of the value functions introduced by the author look rather strange, especially if the reader is a strictly humanities scholar. Thus, for example, from Table 3 presented above, the reader learns that submission to “good x ” is a good thing, and he probably will not argue with this. But why submission to someone on the part of this “good x ” is assessed negatively may not be understood.

In order to eliminate such a psychologically naturally arising misunderstanding, it is advisable to once again draw the reader’s attention to the fact that the *direct* objects of application of the theory of natural law are its abstract idealised objects, which are strictly formally defined in it. One such abstract idealised object is the “good subject (good person)”. *According to the accepted definition* of a good subject, having freedom, he will do good by himself without subordination to anyone. Therefore, in the case under discussion, *submission, subjection to the good is excess*; a good person does not need to be subordinated: acting freely, he will do good by himself, and if he himself by himself does not do good without submission, then he is not good, but is bad (according to the accepted definition), and the subordination of the bad is good. Excess is a violation of measure, and this, according to Aristotle, is something bad (vice, evil). Therefore, being superfluous, the subordination of the good is bad, which is entirely consistent with the discussed tabular definition. Similar “paradoxes” also arise in everyday consciousness in connection with some other operations of the algebra of natural law. We will not consider all these “paradoxes” here now, since the volume of this article is limited, but we will note that all of them are successfully resolved by applying to them the precedent (by analogy) that was formulated above in connection with the algebraic operations $\uparrow x$ and $\downarrow x$.

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A Historiographical Framework for Political and Legal Knowledge in Russian Legal Education

Abstract. This article examines the prospects for integrating a historiographical model of political and legal knowledge into Russian legal education. It underscores the model's significance in shaping graduates' universal and professional competencies by systematically decomposing them into knowledge, skills, and abilities. Rather than focusing merely on historical retrospection, this approach contributes to cultivating future lawyers' ability to develop optimal legal solutions. The author argues that the implementation of this model should extend beyond historical disciplines, including those within the socio-cultural core, by incorporating the philosophy of law as a mandatory subject in federal educational programs. Furthermore, the philosophy of law curriculum should integrate both chronological structuring and paradigmatic analysis, with a particular emphasis on Russian legal philosophy. Additionally, the article advocates for the broader methodological application of historiography in key legal disciplines — such as criminal law, civil law, and administrative law — through specialized assignments that explore how theories, ideas, and concepts have influenced the formation and evolution of legal institutions. The author identifies two major challenges in adopting this historiographical model in Russian legal education: (1) faculty-related constraints and (2) methodological difficulties.

Keywords: education; critical thinking; historiography; jurisprudence; national security; citizen position; patriotism; historiographical model of knowledge

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The ongoing educational reform in Russia is driven by multiple factors, among which the shifting value foundations of Russian society and the state – reshaped by the 2020 constitutional reform – play a significant role. In this context, the establishment of a socio-humanities core across all higher education institutions, including technical universities, is a well-justified measure. This core encompasses subjects such as *History*, *Fundamentals of Philosophy*, the *Russian Language*, and the *Foundations of Russian Statehood* – elements crucial for encouraging an all-Russian civic identity among students. In our view, one essential step in reforming higher legal education – aimed at equipping future lawyers with the professional dispositions and competencies required for their practice – is the integration of a historiographical model of political and legal knowledge. This model synthesizes a body of historical research on the evolution of ideas concerning state and legal history, including their individual institutions. It makes possible to track those transformations occurred in historical scholarship, as well as in the interpretation of historical experience regarding specific issues, periods, and approaches within the study of state and law.

It appears that such a model enables the deliberate cultivation of specific value orientations among future lawyers amid external ideological pressures, thereby fostering responsible citizenship. Moreover, its implementation is essential for safeguarding national security. We concur with Alexander N. Savenkov's assertion that any activity can be considered an element of national security (Savenkov 2019: 10). In this regard, education is no exception, as the training of highly qualified specialists constitutes one of the key factors shaping a nation's long-term development. The application of a historiography-based model of political and legal knowledge in higher legal education will: (1) equip future legal professionals with an understanding of the historical evolution of legal institutions and the diversity of existing legal solutions; (2) promote awareness of the historical contexts in which certain legal decisions were made, and risks associated with applying them; (3) enrich the repertoire of available methods, approaches, and tools for legal regulation, including those derived from comparative legal studies; (4) contribute to the development of a jurisprudential mindset.

Within the framework of Russian legal education, the acquisition of historically oriented knowledge has been facilitated over

the years by the following subjects: *Russian History, History of Political and Legal Thought, Political Science, Cultural Studies, History of Russian State and Law, History of Foreign State and Law, Theory of State and Law, and Philosophy of Law* – in varying combinations. It is important to note, however, that the inclusion of all these subjects in the curriculum was excessive, as it skewed education toward a predominantly theoretical rather than practical orientation. The application of a historiographical model in the study of political and legal knowledge holds significant value in the educational process, as it not only provides a theoretical foundation but also promotes practical skills. These include formulating innovative legal solutions; selecting the most effective legal approach through an analysis of its applicability; assessing the potential risks of implementing a legal decision in specific contexts – all based on a critical evaluation of previously established scholarly perspectives.

Under the current higher education standards for specialist programs (40.00.00 – *Jurisprudence*) and the curricula derived from them, a clear trend has emerged toward reducing the number of historical and theoretical disciplines, as well as the allocated instructional hours. For specialization tracks 40.05.01 (*Legal Support of National Security*¹) and 40.05.02 (*Law Enforcement*²), the mandatory disciplines specified for educational institutions include: *Philosophy, Theory of State and Law, History of State and Law in Russia, History of State and Law in Foreign Countries*. For tracks 40.05.04 (*Judicial and Prosecutorial Activity*³) and 40.05.03

¹ Federal State Educational Standard of Higher Education – Specialist Degree in *Legal Support of National Security* (Specialty Code 40.05.01). Approved by Order No. 1138 of the Ministry of Science and Higher Education of the Russian Federation, dated August 31, 2020, *Official Legal Information Portal*, available at: www.pravo.gov.ru (accessed September 15, 2020). (in Russ.).

² Federal State Educational Standard of Higher Education – Specialist Degree in *Law Enforcement* (Specialty Code 40.05.02). Approved by Order No. 1151 of the Ministry of Science and Higher Education of the Russian Federation, dated August 28, 2020, *Official Legal Information Portal*, available at: www.pravo.gov.ru, (accessed September 15, 2020). (in Russ.).

³ Federal State Educational Standard of Higher Education – Specialist Degree in *Judicial and Prosecutorial Activities* (Specialty Code 40.05.04). Approved by Order No. 1058 of the Ministry of Science and Higher Education of the Russian Federation, dated August 18, 2020, *Official Legal Information Portal*, available at: www.pravo.gov.ru (accessed September 15, 2020). (in Russ.).

(*Forensic Examination*⁴), the required subjects are *Philosophy* and *History* (including *Russian History* and *World History*). Additionally, the latter standard includes the *Theory of State and Law*.

An analysis of curricula at leading Russian universities offering legal education reveals that disciplines such as *Philosophy of Law* and *History of Political and Legal Doctrines* are missing, even in the customizable components of the programs. Nearly all curricula incorporate *Russian History* and *History of Russian Statehood*, which partly overlap with material from *History of State and Law in Russia* and *Russian Constitutional Law*. However, these courses do not employ a historiographical approach as their foundational methodology. Furthermore, this approach is rarely applied in core substantive and procedural law disciplines. Courses on *Russian History*, *World History*, *History of State and Law in Russia*, and *History of State and Law in Foreign Countries* are structured chronologically. This approach fails to equip law students with a nuanced understanding of the diversity of legal concepts, theories, and their evolving interpretations within the historical continuum. The *Theory of State and Law* provides established legal concepts and definitions in line with the conventions of the Russian legal system, making it an optimal methodological foundation for studying specialized legal disciplines. However, this subject suffers from excessive schematism and an overemphasis on universalism. For instance, the concept of *legal families* remains highly abstract due to disregarding for internal variations within legal systems, neglecting hybrid legal traditions, and overlooking convergence processes. A disproportionate focus on Western legal traditions also contributes to blurring the entire picture.

Furthermore, the application of a historiographical model of political and legal knowledge in education fosters competencies outlined in federal state educational standards – such as systemic and critical thinking, civic engagement, and the analysis of fundamental patterns in the formation, functioning, and evolution of

⁴Federal State Educational Standard of Higher Education – Specialist Degree in *Forensic Examination* (Specialty Code 40.05.03). Approved by Order No. 1136 of the Ministry of Science and Higher Education of the Russian Federation, dated August 31, 2020, *Official Legal Information Portal*, available at: www.pravo.gov.ru (accessed September 15, 2020). (in Russ.).

law, as well as intercultural interaction. This approach also cultivates the ability to analyze key stages and developmental trends in the historical progression of the Russian state, its position and role within the broader context of world history, thereby shaping enduring professional and service-related motivations grounded in civic responsibility, patriotism, and a conscientious commitment to professional duty. However, contemporary curricula often fail to fully leverage historiographical methodology in structuring and presenting historical knowledge – a methodology that elucidates the developmental logic of state and legal institutions, enables the examination of shifting perspectives on statehood and law in relation to their historical, political, and cultural contexts, and encourages critical reflection on theories and ideas through an assessment of evolving scholarly interpretations. Consequently, this approach fosters a systemic, critical historical-juridical mindset, equipping legal professionals not only to apply existing norms but also to develop innovative legal solutions and critically evaluate established legislation. By comparing alternative approaches to similar issues within specific political-legal frameworks, it enhances the ability to navigate and contribute to the evolution of legal thought and practice.

It is evident that the subject areas of disciplines such as *Russian History*, *History of Russian Statehood*, *History of Russian State and Law*, *World History*, the *History of State and Law in Foreign Countries*, *Theory of State and Law*, *History of Political and Legal Doctrines*, *Political Science*, and *Philosophy of Law* somehow overlap. Nevertheless, each of these disciplines occupies a distinct place in the educational process, primarily determined by the intended competencies to be developed among students. *Philosophy of Law* appears to be the most suitable for implementing a historiographical model of political and legal knowledge, provided there is a shift in the approaches to presenting its material. This discipline fosters an understanding of diverse perspectives on the state, law, and legal institutions; acknowledges the continuity of thought regarding all of them; suggests solutions to specific problems; and addresses unconventional challenges.

Against the backdrop of Russia's ongoing search for its civilizational path, it would be forward-thinking to structure and present the *Philosophy of Law* course based on Alexander Savenkov's

monograph *Philosophy of Law and the Formation of the Russian State-Civilization* (Savenkov 2024), since his work is chronologically organized and a paradigmatic classification of legal perspectives is provided there. Besides that, it makes an emphasis on Russian legal philosophy and engages with debates surrounding the evolution of the Russian state-civilization, along with providing the readers with an opportunity to depart from Eurocentrism and dispel a myth of Russia's legal inferiority (for a detailed discussion of these phenomena in the context of historiography, see: Vasilyev 2024: 35-38). It's important to note that Savenkov relies on historiography as a methodological and epistemological foundation of his work. The *Philosophy of Law* course should cultivate a plurality of perspectives regarding *law* and *state*, thereby fostering diverse legal solutions that graduates may propose. Simultaneously, one must not overlook the educational and axiological functions of Legal Philosophy (Kozhevnikov 2014; Novikova, Chernov 2023: 231-232). Let's note that *Philosophy of Law* is far from inherent universalism, as the formation of legal conceptions – even among scholars – occurs within the individual mind and is influenced by personal views, including religious convictions. These perspectives are shaped by a multitude of factors: upbringing, education, the specific political and legal conditions of the state in which one resides or holds citizenship, among others. *Philosophy of Law* only assumes clear contours when applied to a specific people and under concrete historical circumstances (Gorban 2025: 112). No single viewpoint should be regarded as the sole valid path for legal development or interpretation.

Emphasizing Russian legal scholars and theorists does not imply a denial or diminution of significant foreign exemplars of intellectual thought. The distinction of various schools of legal philosophy – such as German, American, French, and others – is justified by the intrinsic connection between politico-legal thought and the specific historical conditions that shaped them, as well as the resulting historiographical framework (see, for instance: Gorban 2023: 94-96). Although Russian legal philosophy initially developed through the assimilation of Western European jurisprudential thought, it has since evolved into a fundamentally distinct worldview and methodological paradigm (Kozhevnikov 2017: 41). The focus on Russian legal philosophy within the academic curriculum is well-founded, as it seeks to instill in graduates a deep understanding of Russia's

traditional cultural and moral values, the civilizational development benchmarks set by the Constitution of the Russian Federation (Baburin 2024: 74), and the necessity of accounting for Russia's unique context in their professional endeavors. This approach also reflects the ideological function of legal philosophy.

Training legal professionals, differentiating *Legal Philosophy* from *History of Politico-Legal Doctrines* as distinct disciplines is essential to cultivating juridical reasoning in students. Consequently, *Legal Philosophy* should be presented strictly as legal jurisprudence, rather than as an amalgamation of ethical, political, philosophical, religious, or other ideological constructs. *Philosophy of Law* is among those academic disciplines that exert a targeted influence on students. The selection of theories, concepts, scholars, and statesmen whose perspectives are highlighted, as well as historical events and critical responses to these theories, may vary significantly. Depending on the combination of these elements, such selection can yield differing – including potentially destabilizing – effects. At the same time, enforcing uniformity of thought regarding these approaches would unacceptably constrain academic freedoms. However, such freedoms are not absolute. In the context of historical studies, for instance, they may be justifiably restricted to safeguard constitutional order, prevent the undermining of political legitimacy, or uphold ethical considerations (Vasilyeva 2024: 121-125).

Within Russian legal education, it would be advisable to subject university curricula – particularly in *Philosophy of Law* – to expert review. Legal education must not only ensure academic quality but also cultivate professionals capable of advancing strategic planning objectives and contributing to Russia's civilizational development. Accordingly, as part of the ongoing reform of the Russian educational system, higher education standards in *Jurisprudence* should incorporate a universal competency such as *the formation of an all-Russian civic identity*, alongside a core professional competency such as *the ability to develop and substantiate legal solutions, select and implement optimal approaches, and assess their consequences*. For the discipline of *Legal Philosophy*, this competency may be further decomposed as *Knowledge, Skills, and Competencies*. *Knowledge* should include familiarity with major philosophical-legal schools, theories, and concepts; mastery of philosophical-legal terminology; understanding of the ontological and epistemological foundations of law; proficiency

in methodological analysis of normative legal texts, doctrines, and theories. *Skills* should encompass identifying philosophical-legal issues within specific legal contexts and statutory texts; analyzing the value-based foundations and ideological premises underlying legal norms, judicial decisions, and doctrinal positions; critically evaluating and justifying legal solutions through philosophical-legal reasoning. And *Competencies* should comprise ability to make arguments at an ideological and value-based level; selecting optimal solutions aligned with the Russian legal system's civilizational development; resolving conflicts between legal values and principles.

Historiography should also serve as a methodological foundation within the mandatory component of sectoral legal disciplines in academic curricula. Its application extends beyond merely illustrating the historical evolution of particular legal institutions or phenomena. Rather, it can facilitate critical analysis regarding shifts in conceptual understandings of legal constructs, as well as demonstrate the influence of specific doctrines, ideas, and theories on their formation and development. For instance, *Constitutional Law* could involve the analysis of the Constitution of the Russian Federation to assess the extent to which natural law theories have shaped its provisions. *Environmental Law* could suggest students to compose an essay addressing the question: "Can animals be recognized as legal subjects within the Russian legal system under the framework of natural law theory?" Meanwhile, *Criminal Law*, might involve an assignment for students that could be structured as follows: "Using Article 21 of the Criminal Procedure Code of the Russian Federation and Articles 75–76 of the Criminal Code of the Russian Federation, analyze the influence of the principle of inevitability of punishment on Russian legislation". Consequently, the assessment frameworks of sectoral legal disciplines can be enriched by integrating tasks with a historiographical dimension.

The challenges of integrating a historiographical approach to political-legal knowledge into the educational process stem from the distinctiveness of the research methods employed in historiography, which are atypical for Russian legal education. These include source analysis, cross-cultural analysis, content analysis, historical-legal methods, and semiotic analysis. Consequently, the modes of assessment used by instructors in practical sessions must be diversified. Suitable formats may encompass seminar debates, pri-

mary source analysis (including foreign-language texts), retrospective legal monitoring (examining defunct legal acts to identify past regulatory solutions that could be adapted to address contemporary social issues), and comparative analyses of legal schools.

Likewise, courses shaped by educational stakeholders should be enriched with historiographic tools. For instance, curricula on norm-setting and related subjects could incorporate the following themes: legal strategy and tactics, the adaptation of foreign legal institutions into the national legal system, the borrowing of legal terminology, and the peculiarities of legal drafting techniques in contexts of legal system convergence. In terms of legal monitoring, students should develop skills in retrospective monitoring and comparing versions of normative legal acts with an understanding of the contextual factors behind textual amendments.

A major obstacle to introducing a mandatory *Philosophy of Law* course based on historiography is the shortage of qualified instructors. An analysis of the Russian State Library's records reveals that only 30–40 dissertations are defended annually under the specialty code 5.1.1 (*Theoretical and Historical Legal Sciences*), the lowest among legal disciplines. While training in historiography is also conducted within graduate programs (specialty 5.6.5, *Historiography, Source Studies, and Methods of Historical Research*), teaching *Philosophy of Law* through a historiographic lens remains highly specialized. Addressing this challenge requires targeted policy interventions from the state, including developing grant mechanisms to support research in philosophy of law as well as historiography; incorporating *Philosophy of Law* as a mandatory subject in federal educational standards for *Jurisprudence* programs; and promoting interest in Russian philosophy of law.

The significance of the historiographical model of political-legal knowledge in legal education cannot be overstated. Historiography does not merely contribute to the study of the past – it actively shapes the ability of future legal professionals to devise optimal legal solutions. This necessitates not only an understanding of the accumulated theories and concepts within legal thought but also a critical engagement with how scholars' assessments of these theories have evolved alongside scientific progress and shifts in political-legal conditions. From this perspective, the historiographical model holds clear practical value, as it cultivates the essential

competence needed to formulate sound legal decisions – particularly in legislative drafting – within specific contexts. The implementation of this model must extend beyond its integration into socio-humanities core courses. It should also be institutionalized as a mandatory component of federal state educational standards for the philosophy of law taught through a historiographical lens. Additionally, it must inform the restructuring of instructional methodologies within specialized legal disciplines.

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Destructive Ideological Distortion of the Public Component in Traditional Russian Labour Law as a Private-Public Branch

Abstract. The aims of the article are to clarify the reasons for the distortion of the role of the public component in the traditional Russian model of labour law as a private-public branch, to substantiate their non-basic ideological character and their destructive prospective impact on the organisation of production and labour, as well as to determine a method for addressing the problem. For this purpose, reasons for the change in the subject of traditional industries and the grounds for the emergence of new industries in the context of changing technological paradigms were analysed on the example of civil law and the history of the development of labour law. The theory of labour relations as a private-public sector is explored. Assumptions are formulated about the future transformation of private and public law in the context of changing the economic paradigm underlying Russian society. The strengthening of the role of the public component in existing and emerging social branch of law is substantiated. In the absence of a basic economic need for changes in legal regulation in traditional sectors of the economy, the assertion of the inefficiency of regulating relations related to the use of personal labour is substantiated. The widespread use of the principle of differentiation in legal regulation of different contracts in labour law will allow for greater protection of the rights of parties in relations within new emerging methods of labour organisation characteristic of future technological systems, thus ensuring the public interest. However, in the ideological structure of scientific specialities that has developed in Russian scholarship, which is not based on basic economic needs, specialists in the field of labour law will tend to be scattered among different councils and thus subject to increasing influence from specialists in private or public law. As a result, the simplification of the nomenclature of scientific specialities

and the non-inclusion of private-public councils in it will lead to the disappearance of private-public branches to level their methodology with private law. At the same time, such legal regulation will come into conflict with the basic economic needs determined by the organisation of production and labour. In order to normalise the situation and prevent harm to the future organisation of the economy, a consolidation of the nomenclature of private-public specialities is recommended.

Keywords: private law; public law; civil law; history of labour law; social law; branch of law; historiography of labour relations; traditional model; ideology

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The global crisis of modernity (Savenkov 2018) and absence of a verified philosophical and legal model emerging from the transition period (Savenkov, Gorban 2023) increasingly forces a return to long-established Russian doctrines and practices that rely on intersectoral public or private methodology (Malikov 2024: 208-209; Chucha 2024b: 21-34). Among national branches, Soviet labour law was a doctrinal world leader; indeed, by the end of the 1970s, it also served as a practical model of legal regulation of labour for the legal systems of many countries around the world. However, Russia forfeited this status in its attempts to implement not always successful modern Western norms during the transition period of the 1990s (Chucha 2024a: 117). It became clear that the removal of the public component from labour law under any pretext will neither protect the rights of the parties to the employment contract nor ensure the public interest.

At the very beginning of its formation, labour law resembled a branch of public law with elements of private law (the Charter on Industrial Labour¹ is a normative act that generally relates to administrative or police law), but almost immediately began to be

¹ Code of Laws of the Russian Empire. T. XI. Part 2.

considered an institution of civil law, since the basis of labour relations was a civil contract of employment that very quickly became defined in terms of labour (Tal 1913: 9-12).

During the 19th century, labour in industrial enterprises was regulated by civil law on the basis of contracts for work and paid services (today these contracts are regulated by Chapters 37 (Articles 702-768), 39 (Articles 779-783.1) of the Civil Code of the Russian Federation), as well as personal hiring, and later labour hiring. Why did the employment contract begin to be discussed in Russia at the turn of the 19th and 20th centuries as an institution of civil law rather than administrative law? Factory (industrial) law included legislation limiting the employer's power (labour protection, limiting working hours), legislation on social insurance against industrial accidents, and legislation on normative (tariff) agreements. It was more comprehensive than the norms of the Civil Code that constituted the institution of hiring, in which discretion was reduced to a minimum: according to contemporary criteria, such agreements should rightfully be classified as administrative law. The third 'injection' into the body of the employment contract was trade union legislation for workers to defend their interests in relations with employers when concluding tariff agreements (what we today call social partnership, which has "distinctly pronounced public foundations" (Zaitseva 2024: 375) – since the main characteristic of public law norms is their orientation towards ensuring specific state or public interests (Alekseev 1999: 42)).

The historical process contributed to the formation of a new industry: already by 1918 the first Labour Code of the RSFSR² had been adopted; in 1922, it was followed by a new one³, which was changed and supplemented over decades, acquiring a mass of by-laws. The formation of labour law as an independent private-public branch of Soviet law was theoretically substantiated by N.G. Alexandrov on the basis of accumulated normative material (Alexandrov 1948).

² Collection of Laws and Orders of the Workers' and Peasants' Government of the RSFSR. 1918. No. 87/88. Art. 905.

³ Labour Code of the RSFSR, *Collection of Laws and Orders of the Workers' and Peasants' Government of the RSFSR*. 1922. Section 1. No. 70. Art. 903.

Indeed, the complex interweaving of elements of legal relations characteristic of both private and public law – necessarily involving parties who freely enter into employment relations on the basis of a contract but are compelled to fulfil contractual obligations exclusively through personal labour whilst subordinating themselves to the employer’s managerial will – must, in order to function with any degree of effectiveness, constitute an interconnected integrative totality possessing an anti-entropic character, i.e. a system from which the removal of certain elements leads to an imbalance of the system as a whole with possible subsequent destruction.

During the second half of the 20th century, Nikolai Alexandrov and Vladimir Skobelkin (Skobelkin 1982; Skobelkin 1999) managed to create independent universal theories of labour relations by studying the object from different angles. If the first created an abstract model of a single indivisible legal relationship, considering all exceptions as confirming the correctness of his theoretical model, then the second used both the rules and exceptions to them as equivalent material in his theoretical constructions. In other words, one jurist studied legal norms, while the other studied their implementation. The resulting theories can be conditionally called static and dynamic, respectively.

In his theoretical substantiation of the creation of the branch, Alexandrov “pulled” legal relations from adjacent branches of law into this unified legal relationship, anchoring them to labour law through the indivisibility of the legal relationship to form the subject matter of the branch. Currently, there is no discussion on any serious theoretical level about the problem of sectoral independence of labour law. This was indeed discussed against the backdrop of the reform of legal specialities (Zaitseva 2024); however, even when being torn apart in the nomenclature between private and public, labour law will not cease to exist as an independent branch with its own subject and method – at least, for as long as dependent labour exists. In our opinion, its disappearance can only be caused by a change in the technological structure that will entail such thoroughgoing changes in the organisation of production and society that dependent labour will no longer be fully in demand and industry standards will have nothing to regulate.

However, the presence of a public law component in labour law is not considered a sufficient sign of its delimitation from other civil

law branches, since to one degree or another they are also characterised by public law principles both in terms of the subject of legal regulation and its mechanism (Bublik 2000: 12; Mikhailova 2024).

Moreover, a counter process is also noted, involving the perception of a whole group of social relations associated with the legal regulation of personal non-property rights, which are not characteristic of civil law as a whole⁴ (Ivanov 2021). In the near future, civil law itself is likely to have to fight to preserve its current subject matter and attract to itself (in competition with fully or partially public branches) the as yet “ownerless”, emerging and likely to emerge before our eyes new social relations caused by technological changes (Chucha 2022).

Under contemporary conditions, it becomes necessary to develop the theory of Aleksandrov-Skobelkin that envisages a plurality of single labour legal relations arising on the basis of an open list of types of labour contracts and non-contractual grounds (for example, compulsory labour in the course of execution of a sentence), which assumes that the exclusion from a single labour legal relation of a certain type of individual legal ties can not only substitute the labour character of this legal relationship with a civil law counterpart, but also generally transform it into another labour legal contract from the long and open list enshrined in the amended Labour Code of the Russian Federation.

By taking such an approach, the process that began a century and a half ago will finally achieve completion to finally remove contracts that provide for the hiring of labour from the subject of civil law, leaving only the contract of personal employment between individuals, which presupposes the equality of the parties if this is independent labour not with a single employer.

It thus becomes necessary to modify the doctrine of labour law and theory of labour relations in such a way that the subject of labour law as a private-public branch extends to all relations involving the use of non-independent labour: platform relations, relations of the self-employed (individual entrepreneurs) providing services to one (single) employer, etc., whether currently existing

⁴Ivanov A. *New Social Law – 2*, 02.07.2020, available at: https://zakon.ru/blog/2020/07/02/novoe_socialnoe_pravo_-_2 (accessed January 9, 2024). (in Russ.).

or likely to appear in the future. For this purpose, labour law – currently targeted at one specific type of work organisation (with nuances and substantial differentiation) – the labour of worker collectives at industrial enterprises technologically attributed to the third and fourth technological orders – and having developed an optimal system for protecting the weaker party in employment relations, which is characterised by the stability of these relations, must through its individual institutions extend to other new and possible forms of work organisation that have emerged and will continue to emerge (Petrylaite 2006; Prassl, Risak 2017; Prassl 2018; Laptev, Fedin 2020; Chucha 2021) as most appropriate to the organisation of production using technologies of the fifth and sixth technological orders.

It seems that these institutions, as at the beginning of the century, should be labour protection, social insurance and social partnership. The demands of the first two already today, in one way or another, actually go beyond the classical subject of labour law to cover workers regardless of the method of organising production. All that remains is to extend the norms of the institution of social partnership to everyone, which – if only to avoid the automatic extension to them of the agreements of classical social partners reached at the federal and industry levels – will force the creation of social partnership structures in all new areas of application of non-independent labour.

The result of the spread of the institution of social partnership will be the gradual application to new relations of individual norms of other institutions of labour law and – over time – complete regulation by the norms of the Labour Code of the Russian Federation on a separate type of labour contract.

One possible development of events is the complete absorption over time by labour law of legal regulation having new forms of organisation. A second possibility is the emergence of new branches, as well as the entry into the arena of history of labour law at the beginning of the century as a complex branch that absorbed the institutions of civil and administrative law with the only difference that now labour law can also become a donor. In this case, it will probably be necessary to exclude personal non-property relations from the subject of civil law, transferring them instead to the subjects of other branches. Labour, family, housing, business law

and others have already received their own distinct legal identity and characteristics from civil law. In the labour law literature, it is sometimes proposed to adapt (without removing from the subject) other institutions and norms of civil law or to apply individual norms to labour relations on the basis of the subsidiarity principle (Baru 1963; Abramova 2013). Now it becomes necessary to form the subject of the “new social law”, which includes welfare spending, social protection and social network law, which, in the context of the possible introduction of an unconditional basic income (“bread”), will also play the role of “circuses”. Some groups of personal non-property relations may form other branches of law that also include elements of public law, which will be brought to life by changes in the technologies used to organise economic and social life. The alternative would be to inject into the civil law branch such a measure of public element (like the recipe for boiling a frog) that the private essence of the branch will not be visible – equality of the parties, freedom of contract, etc. – as set out in paragraph 6 of Chapter 30 of the Civil Code of the Russian Federation, including Part 2 of Article 548 of the Civil Code of the Russian Federation and the relevant legislation.

Anton Ivanov acknowledges the unfavourable consequences for the branch of civil law of the expansion of its subject matter sixty years ago by including non-property relations inextricably linked with the individual⁵. For this reason, maybe it is better for the branch to restore the *status quo (ante bellum)* than to lose its originality? The penetration of the public element into individual institutions will sooner or later change all the others. Moreover, the state will never allow the regulation of relations inextricably linked with the individual exclusively by private law methods, especially in the context of the transformation of economic and social models that has begun (whether considered positive or negative is irrelevant since this is an evaluative judgment based on the worldview formed by the subject).

What will a contract of carriage look like under the restrictive logic of QR codes? The brutal coding push was replaced at one time by a smart and quiet method of implementing state control through electronic passports, the use of which is convenient in itself and

⁵ Ivanov A. *New Social Law – 2*.

which consequently will be in demand by people. This document, which allows the state to interfere to a much greater extent in private law relations involving citizens, thus significantly influences freedom of contract (Andreev et al. 2020). Even greater opportunities for this will be provided by the widespread use of biometric data for identifying individuals, provided that they are combined with the relevant databases – those who have been vaccinated, convicted, in debt, suspicious, noisy, disloyal... Nevertheless, the use of biometrics and providing one's biometric data to the state turns out to be fairly popular⁶.

Of course, the final end to privacy could be instituted by the digital ruble (Muzyka 2024), which allows the issuer to set the duration, purpose, place of use and other parameters for each payment unit. This will allow for rigid control (prescribing to anyone and everyone) when, where and for what purposes to spend electronic money (and there will be no other kind) as a means of combating vices (one can purchase kefir, but not cigarettes), to ration consumption (one can and must purchase two litres of milk per week (the validity period of the corresponding rouble will expire), but zero grams of sugar, for sugar is white death) or populating numerous new Siberian cities (if the place of expenditure for all digital roubles received by a St Petersburg resident is Novokozhugetovskon-Kolyma) and so forth.

The task of jurists in this context is to create a legal model (simulate a set of legal relations) from elements (norms) often of different industry affiliations to ensure the functioning of a business model or approaches for managing social processes, etc. Based on the composition of the subjects and the nature of their activities, a jurist creates a model of legal regulation of a complex of legal relations, as if building a house out of blocks. Here, the more cubes there are, the more beautiful this house can become, the more comfortable it will be to live in it, the stronger and more durable it will be. Obviously, diversity can only be ensured by dispositive injunc-

⁶ *Sergey Sobyanyin names the launch date of the metro fare payment system based on facial recognition technology*, 01.09.2021, available at: <https://www.rbc.ru/society/01/09/2021/612f708c9a7947ca58c04b51> (accessed January 10, 2022) (in Russ.); Filonenko V. *Two-Faced Digitalisation*, 10.01.2022, *Parlamentskaya gazeta*, available at: <https://www.pnp.ru/politics/dvulikaya-cifrovizaciya.html> (accessed January 10, 2022) (in Russ.).

tions. Mandatory norms (do this or go to jail) will conversely allow us to model only the most primitive barracks.

Even today, ordinary civil law measures cannot ensure the observance of the rights of the parties to accession agreements. The proposal to use other mechanisms, such as blocking conditions imposed by a stronger party on the basis of Article 10 of the Civil Code of the Russian Federation (Tserkovnikov 2021), instead of the ineffective protection against unfair terms of such contracts provided for in Article 428 of the Civil Code of the Russian Federation, raises questions. The application of Article 10 of the Civil Code of the Russian Federation as anything other than an exceptional, emergency measure, in our opinion, indicates the unpreparedness of standard civil law methods of protecting the parties to the transaction. Perhaps it would be more correct (i.e., more effective from the point of view of protecting the rights of the parties) to regulate the relevant relations not by civil law, but, for example, by anti-trust law, which combines private and public features, with their transfer to the subject of the relevant industry. What actually happened at one time with labour relations based on a classic labour contract, which presupposes the inequality of the parties (the employer's mastery), on the one hand, and the exclusively personal fulfilment of obligations under the contract by the employee (to some extent, by the employer as well), on the other, seems likely to constitute one of the reasons for the ban on temporary labour in Russia.

The article by Ivanov leads to the conclusion that the idea of legal regulation of the "new social law" can be realised by establishing a list of prohibitions (which, in fact, is what the author himself proposes⁷), a list of permissions, or leaving everything as is and regulating it using contractual dispositive methods. However, then it will not be possible to do without the widespread application of Article 10 of the Civil Code of the Russian Federation, which is contagious and may become common for other civil law institutions. Why should civil law base the regulation of an entire block of relations on the assessment of moral categories? In each case, this will be carried out by the court. In what does the destructive influence of the ideological (not based on basic economic processes and needs)

⁷ Ivanov A. *New Social Law* – 2.

distortion of the role of the public component in the traditional Russian model of labour law as a private-public sector consist? It consists in the absence of a basic economic requirement to change legal regulation in traditional sectors of the economy, as well as in the dubious result of regulating relations associated with the use of personal labour (and even more broadly – all kinds of non-property relations inextricably linked with the individual) in promising ways of organising by means of civil law. Although we may be mistaken, the widespread use of the principle of differentiation in legal regulation of different contracts in labour law would seem to allow for greater protection of the rights of parties in relations within new emerging methods of labour organisation characteristic of future technological systems, thus ensuring the public interest. But our point of view will not interest anyone in the structure of scientific specialities that has developed in Russian jurisprudence, since the labour experts will be distributed among different councils and subject to increasing influence of specialists in either private, public, or international law. Before long they will be as far apart from each other in their essential understanding of the subject of research as specialists in labour law and social security law are today: having been initially an indivisible whole (social insurance became one of the reasons for distinguishing the employment contract) to form the economic foundation and superstructure of a unified system (labour underlies social security), they already today do not always understand each other.

As a result, the simplification of the nomenclature of jurisprudential specialities and exclusion of private-public councils from it will lead to the disappearance over time of private-public branches not in name, but in essence, levelling their methodology with private or public-law. At the same time, such legal regulation will come into conflict with the basic economic needs determined by the organisation of production and labour.

Thus, both a legally correct and fairly simple way to normalise the situation and prevent harm to the organisation of the economy in the future would be to consolidate the nomenclature of private-public specialities and councils.

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Interdisciplinary Integration of Public Law and Social Sciences: Problems and Solutions

UDC 327.8

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Politics of Impressions: A Structural Discourse Analysis

Abstract. Although the politics of impressions is a relatively new concept in modern political science, its ideological origins can be found in the works of Plato and Machiavelli. In the article, the politics of impressions is understood as a system of discourse methods for constructing, interpreting and promoting images (pictures) of political reality aimed at forming emotional and sensory ideas about political phenomena in the mass consciousness as determined by certain communicative attitudes. The analysis reveals a close relationship between the politics of impressions and the politics of post-truth and post-journalism. The structural discourse analysis of the politics of impressions presented in this work examines political performances on the examples of the 2024 Paris Olympics opening ceremony and President Donald Trump's address to the US Congress on 5 March 2025. The research is based on the author's developed model of structural discourse analysis of public communications, according to which the discourse of politics of impressions can be represented through the identification of the following plans: (1) intentional or scenario plan (communication project); (2) actual or performative plan (methods of implementing the communication project); (3) value plan (system

of transmitted and instilled values); (4) contextual plan (extraction of new meanings of the performance through its immersion in various contexts); (5) psychological plan (analysis of manipulative techniques to enhance emotional contagion of the public); (6) “sedimentary” plan (responses from various media sources to the presented show-event). The structural plans of the discourse of the politics of impressions can be understood as representing a holistic, synergistically interconnected system of components. The comparative analysis of the discourses of the opening ceremony of the 2024 Olympic Games in Paris and the public address by Donald Trump to the US Congress in March 2025 highlights transformations in contemporary world political practice that are connected with an ongoing revision of basic ideological orientations of Western countries in the areas of cultural, educational, and sports policy.

Keywords: politics of impressions; structural discourse analysis; 2024 Olympics opening ceremony; US President’s address to Congress; scenario design; value orientation; queer culture; gender diversity; ideology of wokeism

Ideological origins of the concept of “politics of impressions”. Russian political scientists first started talking about the politics of impressions as an independent scientific category in 2024, linking it with the peculiarities of the modern information and communication revolution occurring at a time when the production and distribution of impressions has become a more popular and profitable business than the production and distribution of material goods¹.

Nevertheless, from our point of view, the ideological roots of the concept of “politics of impressions” can be found in the works of Plato and Machiavelli. Thus, according to Plato, sensory and in particular visual perception of the world through the creation of its visual images is a perfectly dignified occupation, having no less importance than purely mental cognitive activity. According to one researcher into the philosophical heritage of the ancient Greek thinker, “In the process of cognition, Plato endows the visible world with a meaning that goes beyond simple sensation, directly linking it with the speculative world. The status of the visual component

¹Lukyanov F. *Politics of impressions*, 14.08.2024, available at: <https://globalaffairs.ru/articles/politika-vpechatlenij/?ysclid=mb6alc0p8y400888210> (accessed March 19, 2025). (in Russ.).

of Plato's teaching indicates the need for its holistic understanding, without an abstract division into the world of things and the world of ideas..." (Trushina 2018: 29).

In his famous Renaissance political treatise, *The Prince*, Niccolò Machiavelli discusses what feelings or impressions are most important for a ruler to arouse in the minds of his own subjects in order to successfully manage them: love or fear? Giving his own answer to this question, Machiavelli notes: "I find that it would be desirable for princes to have both at the same time, but since this is difficult to achieve and princes usually have to choose, then... I note that it is more useful to keep subjects in fear" (Machiavelli 1990: 70). In these words about the priority choice impressions that the ruler should arouse in the minds of the people, the pragmatic style of Machiavelli's political thought is clearly visible.

The problem of studying the mechanisms and instruments for forming certain impressions about the activities of specific people or state institutions of power has constantly been at the centre of attention of thinkers in all subsequent eras. For example, in the section entitled "That our perception of good and evil depends largely on the idea we have of them" in the famous "Essays" of Michel de Montaigne, the author points to the value (cost) dimension of moral feelings and virtues, whose presence generates the effect of approval in society. Montaigne identifies the difficulties that a person has to overcome on the path to acquiring virtue and piety as such a measuring instrument: "We do not take into account either their quality or the degree of their usefulness; for us, the only important thing is what it cost us to obtain them, as if this were the most fundamental thing in their essence: and we call their value not what they are able to provide us, but what price we paid for them... If a thing is obtained by us with difficulty, it is worth in our eyes as much as the labour we expended. The opinion we form about a thing will never allow it to have a disproportionate price. "Dignity is given to a diamond by demand, virtue by the difficulty of maintaining it, piety by the hardships endured..." (Montaigne 1979: 60).

One of the characteristic features of the philosophical and political thought of the modern era (from René Descartes and the thinkers of the French Enlightenment to classical German philosophy) is *the opposition of the rational (abstract-logical) way of understanding reality, considered as the highest form of epistemological*

thinking, to its emotional-sensory forms, which include impressions and which, according to the representatives of this era, play a secondary role in the process of understanding the world. At this time, the classical type of thinking became widespread, whose main distinguishing features were: *monism, logocentrism or hierarchism, teleologism* (the idea of the existence of a certain initial scenario for the development of the world), *ratiocentrism* and *scientism* (Rusakova 2012: 92-103).

At the turn of the 19th and 20th centuries, the era of modernism began to be replaced by the era of postmodernism, which refutes most of the principles of the classical type of thinking and erases the boundaries between emotional-sensory and rationalistic ways of understanding the world. As a result, the apparently stable principles of monism and logocentrism were gradually replaced by those of pluralism and rhizome. Ratiocentrism and scientism are subject to criticism that leads to their replacement by figurative-sensory formats that form a new perspective for understanding the trajectories of the development of the objective world and the values of human existence.

The starting point for the onset of the postmodern era is identified as coinciding with the critical philosophy of Friedrich Nietzsche, for whose teaching the main concept was the “will to life” (Habermas 2003: 57-67). Representatives of postmodernism introduced new categories and research methods into the arsenal of the humanities, for example, such as structural psychoanalysis, “the unconscious”, “imago”, “trauma” (“Paris School of Freudianism”, Jacques Lacan and others), “order of discourse”, “psyche of power” (Michel Foucault, Judith Butler and others), “deconstruction” (Jacques Derrida and others), “schizoanalysis” (Gilles Deleuze, Félix Guattari), “intertextuality” (Julia Kristeva and others), “simulacrum”, “symbolic exchange”, “seduction” (Jean Baudrillard and others), “narratology”, “grand narratives” (Jean-François Lyotard, Frank Ankersmit and others), which ultimately led to a discursive-semiotic turn in the humanities, as well as to researchers’ close attention to plural, synthetic forms of comprehending reality. The ideal of the philosophical style of thinking in postmodernism is expressed in the concept of polycentrism, which does not recognise the priority of rational forms of understanding the world over its emotional and figurative forms, considering them to be of equal value and equivalent sig-

nificance. Here it should be noted that the question we raise in this work about the structure of the discourse of the politics of impressions is also directly connected with the above-mentioned features of the postmodern type of thinking.

Along with the postmodernist paradigm as an important methodological source of the concept of “politics of impressions”, another paradigm should be named, namely, *performativity*, the introduction of which into modern humanitarian knowledge is capable of making a significant contribution to the structural analysis of the politics of impressions.

The performative approach is associated with the broad application to objects of knowledge of an epistemological schema involving such concepts as *game, performance, carnival, production, script, dramaturgy*, etc. For the proponents of this approach, the life of the entire society, including the capitalist phase of development, is little more than a large performance or carnival show. According to the performative approach, in the process of unfolding a performance, an interaction occurs between its main participants or actors to produce certain impressions on the audience, whose consequence is *certain transformations in the latter’s consciousness and behaviour*.

Many works, mainly by foreign authors, are devoted to the analysis of the main properties and features of performance (Huizinga 1992; Oswick et al. 2001; Schechner, Brady 2002; Schulze 2005; Jenkins 2007 etc.). The concept of “impression” acquired its global social context and meaning precisely within the framework of performative studies. For proponents of the performative approach, the entire life of society as a whole, including its capitalist stage, is a large, staged spectacle or carnival performance (Goffman 1959; Debord 2000; Boje 2001; Schulze 2005; Pine II, Gilmore 2005, etc.), whose main goal is to produce and manage impressions. “Impress and rule!” is the motto of a society organised according to such principles.

According to Erving Goffman, the production of impressions can be defined as the activity of influencing some participants in an unfolding dramatic act performed on other participants (Goffman 1959: 15-16). The author also notes: “The dramaturgical perspective offers a description of the techniques of impression management developed in a given social formation, the main problems

of impression management in it, the criteria for identifying individual performance teams operating within the boundaries of such a formation and the relationships between them” (Quoted from: Vakhshayn 2003: 105).

The transformative power of impressions, which are capable of exerting a strong emotional impact on the audience, is discussed in the work of Erika Fischer-Lichte “Aesthetics of Performativity” (Fischer-Lichte 2015: 13). Observing contemporary theatrical practices, Fischer-Lichte comes to the conclusion that performance as a system of impression management has a “powerful transformative force” and therefore acts as an important constitutive factor of culture (Fischer-Lichte 2015: 13).

The performative approach allows us to present the politics of impressions as a pre-staged and rehearsed political performance, where a public figure appears before the public in various roles in order to make a positive impression on them, while evoking a feeling of trust. One of the attributive components of performatism is the presence of a playful element in the politics of impressions. For example, in the work “Performance Studies: an Introduction” published in 2002 under the editorship of American performance theorist Richard Schechner and media editor Sara Brady, its authors note: “Public figures often pretend that they want viewers to perceive their performances ‘for real’. When an American president addresses a joint session of Congress or makes an important statement of national importance, his appearance is carefully staged so that he can publicly demonstrate his authority. When addressing Congress, the president stands behind the vice president and the speaker of the House of Representatives, and a large American flag provides an appropriately patriotic backdrop... On other occasions, the national leader may wish to appear as a friend or good neighbour, chatting informally with ‘fellow citizens’” (Schechner, Brady 2002: 43). This fragment emphasises the artificial nature of the production of political performance and the impressions that are created in the public that are planned for production by means of a given strategic plan.

Discourse of the politics of impressions as a subject of special study in Russian political science. In Russian political thought, the discourse of the politics of impressions has become a special subject of theoretical consideration relatively recently, hav-

ing initially existed in a weakly articulated format within the framework of such subject areas as political PR discourse and the discourse of show politics (Rusakova 2009; Rusakova, Rusakov 2011). Here it should also be emphasised that the basic features of the discourse of the politics of impressions largely coincide with the attributive properties of the discourse of show politics, to which we may include the following: spectacle and illusionism; interactivity; presentationality; amusability; manipulativeness; theatricality; carnivalesque; hedonism; stardom (Rusakova, Rusakov 2011: 172).

However, the question of studying the politics of impressions as an independent category of political science was only put on the agenda in Russia in 2024. This was done by Fyodor Lukyanov, the editor-in-chief of the journal *Russia in Global Politics*, director of scientific work at the Valdai International Discussion Club, and author of the editorial column in *Rossiyskaya Gazeta*. From his point of view, in the contemporary era it is precisely the process of producing impressions that is becoming the most profitable type of activity. Here it is necessary to take cognisance of the fact that “the picture of events is not simply separated from the events themselves, but becomes more important than them”. However, the creation of such a picture is valuable in itself, since “it must constantly touch the emotions of the public”². According to Lukyanov, the “politics of impressions” covers various spheres – from confrontation on the battlefield to election campaigns and diplomatic interactions... when the main thing is to maintain suspense”³. In another resonant article, also written in 2024, the politics of impressions is interpreted as an activity aimed at creating and maintaining in the public’s mind an emotional image of post-reality as an artificial virtual formation, achieved through the use of manipulative post-truth technologies (Dmitriev, Yevstafiev 2024).

The fact that Russian authors turned to such a category as *post-truth* in the process of studying the concept of the politics of impressions is far from accidental. The point is that both categories are linked by their internal semantic kinship, to identify which

² Lukyanov F. *World without Meanings*, available at: <https://rg.ru/articles/smysly/?ysclid=madm8h2hv9102883611> (accessed March 19, 2025). (in Russ.).

³ Ibid.

we shall turn to existing interpretations of the concept of post-truth, which have received adequate development in both foreign and Russian scientific research (Lynch 2017; McIntyre 2018; Fuller 2021; Chugrov 2017; Lukyanova 2017; Baranov 2018; Rustamova, Barabash 2018; Koshkarova, Ruzhentseva 2019; Rusakova, Rusakov 2019; Grachev, Evstifeev 2020; Chumikov 2024 and others)⁴. Their analysis showed that some authors interpret post-truth as the *destruction of truth* (Grachev, Evstifeev 2020), while others understand it as a *product of postmodernist ideology and a special way of fighting for power* (McInder 2018; Fuller 2021), and others again as the *truth of what is desired* (Dmitriev, Evstafiev 2024). However, despite some differences in the interpretation of post-truth, most authors point to such a feature of its discourse as the dominance of the emotional-sensory principle over its rational-logical components. In other words, the post-truth discourse is built on the principle that *impressions are more important than logic* (Rusakova, Rusakov 2019: 13). As a result, in the competition of political discourses responsible for constructing a particular picture of the world, the winning discourse is not the one that conduces most to its truthful interpretation, but the one that has more media resources capable of influencing the public consciousness by producing vivid and strong impressions.

In recent years, Western media have begun to make particularly wide use of media technologies aimed primarily at producing post-truth, which allows them to quite successfully form false ideas about current political life in the mass audience – in particular, about the political policy of modern Russia with the aim of inciting feelings of Russophobia among citizens of Western countries. This naturally leads to an increase in hostile sentiments towards the Russian Federation and the general population's support for the policy of discrimination against everything Russian – culture, sports, education, etc. Under these conditions, favourable ground is formed for the spread of artificially created accusations against Russia regarding its alleged numerous interferences in other countries' electoral systems, and in carrying out various provocations and even terrorist

⁴ See also: Krasovskaya N. *Life in the Post-Truth Era*, 12.02.2020, available at: https://www.pravda.ru/science/1473851-feik_seti/ (accessed September 11, 2024). (in Russ.).

acts. Thus, Western media actively use such stable memes and narratives as “Russia is to blame for everything”, “the civilized world against aggressive Russia”, “Putin cannot be trusted”, etc. Thus, the post-truth discourse finds its refuge in the discourse of impression politics formed by Western media.

Another form of discourse can be identified as having a number of common features with the discourse of the politics of impressions. This is the *discourse of post-journalism*. In domestic works devoted to the characteristics of this discourse, the following features and characteristics are highlighted, making it different from the discourse of traditional journalism. These include: (1) an appeal primarily to the feelings and emotions of the target audience, which results in the imprinting in the public’s consciousness of media images and transmitted meanings that have little in common with reality; (2) a predominant focus on conveying specific political information to the addressee through video and music clips, visual images and illustrations. This leads to the formation of a clip-based type of thinking and clip-based perception of reality, which significantly complicates the public’s consumption of complex semantic images, the imprinting of which in mass consciousness requires considerable and prolonged efforts; (3) hedonisation of media content, associated with a hypertrophied increase in the share of entertainment content; (4) gamification of journalistic activity, which has increasingly begun to incorporate gaming technologies and information duels into its real practices; (5) production of fake (false) information and fake news for the purpose of misleading the public, compromising political opponents and extracting certain political dividends through this (Korochensky 2019; Dzyaloshinsky 2023 and others).

Under the current conditions of information warfare in the world, there is a significant number of political foundations and media centres whose main activities are aimed at the production and promotion of post-journalism products related to the construction and dissemination of fake news. For example, in Ukraine this is the SafeUA charitable foundation, which emerged at the very beginning of the Special Military Operation (SMO) carried out by Russia on the territory of Ukraine. The foundation specialises in creating a special kind of fake media content with the aim of developing in the target audience a stable idea of the criminal and extremely ag-

gressive nature of Russia's military-political practices associated with the alleged violation of international law⁵.

Thus, there is a strong internal connection between the discourses of post-truth, post-journalism and the discourse of the politics of impressions. Here the linking element is the common reliance on technologies for enhancing the emotional effect of transmitted information associated with the processes of reformatting mass consciousness.

Taking into account the above, we consider it possible to give our own definition of the concept “*discourse of the politics of impressions*”. From our point of view, this can be interpreted as a system of performative acts aimed at forming emotionally charged and memorable images of reality in the public, which is constructed both through the use of post-truth and post-journalism media technologies and a number of other, more politically neutral instruments (PR instruments, show politics instruments), by means of which cognitive transformations are carried out in the consciousness of the target audience, corresponding to the main target settings of the intended communication scenario. In other words, the discourse of the politics of impressions is present in all historical, socio-cultural and political performances that have ever taken place in world political practice, including wars, revolutions, political movements, election campaigns, party congresses, etc., which all lend themselves to conceptualisation as “political spectacle”. Despite these multiple analytic viewpoints, a structural analysis of these “performances” from the perspective of the communicative paradigm has not yet, as far as we know, been carried out. In this regard, we propose our own model of structural discourse analysis of the politics of impressions, in which the opening ceremony of the 2024 Olympics in Paris and the speech of President Donald Trump in the US Congress on 5th March 2025 are considered as examples.

Structural discourse analysis of the politics of impressions using the examples of the opening ceremony of the 2024 Olympics and President Donald Trump's Address to the US Congress (05/03/2025). The discourse of impression politics is structurally

⁵ *SafeUA – Home page*, 26.02.2022, available at: <https://telegra.ph/SafeUa---glavnaya-informaciya-02-26?ysclid=m8df42jgro747401036> (accessed March 19, 2025). (in Russ.).

composed of a number of basic components or plans. In the structural model of this discourse that we have developed, the following planes are designated: (1) the intentional plane; (2) the actual or performative plane; (3) the axiological plane; (4) the psychological plane; (5) the contextual plane; (6) the “sedimentary” plane of the discourse of the politics of impressions (Rusakova, Rusakov 2011: 113-169).

By *intentional plane* we mean: (1) development of the general concept of a political show or performance, its main communication strategies; 2) scenario plan for the course of a political show with a breakdown into specific episodes, scenes and actions; (3) development of plans for resource provision of the show (financial, organisational and administrative, personnel, etc.); (4) modelling of possible communication barriers and communication provocateurs (Rusakova, Rusakov 2011: 113-118); (5) development of methods and technologies for involving representatives of the public in the game space of the show.

The *actual or performative plane* of the discourse of the politics of impressions includes the following mandatory elements connected with solving strategic and other predetermined tasks of the political show: (1) a bright and memorable opening that assumes rapid capture of the audience’s attention; (2) the use of diverse and unusual communication techniques (lexical, visual, musical, etc.) with the aim of arousing lively interest in the public towards the performed representation (the technique of shocking facts and statistical data; the use of humour and jokes; the technique of illustration, connected with providing concrete examples, as well as with “calling to account” direct participants and witnesses of particular political actions or events).

The *axiological or value plane* of the discourse of the politics of impressions assumes the inclusion in the process of implementing the show of mechanisms for instilling certain basic ideas and value orientations in the public. In this case, the techniques and technologies of propaganda, seduction, intimidation and suggestion are used.

The *psychological plane* of the discourse of the politics of impressions is connected with the transmission of emotionally charged scenes and images of the performance being played out, which presupposes the production of an emotional-sensory effect

in the consciousness of the public and the certainty of its consequent transformations.

The *contextual plane* of the discourse of the politics of impressions contains as its structural components the contexts of the following nature: (1) the chronotropic context (the influence of the spatio-temporal forms of choosing the place and time for an event on the features of its course); (2) the historical and cultural context, represented by symbolic images of significant events and characters from the past history and cultural life of the country; the normative and legal context (assessment of compliance/non-compliance by the organisers of the performance with the principles and accepted rules for its conduct), etc.

The “*sedimentary*” *plane* of the discourse of the politics of impressions includes the entire system of responses to the broadcast show, including the reaction of traditional and digital media (Rusakova 2018: 239).

It is important to note that all of the above planes are closely interrelated and synergistically reinforce each other.

Example 1. Opening Ceremonies of the 2024 Olympics. The author of the concept of the opening ceremony and its main director was *Thomas Jolly*, a famous French theatre director and producer, while the creative director of the show programs was *Thierry Rebout*. The opening show featured 3,000 artists, including more than 400 dancers.⁶ According to Jolly, the main idea of the opening ceremony was to demonstrate the basic role of such cultural and political principles as *inclusiveness* and *solidarity*⁷, and also to *throw a big pagan party*⁸. The emphasis was deliberately placed on demonstrating during the performance the supposed *value system of contemporary*

⁶ *Opening ceremony of the 2024 Summer Olympics in Paris – date and time*, available at: https://ru.ruwiki.ru/wiki/Церемония_открытия_летних_Олимпийских_игр_2024 (accessed March 19, 2025). (in Russ.).

⁷ *The Artistic Director Told what Was the Main Idea of the Opening Ceremony of the Olympic Games-2024*, 07.27.2025, available at: https://matchtv.ru/olimpijskije_igry/paris2024/matchtvnews_NI2085339_Hudozhestvennyj_rukovoditel_rasskazal_v_chem_zakluchalas_scenarnaja_ideja_ceremonii_otkrytija_Olimpiady2024 (accessed March 19, 2025). (in Russ.).

⁸ *Ibid.*

French culture, among which Jolly identified the *value of free love*: “In France we have the right to love each other as we want, with whomever we want”⁹.

The creativity of Jolly’s scenario plan also lay in the fact that he was the first who moved the opening ceremony beyond the Olympic stadium, turning the centre of Paris, as well as its main waterway – the River Seine with its bridges and embankments – into the main stage area on which the festive action unfolded. “The opening ceremony has never been held outside the stadium. There is no model, it is an absolute creation”, said Jolly¹⁰.

Another of Jolly’s important innovations was that, instead of a presentation procession around the stadium, the sports teams of each country were presented sailing on separate ships along the Seine. Thus, they gained the opportunity not only to demonstrate to the public their own sporting regalia and national-state symbolism, but also to acquaint themselves with the cultural landmarks of Paris, sailing past the most famous architectural monuments, including Notre-Dame and the Eiffel Tower¹¹.

Next, we will briefly dwell on the most scandalous episode of the opening ceremony of the Paris Olympics, which caused an extremely negative reaction among the majority of the public. Here we refer to the so-called queer parody¹² of Leonardo da Vinci’s famous painting “The Last Supper” (Rusakova 2025: 115). Let us give a brief description of it. In the centre of the presented composition, in place of Christ, appears a “body-positive” lady dressed in a blue dress with a deep neckline. On her head is a metal headdress with seven rays emanating from it; on her ears are large headphones. The lady

⁹ “*In France we have the right to love each other as we want, with whom we want...*”. 2024 Olympics opening director Thomas Joly apologises for his show, available at: <https://dzen.ru/video/watch/66a7651da2744429a6c66c62?ysclid=majj76gq1r977849227> (accessed March 19, 2025). (in Russ.).

¹⁰ Ibid.

¹¹ Demidova A. *Opening of the 2024 Summer Olympics in Paris: details of the ceremony*, available at: <https://event.ru/reports/otkryitie-letney-olimpiadyi-2024-v-parizhe-detali-tseremonii/> (accessed March 19, 2025). (in Russ.).

¹² The LGBT movement was recognised as an extremist organisation by the decision of the Supreme Court of the Russian Federation on November 30, 2023.

was portrayed by Barbara Butch, an activist in the movement in support of gender diversity¹³. The roles of “Christ’s disciples” were played by drag queen dancers. Upon a huge platter being brought onto the stage, its domed lid was opened to reveal a man curled up inside, painted blue from head to toe. According to the show’s organisers, he embodied the Greek god Dionysus, whose image was intended to demonstrate the absurdity of violence between people (the role of Dionysus was played by the French actor and singer Philippe Catherine)¹⁴.

A significant portion of viewers saw this episode as a mockery of the symbols of the Christian faith¹⁵. The famous magnate Elon Musk wrote on his account: “This was a blatant display of disrespect for Christians”¹⁶. More than a week after the opening of the Olympics, the Vatican issued the following official papal statement regarding the parody of the Last Supper: “The Holy See was saddened by certain scenes at the opening ceremony of the Olympic Games in Paris and cannot fail to join the voices that have been raised in recent days to express regret at the offense caused to many Christians and believers of other religions”¹⁷. As a result, the members of the Olympic organising committee had to apologise for this incident. The Paris Olympic Organising Committee’s communications

¹³ France. Barbara Butch, who portrayed... 28.07.2025, available at: https://vk.com/wall-78967614_918812?ysclid=maqeaj7gfp476287712 (accessed March 19, 2025). (in Russ.).

¹⁴Donlevi K. *Drag parody of “The Last Supper” at the opening ceremony of the Olympics in Paris comes under criticism* (New York Post, USA), 27.07.2024, available at: <https://inosmi.ru/20240727/parodiya-269651499.html> (accessed March 19, 2025). (in Russ.).

¹⁵Makarychev M. Parody of the “Last Supper” at the opening of the Olympics causes anger in the world, 27.07.2025, *Rossiyskaya gazeta*, available at: <https://rg.ru/2024/07/27/parodiia-na-tajnuui-vecheriu-na-otkrytii-olimpiady-vyzvala-gnev-v-mire.html?ysclid=majos229h201385239> (accessed March 19, 2025). (in Russ.).

¹⁶“Flagrant disrespect”. Musk speaks sharply about the Olympic Games, 27.07.2024, *RIA Novosti Sport*, available at: <https://rsport.ria.ru/20240727/mask-1962332221.html?ysclid=majp7joitq668262565> (accessed March 19, 2025). (in Russ.).

¹⁷Vatican calls parody of “The Last Supper” at Olympic opening offensive, 04.08.2024, available at: <https://dzen.ru/a/Zq9kMxJirVneWqw?ysclid=majpqu6p8z710592043> (accessed March 19, 2025). (in Russ.).

director, Anne Descamps, apologised to those whose feelings were hurt: “There was no intention to show disrespect to any religious group. On the contrary, I think Thomas Jolly wanted to celebrate the tolerance of society. These were his words, and judging by the audience figures, this goal was achieved. If this offended anyone, we are, of course, very sorry”¹⁸.

Example 2. Address by President Donald Trump to the US Congress (05/03/2025). The main media source for the discourse analysis of this case for us was the Full Transcript of President Donald Trump’s Speech in the US Congress on March 5, 2025¹⁹.

Considering Trump’s public speech on the *intentional plane*, we note the fragments where he talks about the main political strategy of his tenure as the 47th President of the United States: “A month and a half ago, standing under the dome of the Capitol, I proclaimed the dawn of America’s Golden Age... Tonight, I returned to this hall to announce that America has regained its momentum. We have our spirit back... And the American dream is growing stronger... And our country is on the brink of a comeback the likes of which the world has never seen before, and may never see again”²⁰.

Turning to the content of the *performative plane* of Trump’s speech, we will highlight such a feature as the active *use of the technique of shocking information and statistics*. For example, when talking about the huge federal spending on highly questionable projects during Joe Biden’s presidency, Trump cites the following data: “\$45 million for diversity, equity, and inclusion scholarships in Burma; \$40 million to improve the social and economic inclusion of sedentary migrants – nobody knows what that is; ... \$8 million for making mice transgender. This is real... \$10 million for male circumcision in Mozambique; \$20 million for the Arab “Sesame Street” in the Middle East – it’s a program – \$20 million for a program”²¹.

¹⁸ *Organizers apologise for parody of “The Last Supper” at the opening of the Games*, 28.07.2024, available at: <https://www.rbc.ru/sport/28/07/2024/66a619979a79472f237cd055> (accessed March 19, 2025). (in Russ.).

¹⁹ *Full transcript of President Trump’s speech to Congress (The New York Times, USA)*, 05.03.2025, available at: <https://inosmi.ru/20250305/trump-272082349.html?ysclid=map622xgh2776189816> (accessed March 19, 2025). (in Russ.).

²⁰ *Ibid.*

²¹ *Ibid.*

When revealing fraud by government agencies involved in social security for American retirees, Trump again gives shocking examples from official documents: “People are being paid a lot of money: 1,039 people between the ages of 220 and 229. 1 person between the age of 240 and 249. And another record holder, who is already over 360. A whole century older than our country, even more”²².

Another characteristic technique that Trump often resorts to in order to support the correctness of his own judgments is the technique of *summoning direct participants in the events*. For example, while drawing the public’s attention to the importance of solving the problem of combating foreign criminal groups that have entered the country, Trump “calls to the carpet” one of the heroes of this fight – Border Patrol agent Roberto Ortiz, to whom he gives his praise: “Tonight we have a warrior on the front lines of this battle with us. Border Patrol Agent Roberto Ortiz. Cool guy. In January, Roberto and another agent were patrolling the Rio Grande near an area known as Cartel Island – not a pretty sounding word to me. When the heavily armed men started shooting at them, Roberto saw that his partner was in great danger and he rushed into the fight, shooting back and giving his colleague the crucial seconds to save himself - he was on the verge of death... Agent Ortiz, we salute you for your great courage in the line of fire that you held and for the bravery that you showed”²³.

The *axiological plane* structural analysis of Trump’s speech can include his *criticism of the ideology of wokeism*, promoting the values of inclusiveness, diversity and gender equality that have become widespread in American culture, the military and sports²⁴. Trump declares war on this ideology: “Our country has been cleansed of the ideology of ‘Wokeism’.” We believe that whether you are a doctor, an accountant, a lawyer, or an air traffic controller, you should be hired and promoted based on your knowledge and skills, not your race or gender”²⁵. He then points to his own legislative ini-

²² Ibid.

²³ Ibid.

²⁴ *Wokeism* – an American political term (derived from the English verb *wake*–“to wake up”) denotes increased attention to issues related to social, racial and sexual justice.

²⁵ Full transcript of President Trump’s speech to Congress.

tiatives aimed at institutional breeding grounds for wokeism: “We have removed the poison of critical race theory from our public schools, and I have signed an executive order making it the official policy of the U.S. government that there are only two sexes: male and female. And I also signed a ban on men competing in women’s sports... Now I want Congress to pass a bill that will forever ban and criminalize gender reassignment surgery on children and forever end the lie that every child is trapped in the wrong body”²⁶.

Analysis of the *psychological plane* discourse of impression politics, as realised in the performance of Trump’s speech, shows the careful thoughtfulness of the show’s organisers in showing scenes that produce in the public’s mind the effects of sympathy and support for real people who managed to demonstrate the strength of their spirit and loyalty to their main dream, despite the difficulties that haunt them. This is the kind of psychological response Trump is counting on when he cites the story of 13-year-old DJ, who was diagnosed with a fatal disease and courageously fought it as he worked toward his dream of becoming a US Secret Service agent: “We will be joined tonight by a young man who truly loves our police force. His name is DJ Daniel, he is 13 years old and he has always dreamed of becoming a police officer. But in 2018, DJ was diagnosed with brain cancer. Doctors gave him a maximum of five months. That was more than six years ago. From that moment on, DJ and his father looked for a way to make his dream come true and DJ took the oath as an honorary law enforcement officer, and this happened several times. The police love this guy. Police departments love him. And tonight, DJ, we’re going to give you the biggest honor. I ask our new Director of the Secret Service, Sean Curran, to officially make you an agent of the United States Secret Service”²⁷. Following this announcement, many of the show’s participants chant the name of the chief hero of this performance.

Moving on to the consideration of the *contextual plane* of Trump’s speech, a spectator’s eye was immediately caught by the fact that many women representing the Democratic Party in Congress were dressed in bright pink jackets and dresses. This was a visual means for female legislators to express their protest

²⁶ Ibid.

²⁷ Ibid.

against Trump's policies on women's issues. At the same time and in the same room, Republicans regularly expressed their full support for Trump by standing up and applauding loudly.

The "sedimentary" plane of the discourse of the politics of impressions, which was associated with the reaction to Trump's performance, was represented, in particular, by responses from authoritative foreign media outlets expressing the position of both supporters of the new US president as well as that of his opponents. Here is how the American version of the British newspaper *The Guardian* described Trump's speech in Congress: "Throughout the evening, Trump walked all over Joe Biden, making him his punching bag. He called his predecessor the worst president in American history and his policies a disaster. Trump also chastised Democratic lawmakers for refusing to stand or applaud during his speech. He still craved flattery and adoration". The Italian weekly newspaper *Il Fatto Quotidiano (Daily Fact)* wrote that: "Trump's speech was generally harsh and vindictive. Its main idea is the revival of America under his leadership"²⁸.

The main conclusion that can be drawn from the media responses to Trump's speech is the growing split in American society, associated with its citizens' contradictory visions of the country's future development paths.

The examples of structural analysis of the discourse of impression politics that we present reveal the main stages and mechanisms of its performative implementation – from the script concept to the emotional effects obtained as a result of influencing the public. In the course of examining both performances, particularly their value components and existing responses in the media space, we arrive at the conclusion that in today's Western world there continues to exist a confrontation between globalist (neoliberal) value orientations, based, for example, on principles of gender diversity, wokeism and so forth, and a system of traditional values that defends the interests of the binary family and protects principles of heterogeneity in contemporary cultural, educational, sporting and other practices.

²⁸ "Bold Trump" and "the division of America": Western press on the US President's speech in Congress, 05.03.2025, available at: <https://inosmi.ru/20250305/tramp-272093820.html?ysclid=map5u1bi81154796698> (accessed March 19, 2025). (in Russ.).

However, at the same time, we may notice that deep transformations are brewing in the world today, which are designed to radically change mass public opinion regarding the future mainstream direction of development of the value system. We dare to hope that this turn will be made in favour of the values promoted by supporters of a polycentric world order, united by the ideas of respect and loyalty to historical and modern traditions.

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From Cancel-Culture Sanctions to a New Form of Collective Responsibility

Abstract. The paper sets out to investigate how the practices and discourses of cancel culture as applied to large communities can be used to clarify some aspects of the manifestation of collective responsibility under changing socio-political conditions. A theoretical and methodological basis of the work was formed by the ideas of Immanuel Kant, Hannah Arendt and Iris Marion Young, according to which collective responsibility is understood as a relationship determined by the degree of belonging to a community and participation in the causes of actions that gave rise to the question of responsibility. The modern ethics of responsibility presupposes a transition to a pragmatic justification by the individual of his or her own moral position, which actualises the idea of the degree of involvement of the individual in the actions of the community. However, the individual turns out to be responsible not so much for the actions of the community as for his or her own moral choices. Moreover, while cancellation practices affecting large communities draw attention to the political aspect of collective responsibility, this does not necessarily imply that the collective responsibility associated with cancel culture is political. Thus the phenomenon of cancel culture can be seen as constituting a new version of collective responsibility characterised by the following features: (1) Focus on what is happening in the present; (2) Institutional character; (3) Involving the construction of a discourse-forming subject at the moment of imposing cancellation sanctions, which does not however coincide with the actor; (4) The subject is determined by the degree of belonging to the community rather than by the specific actions taken; (5) The supposed goals of the actors are related to influencing the political situation and encouraging political decisions.

Keywords: cancel culture; collective responsibility; political responsibility; historical responsibility; cancellation of Russian culture

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Cancel culture as a contemporary form of social ostracism increasingly affects not only individuals and brands, but also extends to large communities, including states. Striking examples of the abolition of Russian culture include the cancellation of concerts and performances of works by Russian authors, including classical¹, the accentuation of the Ukrainian origin of famous artists², the renaming of paintings³, the ban on Russian athletes participating in the Olympics under the national flag according to the reasoning that “it is unacceptable for athletes from Ukraine to compete with athletes from Russia the aggressor and its closest ally Belarus, especially at the Olympic Games”⁴. Noting that this is not a new phenomenon in international politics, researchers cite as examples the effective abrogation of the Serbian nation (Entina 2022), the mutual boycotts of the Olympics by the Soviet Union and the United States, the refusal of King George V to bear the German surname Saxe-Coburg-

¹ Boris Godunov has Been Cancelled, 01.03.2022, *Opera Narodowa*, available at: <https://teatr Wielki.pl/teatr/aktualnosci/aktualnosc/borysgodunow-odwolany/> (accessed February 12, 2025). (in Polish); Marczyński J. *Musicis Not Included This Time. Russian Composers Fall from Afisha*, 02.03.2022, available at: <https://www.rp.pl/kultura/art35793101-muzyka-nie-na-tenczas-rosyjscykompozytorzy-spadaja-z-afisha> (accessed February 12, 2025). (in Polish); Rausz J. The Philharmonic of Pomerania Resigns from the works of Russian Composers, 01.03.2022, *Portal historyczny*, available at: <https://dzieje.pl/kultura-i-sztuka/filharmonia-pomorska-rezygnuje-z-utworow-rosyjskich-kompozytorow> (accessed February 12, 2025). (in Polish).

²The Metropolitan Museum Names Aivazovsky and Repin as Ukrainian Artists, 12.02.2023, *RBC*, available at: <https://www.rbc.ru/society/12/02/2023/63e935839a7947d46ec9c454> (accessed February 12, 2025). (in Russ.).

³Mamikonyan O. *London National Gallery Renames Degas' painting "Russian Dancers"*, 04.04.2022, available at: <https://www.forbes.ru/forbeslife/461285-londonskaa-nacional-naa-galereea-pereimenovala-kartinu-dega-russkie-tancovsicy> (accessed February 12, 2025). (in Russ.).

⁴Mayer S. *Olympische Spiele 2024 müssen ohne Russland und Belarus stattfinden*, 09.03.2023, available at: <https://www.cducsu.de/presse/pressemitteilungen/olympische-spiele-2024-muessen-ohne-russland-und-belarus-stattfinden> (accessed February 12, 2025).

Gotha during World War I, or the decree of Nicholas II, according to which it was forbidden to employ Germans during the same period. These and similar cases are considered by researchers through the optics of information wars (Musieva 2022), as a “mechanism of political pressure and coercion” (Entina 2022: 99), as a “weapon of political control” (Chugrov 2022: 90), or as a “deviation of the social order” (Boyko 2021). While agreeing that these interpretations have a certain heuristic potential for developing a new language for describing cancel culture and providing a working research lens for certain aspects of international relations and cultural policy, we will consider cancellation as one of the sanctions of collective responsibility. However, unlike previous works (Golovashina 2024a; Golovashina 2024b), the present article does not aim to develop a descriptive language for the study of cancel culture. Rather, the practices and discourse of cancellation will be examined as a means of clarifying some aspects of the manifestation of collective responsibility under changed socio-political conditions. The main motive for working on the article consists in the various calls for the abolition of Russian culture, some of which were cited above. Although such calls cannot be called universal or considered successful, existing cases raise questions about the applicability of current theories of collective responsibility, their relevance to contemporary socio-political conditions, as well as the impact of cancel culture on international relations.

The uniqueness of collective responsibility as an object of reflection lies in the fact that the relationships it defines extend beyond the specific actions of subjects, being instead determined primarily by their belonging (often in the absence of documentation confirming this belonging) to a community. As a result, questions related to identity and identification processes become increasingly relevant. It is also important to note that cancellation actualises a specific form of collective responsibility that is essentially distinct from political or historical forms.

Further, in accordance with the interpretation proposed by Kant, responsibility will be considered in relation to actions that involve free choice. That is, the most common cases of cancellation are generally related to value aspects. Thus, a subject or community is cancelled not for any innate qualities (race, gender, ethnicity), but rather for taking an attitude towards these qualities that contradicts

the norms common in a particular community, or for corresponding actions. Unlike innate qualities and affiliations, attitudes can change – that is, to a certain extent, they are determined by free choice. Thus, while it is usually it is only about condemnation and exclusion, one of the goals of cancellation may be precisely to try to elicit such a change in attitude, as well as public acknowledgements of this change and the taking of subsequent actions. In the case of cancellation of large communities, the position of an individual community representative does not matter, but only his or her affiliation; consequently, a publicly expressed position that contradicts the position of the community leads to the exclusion from the community of the specific representative who voiced this position.

The extension of Kant's ideas to the responsibility not only of individuals but also communities is associated with the works of Karl Jaspers and Hannah Arendt. The influential Nuremberg process and subsequent trials of Nazi war criminals can be interpreted as practical tests of the concept of a collective defendant, based on the degree of belonging and involvement in the community of a particular member. Jaspers first raised the question of collective guilt and responsibility in his work "The Question of Guilt. On the Political Responsibility of Germany", which was notably published as early as 1946 (Jaspers 1999). Distinguishing between types of guilt (criminal, moral, political, metaphysical), Jaspers proposes a conceptualisation of responsibility as a consequence of political guilt. Conversely, Arendt strictly separates guilt and responsibility. Unlike Kant, she speaks about the responsibility of the community rather than that of individuals (Arendt 2013a; Arendt 2013b). Arendt presents responsibility not as a specific phenomenon, but as an opportunity for ethical choice in a state of emergency (Carl Schmitt); that is, Arendt emphasises the need for developing an independent understanding of any decisions taken despite the conditions of dictatorship, which self-evidently make the exercising of such independence difficult. In this context, it becomes necessary to also consider the attribution of collective responsibility: in such cases when an individual representative of the collective feels a personal responsibility for what he or she does, collective responsibility is felt as personal. Iris Marion Young, in reflecting on the case of transnational corporations and activist actions advocating for improved working conditions, speaks of structural responsibility

(Young 2004: 365). This allows Young to shift the emphasis from individual decisions, which were the object of Arendt's attention, towards depersonalisation as a consequence of the large number of intermediaries, who influence decision-making in different ways, making it almost impossible to calculate the consequences in this situation. For Young, responsibility transforms from a phenomenon (state) into a relationship. If responsibility becomes a relationship, then the person (the one responsible) acts, albeit as one of many, but still as an actor; that is, in addition to that of other actors, the result also depends on their actions. Therefore, they cannot absolve themselves of responsibility, although they are not the sole responsible party (Golovashina 2021: 25).

As a rule, theorists separate guilt and responsibility, linking the former with personal free choice, while the latter are associated with social ties based on trust, obedience, solidarity, etc., of which the individual is a part. Thus, the idea of responsibility as a consequence of guilt "must give way to the idea of responsibility without guilt – under the pressure of such concepts as solidarity, security and risk, which tend to take the place of the idea of guilt" (Ricoeur 2005: 55). The question of responsibility in this case, as Young noted, turns out to be connected with causality (Young 2004: 365); that is, what matters is not the assessment of the consequences of actions, but rather the study of the role of the individual in their causes.

Thus, collective responsibility is not a phenomenon or a state, but a relationship determined by the degree of belonging to a community and participation in the causes of the actions that gave rise to the question of responsibility.

The problem with Young's approach to analysing cases of large community responsibility is that her research focuses more on corporations – that is, communities that are chosen by individuals rather than determined by birth (unlike the state). Of course, there is always the option of publicly rejecting the policy pursued by the current government; however, firstly, such actions are not always followed by a reduction in the level of responsibility (as so-called relocatants who settled in European countries due to their disagreement with the policy pursued by Russia can tell us), and secondly, this option may be inopportune. The second problem is that Young emphasises the functioning of social and economic structures; however, in the case of the cancellation of large commu-

nities, political structures take priority, and the process itself can thus be called political.

Contemporary ethics of responsibility (Jonas 2004) presupposes a transition from its transcendental character to rational discourse – that is, to the pragmatic justification by the individual of his or her own moral position. This actualises the idea of the degree of involvement of the individual in the actions of the community, which is also present in Young; however, the individual turns out to be responsible not so much for the actions of the community as for his or her own moral choice.

In cases involving calls to abolish Russian culture, anyone who is connected to Russia by citizenship, birth, ethnicity, or joint activity is considered responsible. In this situation, structural responsibility as conceptualised by Young extends to all citizens of the state, who are responsible for the fact of their belonging to it. Although a community member's responsibility may be neutralised in a situation of structural responsibility by "joining a public discourse" (for example, Russians who publicly spoke out against the special military operation in Ukraine may not be subject to cancellation since they have renounced their affiliation with the community being cancelled), a failure or refusal to join a public discourse does not form a necessary basis for structural responsibility (Young 2004: 380). However, the reduction of processes characteristic of cancellation that are different in nature to moral ones (Simkhovich 2022; Tsibizova 2022) does not cancel the political consequences of the sanctions applied; moreover, the replacement of morality with moralisation discredits the possibility of turning to the discourse of responsibility.

In contrast to the strong ethical vector characteristic of understanding collective responsibility in modern works (Avdeeva 2019; Buller, Linchenko 2023; Zinovieva 2015; Syrov 2021), cancellation rather tends to actualise its political aspect. Here we are talking about identity politics and its manifestations in modern political reality. What matters in this case is not the specific actions of the subjects, but who these subjects are from the point of view of the actors acting from the position of cancellation. For example, in seeking to cancel performances of works of the composer Mussorgsky due to his Russian nationality⁵, the fact that he is obviously incapable

⁵ Boris Godunov has Been Cancelled, 01.03.2022, *Opera Narodowa*.

of expressing his opinion on the current situation is irrelevant. Identity is not a constant, since it is always possible to publicly declare a different position, thus denoting not only a different self but also its belonging to a different community: “Political life is the transformation of identities through individual actions” (Herzog 2004: 49). Thus cancel culture is not about political responsibility extending only to significant actors in the political process, but about the fact that specific actions of subjects that are seemingly unrelated to politics (saving water, attending concerts, or participating in the Olympics) are beginning to acquire a political character.

At the same time, collective responsibility caused by cancellation sanctions is not political in itself, that is, “the responsibility of specific subjects whose actions are interpreted as the cause of the circumstances for which responsibility is imposed” in Young’s terminology (Young 2004: 368) or the consequence of collectively adopted decisions by a specific group of persons, as interpreted by Yuliy Nisnevich (Nisnevich 2013: 62). Cancellation targets are deemed “responsible”, for example, for their unspoken disagreement with the state policy of their country (which is held to be equivalent to support). Moreover, it is not possible to determine the circle of those who may be subject to cancellation, since the reasons for cancellation may change. Indeed, since according to Arendt “political responsibility always presupposes at least a minimal degree of political power” (Arendt 2013b: 79), sanctions can be imposed regardless of actual participation in decision-making.

On the other hand, it cannot be said that we are talking here about historical responsibility, since the reasons/reasons for cancellation are not directly related to the historical past of the community. Nevertheless, as in the case of historical responsibility, the subject is constructed (Anikin, Linchenko 2022; Syrov, Agafonova 2021). In relation to historical responsibility, this occurs, in accordance with Jacques Derrida’s observation, at the moment of recognition of guilt for past events, even if (as a rule) the agent himself had nothing to do with them (Derrida 2012). In the cases under study, the subject is constructed not at the moment of accepting responsibility, but at the moment of applying sanctions – that is, in carrying out the cancellation operation. In this way, a Russian athlete might have assumed that he was not responsible for his government’s actions in Ukraine, but he becomes subject to responsibility when he

realises that he cannot participate in the Olympics under his national flag. Understanding the logic associated with the cancellation of classical music concerts is even more problematic. Clearly it is not a question of a specific athlete or 19th century composer being held responsible; rather, their names are used as a pretext for sanctions aimed at the community. From the position of the actors, the subject of responsibility is recognised as identical to the community without gradation of the degree of involvement in this community, inactions or actions committed, or attitude to the initial causes that prompted responsibility.

Thus, in the situation under consideration, unlike the case of political and historical responsibility, the actor and the subject of collective responsibility do not coincide. The actor turns out to be the one who initiates sanctions to form the subject of collective responsibility: “responsibility is attributed not only to those who were identified as the cause of certain actions. If we are able to contribute to the fight against environmental problems, then we are responsible for their solution, even though we are not their cause” (Syrov 2019: 95). Thus, in the case of cancellation, both the actor and the subject of responsibility can be called responsible for resolving the situation.

One of their goals of the construction of the subject at the moment of application of sanctions is that it confers a compulsory relevance of collective responsibility – that is, the sanctions applied cannot go unnoticed not only by the specific “cancelled”, but also by the community as a whole: “No one can be neutral when their own identity is called into question” (Rüsen 2004: 128). Here it is assumed on the part of those engaged in cancellation that the sanctions will influence the actions of the community being cancelled – that is, in terms of the formation of a desired image of the future. However, an unintended consequence of sanctions by the actors is an increase in the level of solidarity within the cancelled community. In this case, since the cancellation strengthens the “us–them” opposition, “the cancelled Russia has the opportunity to formulate more clearly and distinctly for itself and the world around it what it is against and in what the idea that it offers to others consists” (Entina 2022).

Here it can clearly be seen that it is the construction of the subject of responsibility at the moment of application of sanctions

that ensures that the measure of responsibility does not depend on the degree of guilt of a specific individual for the actions that served as the basis for sanctions. If the subject is the community, then specific individuals are subject to sanctions not even according to the degree of involvement or connection with specific actions/decisions (as in the case of political and historical responsibility), but rather according to the degree to which the community is represented in his person. That is, an unknown citizen – even one who has close relatives participating in the SMO – will be subject to cancellation sanctions with less probability than a famous athlete or musician. While it no longer matters to Mussorgsky that his works will not be performed, it remains important for Russian culture in general and Russia’s cultural influence in the world community. In the case of cancellation sanctions (and any other sanctions whose source is not the subject itself), responsibility is not consciously assigned as it would be in the case of historical or political responsibility, since the community does not feel guilt or consequent responsibility. In other words, the sanctions do not perform the function that they should have performed from the position of the actors.

It is also worth noting the specific temporality associated with the responsibility constructed by the act of cancellation. If the construction of the subject has already taken place and the process of cancellation has begun, time ceases to matter – cancellation is equally applicable whether it concerns events that happened a couple of days ago (the case of Nastya Ivleeva and other participants of the notorious “naked party”), statements made decades ago, or the actions and views of representatives of past eras (revision of the figures of participants in the American Civil War). In cancel culture, “the sacrament and miracle of baptism are not included; sin is indelible, there is no forgiveness, even the repentant canceled are damned forever” (Kaspe 2023). In the case of cancellation of large communities, there can be no talk of responsibility for actions committed in the past, which may be relevant in the case of cancellation of individuals. The connection with the past occurs only through the designation of the reasons that led to the current situation; however, this in itself does not allow us to speak of historical or political responsibility in Arendt’s terminology. Rather we are talking about the current situation – that is, the conditional present – to which citizens of a particular state are held responsible by the fact of be-

longing to it. When assessing, for example, slavery and discrimination against black people, cancel culture does not rely on the principle of historicism; rather, what is of relevance are contemporary assessments and the present normative paradigm. In this case, it is not the event/action itself that is assessed; sanctions are instead imposed on specific people who make statements on this topic.

Thus, it can be assumed that we are talking about a new version of collective responsibility, which, like political responsibility, is oriented towards what is happening in the present and has an institutional character, but presupposes, as in the case of historical responsibility, the construction of the subject in the process of forming the corresponding discourse. That is, what matters is not the specific consequences of clearly identified crimes carried out by the actors, for which the community must take responsibility: an individual representative of the community may not have (and, as a rule, does not have) any relation to the events for which the community is held responsible. It is also impossible to speak of this version of collective responsibility in exclusively moral – or, even less so, legal – terms. If “responsibility as a value and as a normative requirement is what is in demand in connection with the formation and transformation of modern societies” (Syrov 2020: 111), then it is not surprising that its interpretations change in connection with the development of these societies.

An important difference pertaining to this variant of collective responsibility is the change in the goals of the actors. While it is tempting to draw parallels between the sanctions against Russians and the corresponding actions taken against Germans after the end of World War II, the differences are much more salient. Firstly, despite a certain influence of the Nuremberg Tribunal and the decisions of the Allied countries, it makes sense to say that responsibility was taken by the inhabitants of Germany rather than attributed to them as in the case of attempts to abolish Russian culture. Secondly, and this seems more important, despite the serious sanctions that were imposed on Germany, they did not generally affect German culture and its assessments. Cases of exclusion of certain individuals or works could take place within the state (which is entirely consistent with the concept of cultural hegemony) – for example, the attempts to exclude the work of representatives of the nobility and bourgeoisie in certain periods of the history of the Soviet Union

as class alien, but it is difficult to find such precedents in relations between states. That is, cancellation transfers the discourse of responsibility to the field of international relations; it is now not only about a community within a state overcoming its past, nor merely assessing the events of its history or the decisions of representatives of the political elite, but also about statements and actions directed at representatives of another sovereign state, which were not preceded by any official procedures that allow us to speak of imputation of guilt.

In this situation, since acting as a political process, the cancellation of large communities is not aimed at changing current social conditions and combating structural inequality, but represents an impact on the political situation and an incentive for political decisions. That is, another community, identifying itself as a moral authority, labels some actions as “wrong” and determines sanctions that imply the return of a conditionally “correct” order. There are a few things to note here. Firstly, as in the case of the cancellation of individuals or brands, the cancellation of large communities presupposes the exclusion of representatives of this community from the public sphere; that is, actors occupy a conditional superior position and speak on behalf of not another community (another state, culture), but an authority that allows for exclusion (“democratic world”, “progressive humanity”); thus, the actors’ judgments acquire a normative character. Secondly, the problem of collective responsibility in this case can be interpreted as the problem of maintaining a social order conceived as universal, from which a certain normative paradigm follows; however, with a high degree of probability, the abolished community also has ideas about what it conceives as a universal social order and normative paradigm. At the moment of sanctions, the community is encouraged to change its value orientation.

Another parallel that may arise in connection with this article concerns religious persecution. As with the cancellation of large communities, there is a political decision and an appeal to a higher moral authority, as well as “actions aimed at disenfranchising people and forcing minorities to assimilate, leave, or live as second-class citizens” (Smith 2015: 26). Both phenomena are linked to identity and are largely social processes, whose implementation depends, above all, on the social context, which also determines the differ-

ences between religious persecution and modern cancellation. Firstly, cancellation is a consequence of historical identity as one of the forms of collective memory. Secondly, its functioning and the sanctions applied, which are directly linked to the so-called “new ethics” (also known as “wokeness”), are only possible in the contemporary information space. Unlike religious persecution, cancel culture arises in the discursive field and consists at its first stage in applying an exclusion from this field and the information space in general. The rhizomatic structure of new media does not imply a reflection of reality, but a construct of reality in itself (Savchuk 2013: 202), an image without an original (Baudrillard 2015: 20-23), which allows us to speak of a “connective turn” (Hoskins 2011). This aspect turns out to be a source of possibilities for the permanent reassembly of identities – things (people, relationships, objects, events) subject to the connective turn are in constant motion and become more visible due to the pervasive connectedness of post-scarcity culture (Hoskins 2011: 271). The recognition of the dynamism of historical identity is a consequence of the rejection of the ontological status of the past and the constitution of history as a set of tools and an “autobiography of a community” (Leone, Curigliano 2009). In the case of historical identity, as opposed to a stable religious identity (which is what motivates persecution), the past becomes practical in the sense expressed by Hayden White – that is, it does not so much represent knowledge about what happened, but rather turns out to be a resource for solving everyday problems or ethical conflicts. While religious persecution can be obviated by accepting the faith of the persecutors, the universalisation of temporality characteristic of cancel culture leads to the equivalent application of sanctions not only to contemporaries but even to deceased members of the community.

Thus, cancel culture postulates a special kind of collective responsibility, whose subject does not coincide with the actor and is constructed at the moment of imposition of sanctions. The main consequence of this is an increase in the level of solidarity within the cancelled community. In this case, the goals of the actors are not related to changing current social conditions and combating structural inequality, but to influencing the political situation and encouraging political decisions.

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When Did the Russian Civic Nation Appear?

Abstract. The current policy of the Russian federal state, which is explicitly aimed at protecting traditional Russian spiritual and moral values while strengthening civic unity, is often interpreted as also implying the historical unity of the Russian civic nation. This raises the question of when exactly the Russian civic nation emerged. According to the constructivist approach, nations are artificially formed social communities, whose defining feature is the self-identification of their members. Proponents of this approach believe that the formation of national identity has been historically influenced by such factors as the development of a unified market, industrialisation and urbanisation, the development of printing and subsequently periodical press and other mass media, the establishment of unified linguistic norms, the spread of education, the emergence of representative bodies and the granting of electoral rights to the population, the establishment of common holidays, the development of a common historical narrative, and the promotion of nationalist ideology. An analysis of these factors in relation to Russian history shows that the first prerequisites for the formation of a unified Russian nation began to appear only in the 17th century. By the beginning of the 20th century, one can speak of the formation of a unified Russian ethnos; subsequently, the Bolsheviks made efforts to facilitate the formation of other ethnic groups within the Soviet Union. However, no unified Russian civic nation was formed under the Bolsheviks any more than it had under the preceding tsarist regime. In the Russian Empire, this was prevented by a clear distinction between ethnic Russians and foreigners, Orthodox and non-Orthodox. In the USSR, in turn, efforts were directed at the formation of a Soviet, rather than Russian, civic identity. Hence, the countdown of the birth of the Russian civic nation should be taken from Declaration of State Sovereignty of the Russian Soviet Federated Socialist Republic (RSFSR) of 12/06/1990, in which the various peoples of the RSFSR reflected their desire for political unity and where the term “multinational people” was first mentioned. In this case, however, it is quite difficult to talk about

the traditional values of this Russian civic nation, since the first signs of its emergence started to appear only a few decades ago.

Keywords: traditional values; societal glue; Orthodoxy; identity; nation; constructivism; primordialism

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The task of developing a consolidating civic identity that faces the contemporary Russian state presupposes a demonstration of the historical unity of the Russian civic nation¹, since a sense of shared historical destiny is one of the factors that forms this nation, and one of the methods chosen for forming a common identity is the preservation and strengthening of traditional Russian values, which can also be interpreted as a reference to the history of the Russian civic nation. But where does this story begin – and, in particular, when did the Russian civic nation first emerge? The present work sets out to address this question. Here, the aim to show that the Russian civic nation appeared only recently and essentially does not yet have its own tradition, which means that it is not entirely correct to talk about traditional Russian values as common to the Russian civic nation.

Today, there are two main approaches to the concept of a nation: primordialist and constructivist. Primordialists generally believe that (1) nations are socio-biological communities, that (2) arise naturally over the course of a long period of gradual development, and (3) differ in such characteristics as origin, language, culture, religion, traditions, customs, mentality, etc. Conversely, constructivists believe that (1) nations are social communities and that it is therefore incorrect to speak of the common biological origin of their members; (2) nations are not created organically, but

¹Translator's Note: The argument presented in the original Russian text is based on a distinction between the adjectives "russkiy", which denotes the Russian people (ethnicity), and "rossiyskiy", which refers to that civic entity within which citizens have the same rights irrespective of their ethnicity. Since English lacks such a distinction, I have used the adjective "civic" to refer to the latter meaning throughout.

through the targeted efforts of cultural figures and government officials; therefore, (3) the main feature of a civic nation is not the common origin, language, or culture of its various peoples, but their self-identification as belonging within a particular political unity.

Literature sources note that within the framework of Russian scholarship, nationalism has traditionally tended to be studied according to the primordialist research paradigm (Morozova 2011: 141). However, the constructivist approach tends to be more widespread today². Therefore, despite all the limitations of the latter, it will be used as the methodological basis for this article. It seems that this approach will allow us to take a new look at the formation of the Russian civic nation (and the Russian people forming its ethnic basis) while continuing to emphasise the role played by modernisation processes. While the constructivist methodology does preclude the possibility of also applying a primordialist approach to interpreting Russian history, it remains useful as a means of demonstrating the problems faced by the thesis of historical value unity. On this basis, questions may be posed about what values should be considered “Russian”, to what extent these values are “traditional”, and whether there may be more optimal ways of developing a consolidating civic identity than the policy of preserving and strengthening “traditional Russian values”.

From the point of view of constructivism (Benedict Anderson, Ernest Gellner, Eric Hobsbawm, etc.), it seems that the following main prerequisites for the emergence of modern nations can be identified:

1) Overcoming feudal fragmentation and forming unified markets to strengthen economic and other ties between the population of the state.

2) Industrialisation and urbanisation, since it is only in cities that people break away from their local roots and enter the “cauldron” in which their common foundations and civic identity are formed.

3) The development of printing, and then periodicals and other media and communications, along with the associated formation of uniform linguistic norms and an “imagined community”.

² Primordialism, *Bol'shaya rossiyskaya entsiklopediya: nauchno-obrazovatel'nyy portal*, available at: <https://bigenc.ru/c/primordializm-d5b58a/?v=7824182> (accessed May 12, 2025). (in russ.).

4) The development of a integrated education system, which generates a similar worldview and values by providing a unifying experience.

5) The emergence of representative bodies and the empowerment of the population with electoral rights, which promotes a sense of belonging to a single community.

6) The establishment of common holidays, writing a common history (“colonisation of the past”) and promotion of nationalist ideas, as a result of which people have the feeling that they have common bonds and that they are all part of a single whole (the myth of a common historical destiny).

Of course, different representatives of constructivism attach different importance to the listed factors. For example, Gellner focuses on industrialisation, while Anderson focuses on the development of printing (Shishkov, Khoroshev 2021: 90). Moreover, these factors could play different roles in different countries. However, for the sake of a complete picture, it seems appropriate to take each of them into account when applying a constructivist critique to Russia. It should also be noted that the aforementioned list (with the exception of the last point) is shared not only by constructivists proper, but also by representatives of the so-called evolutionary-historical direction of primordialism, within which, on the one hand, the nation is regarded as a social rather than biological community, whilst on the other hand, amongst the nation-building factors, it is objective historical conditions rather than the intellectual efforts of political and cultural elites that are brought to the fore.

One way or another, let us analyse in what historical period the listed factors arise and begin to play a significant role in relation to Russia. In this case, we will proceed from the fact that since the term “civic nation” denotes all residents of a particular country, we can only speak of a nation if the above-mentioned characteristics (literacy, access to printed materials, voting rights, connection with urban culture, etc.) apply to the majority of residents, or at least to the majority of heads of families who are capable of transmitting new value systems to the other members of their family. Before this, the term nation could only be used to denote narrower groups of people, which would differ from modern usage: for example, at the end of the 18th century, Denis Fonvizin referred to the Russian nobility as a “nation” (Miller 2010: 45).

1. *Common Market, Industrialisation and Urbanisation.* The first prerequisites for the formation of a common market in the Muscovite state date back to the 17th century. At the same time, agricultural and industrial specialisation was being formed in the individual regions of the country (wheat from the South, fish from the Caspian, salt from the Urals, etc.). The emergence of all-Russian trade fairs (Makarevskaya, Irbitskaya, Svenskaya, etc.) dates back to the same time. However, industrialisation in Russia gained momentum only during the mid-19th century; moreover, in comparison with the industrially advanced countries of the West, the Russian Empire always found itself in the role of catching up. The same applies to urbanisation. By 1913, 19% of the Russian population already lived in cities (Yolshina 2015: 7), while the rest lived in villages and towns, for which reason the latter tended to adhere to their local traditions and foundations. For comparison, at the same time, the proportion of urban residents in the total population was $\frac{3}{4}$ in England, $\frac{1}{2}$ in Germany, and $\frac{2}{5}$ in France (Chikalov 2013: 19).

2. *Printing.* The advent of book printing in the Muscovite state dates back to the second half of the 16th century (while the invention of book printing by Gutenberg occurred a century earlier during the middle of the 15th century). However, throughout the 17th century, it was mainly church books that were being printed in Russia³: secular book printing only began to actively spread during the 18th century. In addition to educational literature, for example, the sermons of Feofan Prokopovich, a famous apologist for autocracy, were printed. At the same time, under Peter I (since 1703), the first Russian newspaper, *Vedomosti*, began to be published regularly (in Europe, it is believed that periodical printing originated in 1605). In 1756, the *Moskovskiye Vedomosti* [Moscow Gazette] appeared at Moscow University, while the first newspaper to be published outside of Moscow and St. Petersburg was the *Kazanskiye Izvestiya* [Kazan News] in 1811. The first private newspaper, *Severnaya Pchela* [Northern Bee], appeared only in 1825; however, following the Decembrist uprising, it soon acquired a more conservative character and began to serve as an instrument of state propaganda. At first,

³ Printing, F.A. Brokgauz, I.A. Yefron (eds.), *Entsiklopedicheskiy slovar'*, St. Petersburg, Tipo-litografiya I.A. Yefrona, 1898, vol. 23a: Petropavlovskiy – Povatazhnoye, p. 527. (in Russ.).

the circulation of newspapers and books was small. However, by the beginning of the 20th century, radical changes had taken place. It was at this time that the Russian press became one of the most powerful in the world. By 1914, a total of 916 newspapers and 1351 magazines were being published in 35 languages of the peoples of the Russian Empire (Galín 2015: 15). In 1913, 34,000 books were published (as much as in the USA, Great Britain and France combined, and approximately the same number as in Germany) (Galín 2015: 14).

3. *Literacy.* The size of the reading public was, of course, determined by the spread of literacy. And here it must be noted that the so-called birch bark letters demonstrate that a fairly high level of literacy existed in Ancient Rus', but due to the Mongol-Tatar yoke, this tradition was lost. It is significant, for example, that at the end of the 16th century, of the 22 boyars who signed the charter on the election of Godunov to the throne, four were illiterate⁴. However, starting from the 17th century, the situation gradually improved: if during the time of Ivan the Terrible, it was mainly the representatives of the clergy and the clerical class who were literate, now there were increasing numbers of readers among the nobility and townspeople. During the second half of the 17th century, the Print Yard in Moscow published 300,000 primers as well as 150,000 educational Psalters and Books of Hours; many additionally studied using handwritten alphabets, copybooks, and arithmetic books. Nevertheless, the overwhelming majority of the population remained illiterate. For the entire 18th century, the average literacy rate reached only 2–6% among women and 4–8% among men, which was 8–10 times lower than in European countries and 3–5 times lower than in Japan and China; in 1796, Russia spent 1.7% of its budget, or 1.17 million rubles, on public education; by comparison, about 7 million rubles were spent annually on maintaining the imperial court (Khanin, 2011: 186). At the beginning of the 19th century, Russia had only 315 public schools educating 19,915 students (Kalinina 2012: 201). Only in the 19th century did the education system in Russia begin to actively develop. As a result, according to the general census of 1897, every fifth person by this time was literate, which was still

³ Literacy, F.A. Brokgaуз, I.A. Yefron (eds.), *Entsiklopedicheskiy slovar'*, St. Petersburg, Tipo-litografiya I.A. Yefrona, 1893, vol. 9a: Gravitat – Davenant, p. 547. (in Russ.).

significantly lower than the literacy level of Western countries at that time (for example, in 1886–1887 in Russia, 2/3 of recruits were illiterate, while in France the corresponding figure was 10%)⁶. However, in subsequent years the proportion of literate people in the population continued to increase significantly. Together with the development of printing, this already implies the emergence of a common information space for a significant portion of the empire's population. Compulsory school education was established only by the Bolsheviks in 1918. (Regulation of the All-Russian Central Executive Committee of October 16, 1918 “On the Unified Labour School of the RSFSR”).

4. *Language*. When answering the question of when the Russian language appeared, it is important to distinguish between Old Russian, Church Slavonic, Great Russian and what linguists refer to as Russian today. Information about the language from the early periods of history is very scanty. Thus, very little is known about the pre-literate period of the development of the Old East Slavic language, since the written language in Ancient Rus' was Church Slavonic, not Old East Slavic. While some researchers deny the existence of a single Old Russian language (Shevelov, 1979), the majority recognises it as such while simultaneously identifying a number of dialect zones in it (whose number varies among different authors). The formation of such a language has been attributed to the 11th century (Brandner 1993: 28). One way or another, largely for political reasons, the Old Russian language disintegrated during the 14th century (Filin 2006: 81). Various dialects would further develop independently to gradually form the Northern Russian and Southern Russian dialect groups. At the same time, the strengthening and expansion of the Grand Duchy of Moscow led to the dominance of the dialect that existed there, accompanied by a spoken koine that combined features of both dialects (the so-called Great Russian language). However, at that time there was no single literary language. An archaised version of the Great Russian language began to be used in official documents to emphasise the greatness of the Muscovite

⁴ Ibid. P. 538-539.

⁵ Filin F.P. Russian language, V.N. Yartseva (gen. ed.), *Lingvisticheskiy entsiklopedicheskiy slovar'*, Moscow, Sovetskaya entsiklopediya, 1990. (in Russ.).

kingdom. It was only in the 17th century, on the basis of the Great Russian language, that the literary Russian language we know today began to take shape. The scope of application of the Church Slavonic language gradually narrowed; by the time of Peter the Great, it was limited only to church services. The flourishing of literature in the 18th–19th centuries led to the standardisation of linguistic norms and the establishment of the so-called Russian national language (which is often associated with the names of Mikhail Lomonosov and Alexander Pushkin).

5. *Electoral rights.* The first parliament (the State Duma) appeared in the Russian Empire only in 1906 as a result of the revolution. Before this, although there was a tradition of self-government (people's assembly) in Novgorod, Pskov and other cities, it was interrupted during the era of Moscow's dominance. From the mid-16th century to the mid-17th century, a tradition of convening Zemsky Sobors began to establish itself. However, the Zemsky Sobors, which were convened only during periods of weakness of the tsarist power, only acquired a particular significance during the Time of Troubles. Once the central power had reasserted itself, the Zemsky Sobors ceased to be convened. While republican ideas were nurtured, for example, by some Decembrists at the beginning of the 19th century, such ideas were at that time very far from the consciousness of the overwhelming majority of the population. The ruling elite's reflection on the Great French Revolution initially gave rise to thoughts about a constitution, but ultimately the choice was made in favour of conservation. Only Russia's defeat in the Crimean War of 1853–1856 revealed the urgent need for reforms, which were ultimately carried out by Alexander II during the 1860s and 1870s. Thus, in 1861, serfdom was abolished. Since much of the literature emphasises the key role of military service in the expansion of voting rights (Fishman 2011), it is also worth noting that universal military service was introduced in the Russian Empire in 1874. Thus, the preconditions for the granting of voting rights were in place only three decades before they were actually granted. The institution of elections and representation has a centuries-old history in Western countries. Even when taking into account that the right to vote began to be extended to more or less broad sections of the population only in the 19th century, Russia's democratic lag is obvious; however, this lag suddenly turned into a lead with the introduction of universal

suffrage in Russia in 1917.

6. *Holidays, history and nationalism.* Non-working holidays were first established in Russia by the State Council only in 1897. While almost all of these were based around the Orthodox calendar, “infidels” were allowed to replace these holidays with their own. However, the so-called “royal holidays” (birthdays and name days of members of the royal family, coronation day, etc.) were the same for everyone. By comparison, public holidays have been used as a means of ensuring national unity in France since the time of the French Revolution (Ihl 2015).

Regarding historical science, the first modern Russian historian is widely considered to be Vasily Tatishchev (18th century). Historical science was initially structured in such a way as to show the greatness of the Russian state and the state-forming Russian people.

The 1830s saw, on the one hand, the proclamation of the theory of official nationality by the Minister of Public Education, Count Sergei Uvarov, and, on the other hand, the publication of the first “philosophical letter” by Pyotr Chaadaev. In both cases, a clear fixation on the special historical path and special traditions of Russia is evident, which subsequently resulted in a dispute between Westernisers and Slavophiles resulting from the different attempts to understand Russian history on the part of the opposing camps. From the point of view of constructivism, the discussion here should not be about understanding, but rather about creating Russian history. Accordingly, when studying the history of the possessions of the Rurik-Romanov dynasty, Westernisers and Slavophiles can be seen to have “poured” into it the ideas about the Russian people that had only formed in their historical time (the polysemous chronicle word “Rus” also contributed to the well-known confusion). As a result, the idea of a common “historical destiny” was developed on the basis of a common culture. Moreover, the latter should be discussed not only in relation to the past, but also to the future, since it was precisely on ideas about the future that the political disagreements between Westernisers, Slavophiles and the official authorities were based, while in relation to the past they shared a common understanding that “Russian” history and culture have their own unique characteristics. Based on the idea of the uniqueness of the Russian people, the intelligentsia of the Russian Empire by the end

of the 19th century had become fascinated with reflections on the “Russian idea”: the Russian people were often perceived as a God-bearing people, preserving the true faith (the so-called messianism), but more often they talked only about the special mission of the Russian people, existing alongside the special missions of other peoples (the so-called missionism) (Motroshilova, Rutkevich 2012: 293-298); in any case, the idea that the Russian people have some special purpose was uncritically accepted. However, all these intellectual fermentations, which in no way affect the overwhelming majority of the population of the Russian Empire, represent rather an external expression of the objective processes of the formation of a common identity than a conscious construction of a nation. The first Russian nationalist political organisations, which appeared only at the turn of the 19th and 20th centuries (including the so-called Black Hundreds), also lacked sufficient influence on the broad masses of the population (Ivanov et al. 2015: 153) to become a catalyst for ethnic self-determination. The Russian state, in turn, needed the theory of official nationality only as a counterweight to the formula “freedom, equality, brotherhood” and not as an ideological justification for the policy of nation-building (conversely, the term “people” [*narodnost*] was supposed to displace the concept of “nation” [*natsia*], which had acquired revolutionary potential (Miller 2010: 60)). Thus, one way or another, if we talk about the role of political and cultural elites in the formation of national self-awareness, then this applies only to the 19th century.

What conclusions can be drawn from such a cursory glance at history?

The foregoing appears to confirm that the first prerequisites for the formation of the Russian people as a civic nation emerged during the 17th century, while they were only definitively formed at the twilight of the Russian Empire (Zhdanko 1975: 56), when the norms of the national language had already been established, periodical press and book printing had developed, the population had become more or less literate and received minimal political rights, and the intellectual elite began actively contemplating the phenomenon of Russianness. However, many factors that constructivists associate with the birth of a civic nation appeared only in the USSR: universal compulsory education, all-pervasive mass media and communications, ceremonial celebration of numerous commemorative dates

and, finally, full-scale industrialisation. Until the 17th–19th centuries, it would be more correct to speak of other types of identity, not simply because ethnic identity was not actualised, but because the Russian people as such did not exist (there was rather an area of dominance of the Orthodox religion, which is why the word “Russian” often meant religious rather than ethnic affiliation). Moreover, the formation and development of the concept of the triune Russian people (Great Russians, Malorussians, Belarusians) dates back to the same period (17th–19th centuries); that is, the ethnogenesis of Ukrainians and Belarusians proceeded in parallel with that of Russians, and their acquisition of their own statehood in the first quarter of the 20th century (ultimately in the form of the Ukrainian SSR and the Byelorussian SSR) accelerated this process. The same can be said about the overwhelming majority of other peoples of the Russian Empire. From the standpoint of constructivism, it is difficult to talk about the existence of many peoples inhabiting modern Russia in the period before the Bolsheviks came to power, since for the most part it was the Bolsheviks who gave these peoples a written language, unified their languages, organised education in national languages, granted them political autonomy, etc. – that is, in essence, forming these peoples as such. It is of course understood that ethnic and linguistic differences existed for centuries and even millennia. But these distinctions accumulated from locality to locality more or less gradually (with the exception, perhaps, of religious differences). However, the clear demarcation of cultural characteristics of various peoples and the formation of their unique self-consciousness in Russia should be recognised as a Bolshevik achievement.

In any case, we are interested here not so much in the Russian people (ethnos), but in the Russian civic nation. By a people we mean a group of human beings united, first of all, by language and other cultural characteristics (such as, for example, economy and everyday life, values and religion, customs and traditions, etc.), while by civic nation we mean a group of people characterised, first of all, by their common political self-awareness. Nevertheless, since a people, as a rule, historically act as the basis for the formation of a (civic) nation, what was said above about the Russian people is also important when analysing the origin of the Russian civic nation. And, while it is the same list of factors discussed above

that also applies to the latter, several amendments should be made regarding the social composition of the population of the Russian Empire. Firstly, there was a clear distinction between the legal status of Orthodox and non-Orthodox. According to the 1897 census, Orthodox and Old Believers made up 69.9%. Secondly, there was an equally serious distinction between those who spoke Russian (according to the 1897 census, they made up only 44.31% of the population; taking into account the Malorussian and Belarusian languages, this rises to 66.8%), and those who did not. These data not only confirm that a third of the state's population did not belong to the titular ethnic group, but also imply that it did not share many of its values and did not have equal legal status with it. The management of territories of compact residence of such populations was carried out in special ways depending on local customs and way of life (Fadeicheva 2003). In such conditions, it is impossible to speak about the prerequisites for the formation of a single civil nation, even taking into account the abolition of serfdom and the gradual levelling of class differences. The corresponding preconditions appeared only when broad sections of the population were granted voting rights as a result of the revolution of 1905–1906. However, in 1917 the Bolsheviks came to power; in 1922, the Soviet Union was formed and the centralised formation began not of the Russian nation, but the international Soviet people (Fadeicheva 2014: 99). As a result, the Russian nation began to take shape only after the collapse of the USSR, when, firstly, the overwhelming majority of the non-Russian population already spoke Russian as their native language, secondly, religious differences became less significant, thirdly, the legal status of people became equal, and fourthly, universal suffrage was proclaimed. The beginning of the formation of the Russian nation can be considered The Declaration of State Sovereignty of the RSFSR of 12/06/1990, by which the various peoples of the RSFSR proclaimed their desire for political unity (which can be considered as evidence of common self-awareness), and in which the term “multinational people” was first mentioned, which later migrated to the Constitution of the Russian Federation of 1993. At the same time, of course, the wording of legal documents can only be considered as individual (not necessarily sufficient) signs of the existence of a nation. But it is important to note that these signs appeared only following the collapse of first the

Russian Empire and then the Soviet Union, within the framework of which, instead of the policy of building a Russian nation, support for completely different identities was carried out. Moreover, it is important to emphasise that the mere fact of the emergence of a new state does not indicate the emergence of a new nation. However, the emergence of the Russian Federation at least created the necessary preconditions for the development of a new Russian civic identity.

Thus, the Russian civic nation has an extremely short history: it has existed at best since 1990, before which one should speak very cautiously about “historical unity” (in terms of values). Accordingly, only those values that exist in the specified period can be considered traditional values of the Russian nation; in fact, this is not so much a tradition as values that are being developed here and now by the same generations of people during whose lifetimes the first signs of the Russian civic nation appeared. In turn, references to earlier periods when characterising the Russian civic nation and its values are incorrect, since in this case one should no longer talk about the history and values of the Russian civic nation, but about the history of some other phenomena and the values of some other subjects. Accordingly, it seems correct to speak of common spiritual and moral values either as Russian or as traditional, but less likely that there are any values that would be correctly designated both as “traditional” and “civic Russian” (i.e. as traditions inherent to the Russian civic nation). Traditional spiritual and moral values can of course be discussed in other senses: for example, as values that were adhered to by the ancestors of modern Russians, or as values that were characteristic of the diverse population of the Russian state in previous periods of history. But in such a case it is not easy to prove that these values were inherent to the majority of the relevant subjects and in this sense common to that majority.

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Ideological Transformations of Russian Society: Philosophical Reflection

Abstract. Since the beginning of the 21st century, there has been a gradual revival of interest in the re-ideologisation of the political and cultural space of the Russian Federation. The article sets out to systematise and analyse philosophical views on the processes of re-ideologisation that took place in Russia from 2012 to 2023. The conducted theoretical analysis reveals diverse reactions on the part of the philosophical community to the active processes of re-ideologisation in Russia, which has been supported by the state since 2012. While some concerns about the repressive nature of total ideology have been expressed, other philosophers sought forms of participation in discussing national issues and determining the country's future development. Some thinkers, in refusing to discuss ideology, have adopted a position of escapism, striving for freedom in their own existence outside the influence of society or any particular ideology. While transformations in ideas about the role of ideology in the life of society and the state open new perspectives for philosophical self-reflection, discussions about the necessity of "withdrawal" from addressing political problems and ideological confrontation lead to a "crisis of philosophical identity" that represents an important epistemological challenge.

Keywords: ideology; re-ideologisation; philosophy and state; ideological consensus; social consolidation; philosophical community

The present work sets out to analyse the reaction of the philosophical community to the re-ideologisation processes of the Russian Federal state over the last decade. In this connection, a conceptual analysis of philosophical publications and the discursive environment that influences the act of philosophising itself is undertaken. In the intellectual history of post-Soviet Russia, the period

of the 1990s was characterised by the paradoxical coexistence of two divergent tendencies. The rejection of state ideology, as enshrined in the Constitution of the Russian Federation of 1993 (Article 13 of the RF Constitution), determined the normative-value framework of political-public and academic debates about the country's development prospects throughout the first post-Soviet decade. On the one hand, official state representatives and members of the liberal public appealed to the principle of the de-ideologisation of the state as a necessary condition for the transition to a democratic system aimed at overcoming the totalitarian past and ensuring the state's ideological neutrality; at the same time, a concept of ideological pluralism was taking shape that assumed the inadmissibility of a dominant ideology and the primacy of personal autonomy in determining value orientations.

On the other hand, calls from within the political and publicist discourse for the restoration of the semantic and value integrity of the social body were gradually intensifying, which inevitably returned to the issue of ideology as a form of symbolic order and social self-awareness. For example, opposing himself to both liberalism and the classical ideologies of modernism (Marxism and Fascism), the philosopher Alexandr Dugin has argued that the coming new era will require a synthesis of geopolitics, traditionalism and Orthodox eschatology. As argued by Kirill Tovbin, Russia cannot exist without ideology since it is not merely a state, but also bearer of messianic meaning that is opposed to the secular West (Tovbin 2014). Dugin's critique has been analysed in terms of an attempt to restore the ontological status of ideology as a form of world order, in which man comprehends his place in history, culture and cosmos, freeing it from the historical context of the 20th century (Suslov, Tikhonova 2024).

From the point of view of Sergey Kara-Murza, the declaration of "de-ideologisation" in the 1990s itself served as a form of ideological manipulation. According to this analysis, while under the guise of "liberation" from ideology, in reality, one coordinate system was being surreptitiously replaced by another, predominantly of the Western liberal type, without any awareness of its normative and authoritarian nature (Leksin 2014). Viktor Martyanov and Leonid Fishman noted the tragic coincidence of Russia's post-Soviet transition in the 1990s with the exhaustion of the moral

impulse that had legitimised the political project of capitalism. The researchers argued that to create a new ideology capable of preserving human values from degradation and crisis, a moral transformation (revolution) of Russian society is necessary (Martyanov, Fishman 2010).

However, during the first decade of the 2000s, nominal adherence to the course of de-ideologisation continued at the level of official state rhetoric. The constitutional principle of an “ideologically neutral state” remained in force and was voiced as a legal guarantee of political pluralism. However, by the mid-2000s it had become obvious that the ostensible rejection of ideological design results in a symbolic vacuum, which is spontaneously filled either by externally borrowed value matrices or by archaic forms of mass consciousness. Against this background, increased concern in academic and socio-political discourses was expressed in terms of the lack of clear conceptual and ideological framework to support the life of the state and society.

In particular, in 2004, a notable phenomenon was the publication of two monographs – Dugin’s “The Eurasia Project” (Dugin 2004) and Vladimir Kuznetsov’s “Russian Ideology 21” (Kuznetsov 2004), which asserted the possibility of creating and establishing an ideology designed to unite Russian society. In these works, the prospects of the new emerging Russian ideology were assessed as positive; moreover, it was argued that it is only through an ideology of consolidation that the goals, ideals and values of citizens can be enriched and imbued with significance. The ideology was thus endowed with the ability to formulate the “Russian dream” based on the preservation and strengthening of historical memory and patriotism.

During the first decade of the 21st century, public debate continued to unfold between two poles. On the one hand, supporters of maintaining the de-ideologisation of the state (liberals) insisted that ideology in any form carries the risk of repression, the substitution of dogma for thinking and the limitation of free reflection. On the other hand, the position of thinkers and publicists who view ideology as an inevitable element of any form of collective existence, a form of articulating national interest, historical memory and the cultural mission of the Russian people, continued to go from strength to strength. In this context, a special role was played

by the concept of “sovereign democracy”, articulated by Vladislav Surkov in 2005, which essentially represented an institutionalised form of re-ideologisation, albeit one that was not explicitly acknowledged as such.

Already the outlines of a general intellectual and political-cultural shift from liberal universalism to forms of conservative traditionalism had started to become noticeable. Alexander Rubtsov observes changes in official and media discourses in 2010–2011 associated with the replacement of modernisation-oriented terms (innovation, knowledge economy, human capital) with concepts that appeal to the spiritual, cultural, and historical foundations of Russian statehood – traditions, spirituality, cultural codes, identity and social cohesion (Rubtsov 2018: 68). This transformation was not exclusively rhetorical: it was accompanied by institutional changes in the spheres of education, culture, information policy and state-confessional relations.

The political and rhetorical project of re-ideologisation of the state that began in the 2010s gradually covered an increasing number of spheres of public life, making adjustments to school textbooks, patriotic education and cultural policy strategies that sought to legitimise the present through a heroicised past.

One of the most important instruments of re-ideologisation involves a rethinking of the historical narrative on the part of the state (Efremenko 2023). The consequent transformation of history into a form of civil religion results in it forfeiting its status as an autonomous scientific discipline. The approval by the Ministry of Education of the Russian Federation in 2020 of the “Concept for Teaching the Course ‘History of Russia’” and the subsequently introduced single history textbook serve to consolidate this vector. History becomes not a topic of discussion, but a field of civil mobilisation and an instrument for legitimising the present through a reinterpretation of the past.

During the 2010s, the re-ideologisation of the state was already being transformed from a subject of intellectual reflection into a real political process. The philosophical community faces a fundamental challenge in understanding the possibilities of reconstructing ideology following the collapse of grand narratives. In this connection, philosophical analysis cannot confine itself to the framework of abstract concepts and normative reasoning, but must take into

account the broader context of the formation of ideological meanings in post-Soviet Russian society. This approach allows not only a deeper interpretation of philosophical positions, but also an identification of latent forms of their dependence on the political and cultural background, as well as the degree of their critical distance in relation to it.

The theoretical analysis of philosophical approaches to the phenomenon of re-ideologisation in modern Russia discussed here is based on publications included in the Russian Science Citation Index (RSCI). The use of RISC is determined by its representativeness for scientific discourse in the humanitarian and socio-philosophical sphere. When selecting sources, principles of relevance and citation were applied. Relevance is understood as the substantive focus of publications on the topics of ideology, political philosophy, social theory and philosophical self-reflection under the conditions of postmodernity. Citation rate, in turn, is considered as an empirical indicator of the degree of scientific attention and discussion of a particular position in the philosophical community. However, a high level of citation is interpreted not as a marker of the “truth” of a position, but rather as an indicator of its visibility in the intellectual environment, according to which its influence on the emerging academic discourse may be evaluated. Thus, it is assumed that philosophy, despite its claim to autonomy and universality, does not exist in a “timeless horizon”, but is included in the historical and social fabric of the era.

The selection of publications based on their significance, as expressed in the number of scientific responses and discussions, makes it possible to reconstruct the most influential or representative philosophical reactions to the processes of re-ideologisation in the period 2012–2024. The stages and directions of the evolution of philosophical attitudes towards the processes of the Russian state are evaluated based on the analysis of the philosophical texts included in the study.

Since the early 2010s, Russian society has been gradually returning to the search for an ideological core capable of uniting the nation and responding to the challenges of a fragmented global modernity. This movement was accompanied by an increase in the dual roles played by the state as both commissioner and curator of societal meaning-making – from supporting patriotic narratives

to promoting traditional values. In 2014, in the context of events related to the accession of Crimea to the Russian Federation, new semantic dominants appeared: “Russian world”, “reunification”, “historical justice”, “multipolar world”, etc., which began to play the role of value coordinates in state policy.

The reaction of the philosophical community to the processes of re-ideologisation in the 2010s involved several distinct conceptual strategies. Some researchers criticised the changes taking place in the ideological sphere in terms of the reproduction of authoritarian forms of political regulation. Thus, Alexey Kara-Murza emphasises the danger of the totalisation of ideology in the absence of a fully-fledged civil society and independent institutions of civil control. Ideology, in his opinion, inevitably takes on a repressive character, replacing rational discussion with coercion into normative unanimity (Kara-Murza 2012). Erikh Soloviev, in turn, identifies a range of key mechanisms for ideological manipulation of mass consciousness, including the formation of an enemy image, exploitation of geopolitical myths, encouragement of xenophobia and the sacralisation of historical narrative. As a philosophical antidote, he proposes the development of a culture of scepticism, a critical distinction between ideals and programmes, as well as an activation of the concept of open history as a sphere of polyphonic and open-ended dialogue (Soloviev 2016: 10-12).

However, along with such criticism, a position has emerged in the philosophical community that is focused on a positive understanding of the ongoing processes. Representatives of this approach proceed from the premise that ideology is inevitable as the form by which collective consciousness is necessarily structured; consequently, the task of philosophy lies not in denying the phenomenon as such, but rather in developing normative foundations for a legitimate and open ideology capable of consolidating society on the basis of national values. V.N. Shevchenko suggests considering philosophy not as the antithesis of ideology, but as its critical-reflexive component, which is capable of introducing elements of public rationality into public consciousness, thereby neutralising the risks of dogmatism (Shevchenko 2014). In this context, the political and spiritual concept of the “national idea” is gaining popularity as a form of semantic consolidation in the context of a fragmented and atomised society. Such efforts are also supported in the concept

of the “value core of the nation” within which Russia is conceived as the bearer of a special civilisational mission that stands in opposition to Western universalist expansion. An additional contribution to understanding contemporary forms of ideological production is made by interpretations of ideology as a factor of geopolitical sovereignty, the widespread use of which indicates the demand for integrative narratives in the context of the ideological vacuum of the post-Soviet period of development of Russian society.

In their collective monograph “Russia in Search of Ideologies”, colleagues at the Institute of Philosophy and Law of the Ural Branch of the Russian Academy of Sciences set out to answer the question: is there an alternative to ideology as an instrument of social management? According to the philosophers, success in a modernising ideology is expressed in terms of the correspondence of the desired present and future to the ethical principles of not only individual groups of society and Russia, but also of all humanity (Martyanov, Fishman 2016). The above position is also supported by Yuriy Volkov, who notes that it is difficult to dispute the role of ideology as a force capable of uniting and mobilising society. However, questions arising regarding the development of the ideological sphere are overcome through efforts to humanise and legitimise the ideas of social creativity, self-realisation and altruism (Volkov 2016). The researcher sees an important difference between the ideology of humanism and traditional ideologies in the absence of violent impacts leading to political conflicts in the process of implementing humanistic ideas. Leonid Fishman argues that it is possible to reach agreement on common criteria of social belonging and receive remuneration for social activity expressed in participation in public affairs, taking into account the limited opportunities for employment in the traditional production of material goods and services (Fishman 2016).

However, it is impossible not to notice a third position, which can be characterised as post-ideological escapism. Its representatives proceed from the conviction that contemporary philosophy, having lost its status as universal knowledge, is becoming a form of existential communication, a kind of individual or “local” ideology. For example, Vadim Mezhuev asserts that philosophy is becoming less and less capable of influencing the public space and is increasingly turning into a means of self-expression for individual intellectuals. This position does not deny the importance of ideo-

logical processes, but deliberately places them outside the scope of philosophical reflection (Mezhuev 2017: 178-179). However, in the context of increasing polarisation of society and the growing importance of ideological constructs as instruments of power, such a strategy risks acquiring marginal status. As Pavel Gurevich emphasises, excessive criticism of ideology can in itself become an obstacle to dialogue, replacing communication with a multitude of autonomous and cliquish voices (Gurevich 2018). In this regard, the task of philosophy is not to destroy ideological foundations, but to create conditions for their critical transparency, openness and ability to apply self-limitations.

The institutionalisation of discussions about re-ideologisation finds reflection in academic initiatives. On 1 March 2018, a round table titled “Philosophy and Ideology: The Illusion of De-ideologisation” was held at the Institute of Philosophy of the Russian Academy of Sciences, continuing discussions that began in 2016, which testifies to the recognition of ideology as a necessary, albeit problematic, component of social life. The reports presented at the round table showed that ideology serves both as a tool of manipulation and as a means for symbolically articulating the collective experience necessary for the functioning of the political body (Syrodeeva 2018: 207-208).

Thus, in the 2010s, contemporary Russian philosophy finds itself drawn into the field of socio-political transformations associated with the return of ideology (re-ideologisation), not only as an observer, but also as a participant. Under these conditions, socio-political philosophy acquires new relevance as a field capable of conceptualising the mechanisms of ideological influence, developing criteria for the legitimacy of ideological programs and defending the autonomy of thought as a fundamental value.

Indeed, the question posed in the present article as to whether ideology is necessary from the point of view of philosophy is not only theoretical and epistemological, but also existential and practical in nature. For philosophy, which is traditionally oriented toward truth and the critique of dogmatism, ideology threatens to reduce diversity of thought to the only acceptable worldview. However, the philosophical tradition also incorporates the opposite impulse: the desire for a normative statement about a just structure of society, for the formation of a telos of shared existence.

Thus, in the course of the analysis it becomes obvious that the attitude towards the re-ideologisation of the state in the philosophical community in the 2010s underwent a transformation: from harsh criticism and detachment to an attempt to understand ideology as a phenomenon with which philosophy cannot help but deal, but also cannot completely merge. In this context, ideology is understood not as a tool of manipulation, but as an expression of the fundamental human need to organise the world and provide it with conceptual integrity. From a philosophical point of view, then, we are talking here about the need to restore collective subjectivity through a return to the archetypes of the “big we”, the actualisation of a historical narrative, the sacralisation of the past and the mobilisation of “traditional values”.

The end of the 2010s and especially the beginning of the 2020s marked a new stage in the transformation of Russia’s ideological space. The events of this period – including the constitutional reform of 2020¹, the escalation of international confrontation and militarisation of public rhetoric, along with an intensification of cultural-value politics – create a qualitatively different context for the philosophical understanding of the processes of re-ideologisation.

In 2022, against the backdrop of a radical change in the international situation, ideological construction started to acquire the features of a mobilisation – and, in many ways, a militaristic orientation. This ideological mobilisation saw previous euphemisms replaced by direct and categorical formulas such as “national dignity”, “combating the unipolar world”, “protection of the Russian world” and “value sovereignty”. Against this background, the thesis about a “metaphysical confrontation” between Russia and the West starts to be increasingly heard in public discourse. Such statements take ideology beyond the bounds of utilitarian rationality and impart it with an eschatological orientation: the struggle of ideas also turns out to be a struggle of worlds.

As such, the Russian state is in the process of definitely abandoning the post-Soviet attitude towards ideological neutrality, re-

¹ The constitutional amendments make explicit reference to “ancestors who transmitted to us ideals and faith in God”, affirm the concept of “traditional values” and define the institution of marriage as a union between a man and a woman.

taining only the external vestiges of a constitutional ban on state ideology. Meanwhile, at the level of state policy, key elements of the new ideological canon are being formed. The foundations of state policy for the preservation and strengthening of traditional spiritual and moral values approved in 2022 define 17 basic concepts ranging from “patriotism” and “service to the Fatherland” to “family”, “dignity” and “acceptability of social justice”. These concepts are presented as supra-historical, universal and non-controversial – that is, they do not imply the need for philosophical or cultural debate. Here, ideology finally abandons its open discursive character and turns into a normatively fixed, symbolically hermetic framework.

The philosophical reaction to the institutionalisation of ideology (re-ideologisation) taking place in the 2020s turns out to be, on the one hand, necessarily restrained, and on the other, internally split. In the public space, philosophers increasingly rarely appear as authorities for interpreting what is happening, instead either employing a strategy of loyal support or resorting to silent distancing.

Some philosophers today explicitly recognise the need for interaction with the state in the matter of creating a national ideology. For example, for the purposes of developing a future Russian national project, A.L. Nikiforov proposes to abandon the principles of liberalism and capitalism, which are mainly oriented towards private profit, in favour of a new collectivist ideology, which assumes the limitation of private property and market relations. The researcher believes that the main task of Russian philosophy at present is the creation of a new social project that will give people’s lives deep meaning (Nikiforov 2021). However, Leonid Fishman expresses scepticism regarding the potential for ideological self-identification of the political elite, pointing to the combination of characteristics of bureaucracy, bourgeoisie and Soviet nomenclature in the contemporary Russian ruling class as a factor hindering the creation of an ideology fundamentally opposed to the Western liberal-universalist project (Fishman 2023).

Against this background, an epistemological challenge arises that is not limited to political criticism: how can philosophy maintain its identity under conditions where language, values and images are already determined in advance? Thus, the 2020s pose a fundamentally new question for Russian philosophy: is non-ideological

philosophy possible under conditions when ideology has not simply returned, but has become an obligatory form of thinking, speaking and acting?

Considering the institutional and substantive connection of philosophy with the state, Yu.M. Reznik identifies three forms of interaction: financial, normative and substantive. Noting the important role of philosophy in the formation of cultural ideals and the civilisational mission of Russia, he emphasises the need to maintain a certain critical distance and autonomy of philosophical thinking (Reznik 2022: 30-31). L.A. Musayelyan argues that Russia needs a clear state ideology that expresses the country's interests and is attractive to young people; such new values and ideals should be reflected in the educational system (Musayelyan 2023).

Reflecting on the legacy of the philosophers expelled from the USSR in 1922, A.A. Guseynov calls their deportation an “experiment” that proved the failure of the attempt to merge philosophy and ideology. In his opinion, the transformation of philosophy into an instrument of state policy leads not to consolidation, but to disaster: philosophy should be a space of an autonomous spirit, and not a derivative of a political order (Guseynov 2023: 11-12).

Andrei Loginov and Dmitry Rudenkin note a lacuna in terms of the philosophical desire to describe ideology in terms of classical models (conservatism, liberalism, socialism) and the absence of an object for such a description in modern social reality. The researchers point to an “identity crisis” in philosophy itself, which is faced with the need to rethink its own role in the post-ideological era (Loginov, Rudenkin 2020).

Thus, socio-political philosophy finds itself at a crossroads. On the one hand, there is an obvious public demand for the development of meanings and values capable of forming the basis of a national ideological project. On the other hand, there remains a fear of political instrumentalism, which turns philosophy into an ideological resource of the state. This contradiction becomes a point of philosophical tension, transforming the problem of ideology into a challenge that addresses itself to philosophy itself as a discipline.

In entering the field of ideological discussions, contemporary Russian philosophical thought demonstrates growing reflexivity and awareness of its responsibility for shaping the future. But at the same time, there is a need for extreme caution: participation in

ideological design necessitates maintaining autonomy of thought, preserving the ability to criticise and rejecting the temptation of final answers.

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Resources of Regional Identification in the Context of the Development of Russian Identity¹

Abstract. The article analyses the state of regional identity in modern Russia. The rooting of identity discourses in the regions is shown to constitute an important resource for the country's development as a whole. Competencies on the part of Russian regions in terms of integrating identity issues into management practices are identified. These include transmission of regionalist discourse through cultivating regional specificity, interpretation and characterisation of community traits based on shared values, as well as active positioning and defence of regional interests. The developed concept of "institutionalisation of regional identity" implies the formation of sustainable and stable value systems, along with accompanying social practices. Three directions of the process of institutionalisation of regional identity are defined: normative (positioning and normative consolidation of regional specificity and its articulation in political courses), narrative-mythological (the presence of regional identity in the dominant narratives and mythologems of the region), symbolic (symbolisation and transition of regional specificity into symbols, names of regions, toponymy, holidays, branding, pantheons of regional heroes, etc.). By reaching a strategic and systemic vision of identity policy based on these directions, a favourable foundation is created for the use of identitarian resources in the development of the regions and the country as a whole.

Keywords: regional identity; Russian identity; institutionalisation; identity politics; development; regional brand

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¹The study was carried out is based on the author's dissertation work (Nazukina 2025).

The active development of interest in the issue of identity is due to the strategic importance of this intangible resource for any social systems (Semenenko 2017; Semenenko 2023). In the context of modern geopolitical challenges, socio-political and technological transformations, the formation and strengthening of Russian identity becomes a key task. Regional identity, which occupies an important place in the structure of general civic identity, has its origins in social community based around a population, the main connection with which is based on a common place of residence (Brigevich 2016). The approach taken in the present work to conceptualising the concept is based on a definition of regional identity as a complex of symbolic and ideological attitudes and meanings associated with the process of interpreting regional uniqueness (regionalist discourse), through which the uniqueness of a region acquires tangible features in images, symbols and myths shared by members of the regional community (Nazukina 2017: 508).

During the 1990s, sociological studies revealed a tendency for Russians to predominantly self-identify as “residents of their region”. Data from the Russian Public Opinion Research Centre (VCIOM) showed a decrease in the number of those who primarily identify themselves as “Russians” and an increase in the number of those who feel part of their region, city or town². A 1998 Public Opinion Foundation (FOM) poll showed that 35% of respondents primarily felt like residents of their region, while 29% felt like citizens of Russia, and 22% had a mixed identity. More recent studies confirm this trend, recording either the dominance of regional identity or its equivalence with the national identity³. For example, a 2012 ZIRCON survey set out to investigate the importance of grassroots levels of territorial identity. The results showed that, out of the 10 countries of the former USSR, Russia leads in terms of local identity. With the overall dominance of pan-Russian identity, the Republic of Tatarstan demonstrated higher rates of regional identity (when answering the question “Who do you personally primarily feel yourself to be?”, 24%

² Danilova E. Problems of social identification of the population of post-Soviet Russia, *Ekonomicheskiye i sotsial'n-yye peremeny: monitoring obshchestvennogo mneniya. Informatsionnyy byulleten' VTSIOM*, 1997, no. 3, p. 14. (in Russ.).

³ FOM – INFO. Weekly bulletin, Moscow, 1998, no. 27(222). (in Russ.).

indicated “a resident of your region”, while 35 % stated “a resident of your city, district”, and 34 % – “a citizen of Russia”⁴.

In 2020, a study commissioned by the Russian Ministry of Science and Higher Education assessed the civic and patriotic education of children and youth. Respondents were asked to choose who they felt they were most like. The results showed that the all-Russian identity (“citizen of Russia”) dominates (51 %), followed by “member of my family” (16 %), “citizen of the world” (13 %), “resident of my city, region” (10 %), while 5% each chose “resident of my region” and “representative of my people”⁵. The study identified regions where regional identity is significantly stronger than local identity. These regions include: the Republic of Ingushetia (15.63 %), the Republic of Sakha (Yakutia) (12.18 %), the Nenets Autonomous Okrug (11.66 %), the Karachay-Cherkessia Republic (11.11 %), the Altai Territory (10.17 %) and the Tomsk Region (10.00 %). Overall, despite the limitations associated with the survey methodology and the target focus on youth groups, the predominance of pan-Russian identity is indicative.

The external challenges Russia has faced in recent years have brought the preservation and development of a national Russian identity to the forefront, as well as imbuing it with additional meanings. The coronavirus pandemic and sanctions pressure from Western countries have consolidated Russian society and thereby reinforced the importance of a national Russian identity. During the pandemic, this manifested itself, for example, in the creation and work of the all-Russian mass volunteer movement “WeAreTo-

⁴ Territorial identity in the post-Soviet space, 15.03.2013, ZIRCON. *Press release*, available at: http://www.zircon.ru/upload/iblock/222/PR_territorialnaja_identichnost_na_PSP_15-03-13.pdf (accessed September 02, 2025). (in Russ.).

⁵ Monitoring the activities of the constituent entities of the Russian Federation in the civil-patriotic and spiritual-moral education of children and youth, including an analysis of the effectiveness of implementing regional patriotic education programmes and an assessment of the effective use of facilities intended for military-patriotic education and preparing citizens for military service, including educational organisations, sports, and sports-technical facilities, *Avtonomnaya nekommercheskaya organizatsiya dopolnitel'nogo professional'nogo obrazovaniya «Tsentri sovremennykh obrazovatel'nykh tekhnologiy»*, available at: <https://centersot.ru> (accessed September 02, 2025). (in Russ.).

gether”, sanctions pressure led to the active participation of citizens from various regions of the country in providing humanitarian aid to residents of Donbas and liberated territories. On the other hand, external challenges have strengthened the autonomy of Russia’s regions: Vladimir Putin has granted governors additional powers to ensure effective governance across diverse regional contexts. Thus, it can be assumed that the strengthening of sovereign independence, in turn, actualised the importance of regional identities. This argument is supported, for example, by the course towards import substitution, which is being implemented consistently and universally at the level of federal subjects. For example, regional campaigns designed to support local producers (“Buy Perm!” etc.) are based, first and foremost, on regional identity.

Modern Russian regions demonstrate a stable tendency to include identity issues in the sphere of governance. This leads to an increase in the importance of practices of constructing regional identity as one of the tools for territorial development. In a number of cases, this has resulted in the separation of this area into an independent sphere, based on a specialised regulatory framework aimed at developing regional identity. An example of this is the concept of preserving and developing identity in the Ulyanovsk region until 2030. This process can be described as the “institutionalisation of regional identity”, which implies the acquisition of value and sustainability of regionalist discourse about the specifics of the region and community within the framework of a political programme aimed at the formation and maintenance of regional orders that involves public recognition of regional identity (Nazukina 2025: 25). State policy plays a decisive role by creating and maintaining long-term narratives that shape regional and national self-identification (Castells 1997), which in turn helps people to determine who “we” are, who “others” are, and how we relate to them. When identity takes on institutional forms, it becomes the basis for organising a “worldview” and resolving conflicts. Thus, the formation of identity and its institutionalisation are dynamic, interrelated processes that develop together and reinforce each other. The research question thus arises: how does regional identity become a resource for a country’s development?

An analysis of the specific articulation of regionalist discourse in modern Russia shows that regional identity and uniqueness are manifested not only in characteristics but also in active measures

aimed at achieving the region's goals and ambitions. These goals can be varied: gaining economic or political advantages in the struggle for resources, developing cooperation with other regions, acquiring symbolic dividends, etc.

In terms of the articulation of regionalist discourses, several distinct directions can be identified. In the first instance, this process is associated with the promotion of the region's characteristics: historical, cultural, economic, natural, geographical, political and other specific features, which are actively emphasised when characterising the territory. At the same time, characteristics such as unique economic strengths can be interpreted through a set of statuses and ambitions associated with a region ("the most powerful centre", "leading region", "territory of innovation"), as well as through specific characteristics such as "oil", "industrial", etc.

The second direction of articulation of regionalist discourse is aimed at emphasising the unique characteristics of the inhabitants of the territory – that is, the regional community. For example, the name of the regional community, discussions around concepts related to regional character, mentality, etc. (for example, the Tyumen character), the presence of personifiers and cultural heroes, their citation, etc., are important factors in the interpretation of internal characteristics. An indicative fragment of such reasoning is the Missive of the Governor of the Tyumen Region for 2019: *"The first such resource is resilience. Here, I am talking about a quality of the Tyumen character that was forged in the heroic times of pioneers... The second resource is ingenuity. This is also in our character, in our blood – the ability to find non-trivial, daring, innovative solutions, the ability to get off the beaten track and decisively move into the unknown"*⁶.

At the same time, regional identity in modern Russia does not exist in a vacuum, but is closely intertwined with ethnic factors (for example, belonging to the Slavic or Turkic "worlds"), religious (Orthodox, Islamic, Buddhist "worlds") and historical (for example, a sense of being part of the "post-Soviet space"). It is important to

⁶ Missive of the Governor of the Tyumen Region A.V. Moor to the Tyumen Regional Duma "On the state of affairs in the region" 2019, 21.11.2019, *Organy gosudarstvennoy vlasti Tyumenskoy oblasti : Ofitsial'nyy portal*, available at: https://admtyumen.ru/ogv_ru/gov/governors/interviews/more.htm?id=11810694@cmsArticle (accessed September 25, 2025). (in Russ.).

note that each of these components may have different weight and significance for an individual or group when trying to understand and define the uniqueness of their historical and cultural identity.

If the first two areas help determine how the community perceives its region and its identity, then the third aspect allows us to evaluate the activity and independence of regional actors in protecting the interests and promoting the image of the region. The use of metaphorical expressions, emphasising the uniqueness and ambitions of the region (for example, “Kazan is the third capital of Russia”, “Vologda is the dairy capital of Russia”, etc.) serves as a tool for symbolic dialogue with the Federal centre in order to obtain additional resources, as well as for competition with other regions.

In our view, the presence of these regional identity markers and their institutionalisation can occur at three main levels of identity politics: normative (positioning and normative consolidation of regional specificity and its articulation in political courses), narrative-mythological (the presence of regional identity in the dominant narratives and mythologems of the region), symbolic (symbolisation and inclusion of regional specificity in symbols, region names, toponymy, holidays, branding, pantheons of regional heroes, etc.).

Any classifications are regulated at the level of discourses through government policy can also be formalised in regulatory legal acts (see, for example, Panov 2019). In this case, it is the status of the region that is institutionalised in terms of its unique characteristics. Regional actors articulate regionalist meanings to define the direction of constructing the territory’s distinctiveness. In general, the following directions in the normative institutionalisation of regional identity can be identified:

1. Emphasising regional specifics in key state programs, along with development strategies and regulations related to strategic planning for regional development, as well as decision-making and policy implementation based on them;
2. Determination of the status of the region within the federal system taking into account the degree of territorial autonomy;
3. Positioning of regional elites in relation to the region (discourse of “friend-or-foe” in official materials (biographies, interviews)), the significance of the regional factor in personnel policy (fellow countrymen, “Moscowism”, the role of “outsiders”, etc.);
4. The regional component of the education system, scientific

research sphere (local history, work of regional museums, etc.) and language policy;

5. The presence and influence of regionalist movements and organisations on regional policy;
6. Regional identity in pre-election discourse (“friend-or-foe”).

The institutionalisation of regional identity within the framework of identity politics presupposes the use of various symbolic elements formed during the construction of identity. The symbolic dimension of the institutionalisation of regional identity can include incorporating features of regional specificity into symbolic attributes of the community, geographical names, proper names (onyms), the cultural landscape, monuments, various ritual practices (for example, the celebration of significant dates), and so on. This process manifests itself through the use of images of cultural heroes, naming, visual design and urban architecture, as well as branding.

The directions of symbolic institutionalisation of regional identity in the identity policy of the regions of the Russian Federation include:

1. The presence of regional specific markers in the coat of arms, flag, anthem, description of symbols in laws on regional symbols, etc.;
2. The presence of regional specific markers in the names of social and commercial infrastructure facilities;
3. The presence of a regional brand (new heraldry), as well as markers of regional specificity in regional brands of various types (for example, tourism, manufacturing, etc.);
4. Cultivation of cultural heroes associated with the region: leaders, sports stars, pop stars, national heroes, etc.
5. Determination of regional holidays and anniversaries.
6. Participation of the region in symbolic projects such as “Russia 10”, “Great Names of Russia”, etc., including the updating and promotion of regional symbols in them.

The symbolic direction, which is intended to visually present the attributes of the uniqueness of the community, is closely connected with the narrative-mythological direction to emphasise the function of transmitting historical memory among communities. This direction encompasses various forms and ways of representing the past, the memory of the community, as well as dominant mythologems and values.

Narrative-mythological institutionalisation leads to an understanding of regional specificity as a basic value and its subsequent consolidation in the public consciousness. Within the wider discourse, a historical narrative is distinguished that describes the genealogy of the regional community to explain its past, present and future. The narrative-mythological dimension is represented by different forms, such as the myth of a special people or heroes.

From a political-psychological perspective, values are stable semantic dominants within the structure of political identity; as such, they define perceptions of “us” and “them”, characterise the specificity of regional communities, and determine what is significant to them at the level of the cultural code (Selezneva, Hugaev 2024). At the level of discourse, this manifests itself as something that both unites and forms boundaries.

The directions of narrative-mythological institutionalisation of regional identity in the identity policy of the regions of the Russian Federation combine the following aspects:

1. Historical narratives and mythologemes of the region (traditions, legends, folk culture, etc.);
2. Local beliefs and religion as important aspects of the characteristics of a regional community;
3. Positioning, touristic images, presentation of the region in official discourses, etc.

An interesting example of the importance of religion is the Republic of Kalmykia: according to expert opinion, “Buddhism is the dominant identifier of the ethnic identity of the Kalmyks, not the language”.⁷

One of the significant narratives of the Russian republics is the mythology of “unity” with Russia, which is expressed in the celebration of the anniversaries of “entry” into Russia. For example, regional history firmly places Udmurtia within the Russian space, as evidenced by the celebration of the 450th anniversary of Udmurtia’s voluntary entry into the Russian state, which “became a holiday uniting all residents of the republic without exception”.⁸

⁷ Expert interview No. 1. Elista, October 28, 2015. Personal archive of the author.

⁸ Volkov A. “*The anniversary united all residents of Udmurtia*”, 17.09.2008, available at: <https://www.izh.kp.ru/daily/24165/378131/> (accessed September 25, 2025). (in Russ.).

Of course, it must be admitted that the identified levels and the proposed model of institutionalisation of regional identity in the context of identity politics are an analytical construct. However, it is important to focus on the interdependence of each of the elements, since it is obvious that the process of forming a symbolic attribute is inextricably linked with its mythologisation and subsequent normative consolidation. At the same time, the concept of institutionalisation of regional identity in identity politics opens new horizons for comparative studies of political processes in regions. A key aspect of the analysis is the rootedness of regionalist discourse in the political course of the region as a factor significant for maintaining regional order.

The state, as a key actor in identity politics, is responsible for the formation of basic value categories, on the basis of which the substantive focus of regional value models is constructed and promising strategic symbolic niches of regional advantage over “others” are determined. In line with the resource-based approach, there is a strengthening of integrative discourse at the level of regional heads and key regional ministries. In implementing identity politics, the intellectual elite takes on the function of reflection to stimulate discourse on regional specifics and the formation of intellectual communities.

Recognising identity as a valuable resource, regional authorities use policies based on it to stimulate territorial development. Strategies based on symbolic resources and human capital contribute to the development of tourism and the improvement of urban infrastructure.

In many ways, today we are witnessing a situation of dialogue and communication between different actors in the sphere of implementing identity policy. The growing role of business actors in the face of external challenges is evinced by their active implementation of the demand for import substitution and registering regional brands. An interesting example is the case of Perm, where, in honour of its anniversary, a local entrepreneur registered the “Perm 300” tourist bus brand and began actively developing regional excursion routes. Moreover, understanding the importance of the topic, he actively interacted with regional experts, who helped define the basic elements of Perm’s regional identity for the excursion.

Research shows that regional identity contributes to the strengthening of Russian civic identity (see, for example, Kireeva, Kukva, Shadzhe, 2024). It thus becomes the basis for uniting around common goals, activating civic engagement, and fostering a sense of responsibility for Russia's future, especially among the younger generation. One of the promising tools for effectively integrating different levels of territorial identity into each other is branding, in which regions are included in the symbolic landscape of the country through markers of ambition (capital, centre, etc.). Subsequent analysis should include studies of regional branding practices that form a system of meanings in the public consciousness that contributes to a strengthening of the all-Russian identity.

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Demographic Factors of Russian Civilisational Development in the 20th Century

Abstract. The article investigates the role of demographic factors in the civilisational development of Russia during the 20th century, specifically in the transformation of the political system, representing one of the key elements of Russian civilisation. The methodological basis of the conducted research was formed by the approaches and methods of political demography. Based on the analysis of statistical data and results presented in the scientific literature, the factors that twice led to a change in the political system in the country in less than 100 years are identified. Agricultural overpopulation appears as the leading demographic factor that led to the revolutionary explosion and collapse of the Russian Empire. The significance of the “youth bulge” as a factor in the destabilisation of the political system of the Russian Empire at the final stage of its development is considered. Although urbanisation, which can be identified as a key process of the Soviet era, provided a means of overcoming the country’s agrarian overpopulation, it also gave rise to new socio-demographic challenges that ultimately served to destabilise the Soviet system. The role of such factors as the formation of “new urbanites” and the social degradation of the “Soviet intelligentsia” is revealed as leading to a new crisis of the social system as a whole – and its political component in particular. A comparison of the influence of demographic factors at the beginning and end of the 20th century provides a basis for explaining the trajectories of political events. Summarising the results of the study, conclusions are drawn about the role of demographic factors in the functioning of political systems during the 20th century in Russia.

Keywords: Russia; 20th century; civilisational development; political system; demographic factors; transformation; collapse

Introduction. Political demography studies the role of the demographic factor in political processes. This is a relatively new field within political science, already actively represented in the International Political Science Association, which delineates a section on “Political Geography and Demography”.

Concept of the demographic factor. The demographic factor in political processes refers to the relationship between demographic characteristics and the specific features of political processes. The demographic characteristics of a country’s population also influence the functioning of the political system.

One of the founders of political demography in the USA, Jack Goldstone, emphasises out that any significant changes in the population or in any of its groups can influence the distribution of resources and, therefore, have a political impact (Goldstone et al. 2012: 11-12).

It should be mentioned that the influence of demographic factors in political processes in the context of individual periods of Russia’s history is yet to be comprehensively studied.

Approaches to the study of the role of the demographic factor. Myron Weiner identified five areas of research in this field: (1) structure of age groups of the population; (2) family size and provision of housing and land; (3) size and density of the population in the context of centre/periphery relations; (4) rate of population growth among different ethnic and religious communities; (5) migration within the state and across borders (Weiner, Teitelbaum 2001: 11).

Michael Teitelbaum cites the following as the most important areas of research: (1) size of the population and its relationship with the power of the state; (2) influence of the age structure of the population on political strength and political stability in the country; (3) ethnic, socio-economic and geographic composition of the country’s population and its reflection in political power; (4) impact of immigration and declining birth rates on political strength (Poston, Micklin 2006: 868).

Another important research issue concerns the problem of the role of demographic factors in the emergence and development of revolutionary events. Thus, the demographic factors of revolutionary events are considered in the work of Vadim Ustyuzhanin et al. on the example of foreign countries (Ustyuzhanin et al. 2022),

while in relation to the historical past of Russian civilisation they are covered in the works of Sergey Nefedov (Nefedov 2015) and Boris Mironov (Mironov 2017). Demographic factors are considered in relation to contemporary Russian reality in the work of Viktor Martyanov (Martyanov 2018).

Existing approaches to research in this area are based on the analysis of political phenomena through the prism of trends in four demographic components: fertility, mortality, migration and population structure. In the present work, the evolution of the political system in Russia during the 20th century will be examined by considering the influence of these four demographic components. This will record the influence of demographic factors on its functioning and development.

Data sources. The primary source of data for political-demographic research is census data and statistical data on population movements. Since we will proceed from the data on the main transformations of the political system in our country already established by historical science, our research will be of a retrospective nature.

Purpose and objectives of the article. The aim of the article is to illustrate the role of demographic factors in the established transformations of the political system. The objectives of the study include an analysis of the influence of demographic factors on political transformation during the late Russian Empire and the Soviet period of history.

Demographic factors of the crisis of the imperial political system in Russia at the beginning of the 20th century. One of the key issues that led to the collapse of the empire was the problem of agrarian overpopulation in the central part of the country. In 1880, 82 million people lived in the country; by 1894, this number had increased to 122 million, and by 1914, to 182 million (an annual increase of about 2.4 million people, while for the period from 1902 to 1912, the annual increase was up to 3.7 million) (Mosyakin 2017: 29-35). Although the data presented may be criticised due to the imperfection of statistical accounting, the order of magnitude of the numbers is impressive: for every 100 inhabitants of the empire, 1–2 new ones appeared annually.

The overwhelming majority of the demographic growth was provided by the peasantry, which made up three quarters of the coun-

try's population¹. The main areas of concentration of growth were the European part of the country and the capital regions, where the number of the proletariat grew due to the resettlement of rural residents.

Demographic pressure reduced the potential for increased social well-being and increased poverty, exacerbating social contradictions, especially in conditions of economic instability (the crisis of 1900–1903 and the subsequent depression). At the beginning of the 20th century, 26.6 million peasants were on the brink of poverty and destitution (Volin 1983: 168).

The high proportion of dependents also provoked poverty for a significant part of the population. At the beginning of the 20th century, for every 100 people of working age in Russia, there were 83 people of non-working age (in Germany – 74; in England – 73; in the USA – 69). This factor impaired the development of a subsistence economy into a commercial one, as well as hindering the accumulation of capital and the intensification of agriculture (Pogrebinskaya 2008).

At this time, the proportion of the young population was extremely high. In the European part of the country, the proportion of the population under 30 years of age was 64.5%, including 48.7% under 19 years of age; in the empire as a whole, these figures were 64.6% and 48.4%, respectively².

A number of modern studies (Urdal 2004) show that a proportion of youth over 30% in the population structure significantly increases the risks of internal political conflicts. The existence of “youth bulge” in the empire at the beginning of the 20th century is widely recognised by Russian researchers (Nefedov 2015; Martyanov 2018). In particular, Sergey Nefedov considers the main socio-political consequences of the “youth bulge” to have been the mass exodus of young people from the village to the city, which led to an increase in the number of proletarian strata of the population, along with an increase in the number of students and the activation of the student movement on the eve of 1905 (Nefedov 2015).

¹*Statistical Yearbook of Russia. 1913*, Izdaniye TSSK MVD, St. Petersburg, 1914, available at: <http://gpntb.dlibrary.org/ru/nodes/6457-statisticheskii-ezhгодnik-rossii-1913-g-spb-1914#mode/inspect/page/547/zoom/4> (accessed February 12, 2025). (in Russ.).

²Ibid.

The general increase in literacy among the population also opened up fertile new opportunities for the promulgation of anti-government ideas. Thus, the proportion of literate people in the population over 9 years of age in 1897 was 27% among people of both sexes. Among men, the figure was 39%, while in the European part of the empire these figures were higher at 30% and 43%, respectively³.

Agricultural overpopulation put pressure on the political system, transforming the provinces of the European part into a kind of “powder keg”. Between 1897 and 1914, the population of Russia grew by 40.1 million people (Sifman); at this time, the surplus of labour in the rural areas fluctuated between 9.2 and 12.2 million people (Ostrovsky 1982).

It was not possible to mitigate this pressure during the Stolypin reform, since out of 9.5 million peasant households, only 2.7 million had attempted to leave their villages by 1914; in reality, only 26.6% of these managed to do so (Avrekh 1991). The resettlement policy also failed to solve the problem, since out of 1.3 million peasants who moved beyond the Urals in 1908–1909, more than 0.5 million returned, and “the number of migrants and those who left for the cities did not absorb the natural population increase” (Avrekh 1991). Tensions in the villages grew; in 1905–1907, no less than twenty-two thousand peasant uprisings took place in Russia, while in the entire 19th century there were only eleven thousand (Tyukavkin, Shchagin 1987: 70-71).

Agrarian overpopulation fuelled the prevailing ideas among peasants about social justice and collectivism (Tyukavkin 2001: 297), strengthening the desire to seize landowners’ land.

The rapid urbanisation caused by the industrial boom in the late 19th and early 20th centuries gave rise to significant layers of the so-called lumpen proletariat – yesterday’s ruined peasants who went to the cities in search of a better life. While in 1897, the proportion of the urban population across the entire imperial territory was only 15% (Lappo, Polyan 1999: 35), over the next 18 years the urban population in the European part alone grew by 6.5 million people (Rashin 1956).

Due to the continuous demographic growth in the village communes, this flow did not abate, but only continued to grow. Mean-

³ Ibid.

while a layer of explosive social elements was forming in the cities. By then, fully a quarter of the urban population was made up by former rural dwellers (Lappo, Polyak 1999: 37). Finding themselves in an extremely vulnerable position as a result of any economic downturn, such groups would become increasingly responsive to anti-government rhetoric.

The rapidly growing population of the national peripheries also often gave rise to interethnic tensions; for example, in Central Asia this was demonstrated by the uprising of 1916. Similar problems arose in the Caucasus, Poland and the Baltics. Meanwhile the Jewish question was becoming particularly acute, leading to the widespread involvement of Jewish youth in the revolutionary movement.

The objectively established demographic factors of the crisis of the political system were intensified by the events of the First World War, which provoked mass displacement of the population, including Jews, from the western provinces to the east. The number of refugees in Russia during the First World War is estimated at between 5 and 15 million people, a significant portion of whom were young people and teenagers (Mikhalev, Pyankov 2015: 95, 103). Mass migrations created unstable populations, who being cut off from their familiar environment were also more susceptible to anti-government propaganda.

Deserters from the armed forces are known to have played a huge role in the expansion of the revolution in the provinces in 1917. By the summer of 1917, the male population in the Volga region had increased by 20% due to soldiers who had fled their units or refused to return from leave; such deserters were among the most vociferous instigators of the first peasant unrest (Lyukshin 2013: 123).

Thus, the above-mentioned demographic factors created the preconditions for a social explosion. Nevertheless, while there was one set of demographic factors associated with the outbreak of revolution in 1905–1907, a slightly different set of demographic circumstances accompanied the events of 1917. But was the collapse of the existing political system inevitable under the influence of demographic factors? From the point of view of political demography, while such factors may create the preconditions for crisis and social explosion, the “trigger” for the beginning of revolutionary events

consists in other factors, which may have socio-political and other characteristics.

According to Boris Mironov, a certain rationalisation of demographic behaviour occurred among a portion of the population occurred as a result of demographic modernisation in late imperial Russia (Mironov 2017: 35). According to Sergey Zakharov, the 1910s marks the beginning of the process of gradual transition from traditional attitudes to childbearing to intentional birth control approaches (Zakharov 2003). However, only 14% of residents, from among educated and wealthy city dwellers and residents of the western regions (Jews, Catholics and Protestants), were involved in the associated demographic transition, while 86% of the population (rural and urban population of the Orthodox, Muslim and other faiths) turned out to be weakly affected by the new trends (Mironov 2017: 35). Thus, in order to prevent a revolutionary explosion, there was simply not enough time to involve broader sections of the population, especially the peasantry, in the demographic transition.

Demographic factors in the development of the Soviet political system in the 20th century. The civil war resulted in enormous demographic losses, estimated at up to 15 million people and higher (Pocheshkov et al. 2020: 67), which led to some deurbanisation in the country. Thus, from 1913 to 1920 the urban population decreased from 28.5 to 20.9 million people throughout the entire territory of the USSR, while its share of the total population declined from 17.9% to 15.3% (Moskovsky, Isupov 1984: 27). Many large cities, including regional capitals, were abandoned wholesale. At the same time, the problem of agricultural overpopulation continued to grow, threatening a new explosion in the future if nothing was done.

The Soviet response to burgeoning domestic and foreign policy challenges was to adopt a course towards accelerated modernisation. A direct consequence of this policy was “explosive” urbanisation, involving a sharp increase in the urban population that formed groups of “new urbanites” among those from the countryside who could be more easily managed and motivated. As a result, the share of the urban population had increased to almost 33% by 1939⁴.

⁴<https://www.demoscope.ru/weekly/ssp/census.php?cy=3> (in Russ.).

In order to form a stable social support, the authorities created channels of mass mobility to form new cadres of workers and intelligentsia (Senyavsky 2019: 148). These migration flows also led to the formation of “new elites” – future “Stalinist technocrats” who began to push aside the previous elite groups that had emerged during the revolution and the Civil War.

Specific characteristics of urbanisation during this period included: the formation of a sharply expressed disproportion between the population size and the level of development of the social infrastructure of settlements; the formation of a network of settlements in which the marginalised population lived; a delay in the formation of an urban way of life resulting in an “intermediate state” between rural and urban mentalities (Isupov 2012: 468). Many of the social costs associated with accelerated urbanisation would become apparent in the future.

The famine of the 1930s and the Great Patriotic War contributed to the further extraction of all types of resources from the countryside, which provoked its deepest crisis and de facto solved the problem of agricultural overpopulation. By the mid-1970s, more than 62 % of the USSR’s population lived in cities⁵. The resulting demographic crisis in the rural communities led to a gradual depletion of the flow of young people to the cities, which allowed for some stabilisation of the social system. This was also facilitated by a gradual increase in the well-being of the urban population. As a result, the political system and social structure came into relative balance for a time.

Another feature of demographic development in this period was the widespread distribution of higher education, especially engineering and technical education, which gave rise to a social group of the “new intelligentsia”, which was more technocratic. Over time, this social group became increasingly significant: due to its education, the demand for social status in its ranks was significantly higher than that of many representatives of the working class.

The Great Terror led to significant extirpation of the former political elites. In turn, the Great Patriotic War contributed to their further upheaval, along with disruption of internal connections and stability. During the war, an entire generation was practically

⁵<https://www.booksite.ru/fulltext/1/001/008/114/420.htm> (in Russ.).

knocked out of the queue for the “helm of government” of the country, which would later have negative consequences. The political elites in the post-war period became qualitatively different; the top positions, instead of the “romantics of the revolution”, eventually came to be occupied by cohorts of new “Stalinist technocrats”. By this time, technocracy – the idea that all problems and tasks can be solved through the search for and implementation of scientific ideas – had become the dominant ideology.

The above processes were accompanied by an ongoing demographic transition, which was associated with an increased reduction in both fertility and mortality from infectious diseases, which significantly increased life expectancy. Medical advances, in turn, became an additional obstacle to the natural turnover of elites, significantly slowing the process down.

Increased life expectancy paradoxically had a negative effect on the pace of economic development: simultaneously with an increasing social burden on the economy due to the growing proportion of people over working age, the dynamism generated by the arrival of young leaders at the helm of the country weakened as these elites aged. The phenomenon that would come to be referred to as “gerontocracy” had emerged.

Mass migrations due to large-scale infrastructure projects also changed the ethnic picture in the country. Large cities were formed that consisted almost entirely of recent migrants; such urban communities were characterised by weak internal connections and less effective institutions for the socialisation of children, adolescents and young adults. Over time, this led to a precipitous rise in crime, along with the replacement of official ideology by a criminal counterculture.

The policy of *korenizatsiya* (“indigenisation”), which was officially proclaimed and implemented by the Soviet government in the 1920s and 1930s, contributed to the formation of national elites on the periphery of the state, some of whom, as it later turned out, may not have fully shared the dominant ideology.

As a result, the established balance between the social and political systems began to gradually deteriorate.

Demographic factors in the crisis and collapse of the Soviet political system. When discussing the demographic factors behind the collapse of the USSR, it should be noted that they

reinforced the emerging centrifugal tendencies provoked by economic problems and a decline in living standards due to the slowdown in the Soviet economy and excessive defence spending. By exacerbating the acuteness of the perception of socio-economic problems, they also undermined faith in the legitimacy of the central government and the fairness of the existing political system.

In the second half of the 20th century, a slowdown in the rate of demographic development became evident in the USSR: during the 1950s, the average annual population growth was approximately 3.3 million; by the 1960s, it had slowed to about 3.0 million, while during the 1970s–1980s it had already fallen to around 2.4 million. The slowdown in demographic growth objectively led to a decrease in dynamism in the development of Soviet society. Although the fall in the number of children reduced the burden on the socio-economic system, this was more than compensated by the increase in life expectancy that increased the population of people older than working age, thus further exacerbating it. That is, these two factors partially offset each other's impact at a time when GDP growth rates were falling significantly: in the 1980s, they were 2–3 times lower than the corresponding figures from the second half of the 1960s to the first half of the 1970s (see, for example: Gubanov, Shilayev 2013: 485). The decline in the birth rate and the increase in life expectancy contributed to the increased importance of the individual in Soviet society, which led to a certain reassessment of values and the promotion of issues of ensuring human rights in place of the primacy of state interests and proletarian internationalism. Meanwhile, the decline in the youth population reduced the ability to replenish the working-age population and limited the labour potential for new ambitious infrastructure projects.

Opposition sentiments in society grew leading to the formation of countercultural groups: from 1967 to 1971, 3,096 “politically harmful groups” were identified, and approximately 14,000 people were subjected to prophylactic work by the KGB. (Medvedev 2019). Moreover, this took place during the period of the country's most intensive socio-economic development, whereas by the 1980s the socio-economic situation had deteriorated significantly, which only increased the number of supporters of such sentiments.

Another factor was the imbalance in the rate of demographic development in different parts of the vast country. The uneven development of the union republics, expressed in the “aging” of some regions and the demographic expansion of others, gave rise to a host of difficulties, including the need for a timely redistribution of the structure of labour resources and the accompanying growth of interethnic tensions. As Aleksandr Shubin emphasises, by the end of the 1980s, in the USSR, “industrial civilisation in the European and North Asian parts of the country and Central Asian societies that were just emerging from the classical pre-industrial state” still coexisted (Shubin 2016: 25-26). National imbalances consisted in the fact that the main population growth was generated by the former imperial “national borderlands”, i.e., Transcaucasia and Central Asia, where the rate of socio-economic development did not keep pace with demographic growth, leading to a decline in the standard of living and interethnic competition. As compared with a population growth in the USSR as a whole for 1979–1989 of around 9%, in Central Asia it ranged between 13% (in the Kazakh SSR) and 34% (in the Tajik SSR). Meanwhile, although the proportion of urban residents in these republics were significantly lower than the all-Union figure of 62% (from 54% in the Kazakh SSR to 35% in the Tajik SSR), they contributed a significant increase in the proportion of the titular population. At the same time, the growth in the population of the “national borderlands” naturally increased their role in the union system, which met with some resistance in the union centre and in the established core of the union state, i.e. the Russian Soviet Federated Socialist Republic (RSFSR).

By this point, the process of urbanisation was also coming to an end: by the mid-1970s, almost two thirds of the population of the USSR were city dwellers; by 1989, 188.8 million people lived in urban areas, with some 30.9% of city dwellers living in cities with a population of 100,000 to 500,000 people, and 38.5% in cities with a population of over 500,000. (Senyavsky 2019: 157-158). Now that the bulk of the country’s population was concentrated in cities, some new challenges appeared in terms of controlling these masses, as well as in ensuring a decent standard of living for the urban population. Nikita Khrushchev had already thought about this exigency when, in the early 1960s, he stated that a reasonable

maximum population size for Moscow could not exceed 5–7 million people.⁶ At the same time, the residual “pumping” of human resources from rural areas to cities continued; although this rate decreased to 800–900 thousand people per year in the 1980s from almost 2 million people per year in the 1960–1970s (Senavsky 2019: 157), the country’s urban settlements – and especially large cities – continued to accumulate a critical mass of the “marginalised population” – former villagers who had moved to the cities (in the 1950–1970s, from 60% to 80% of the urban population growth). In many ways, this was reminiscent of the situation at the beginning of the 20th century, albeit on a different scale. According to Alexander Senyavsky, “it was the city that became the main focus of the problems and antagonisms of the Soviet system... and became the source and basis of the extremely contradictory changes that began in the second half of the 1980s [since] the standard and quality of life did not satisfy significant sections of the population, especially in large cities” (Senyavsky 2019: 159).

Another manifestation of the demographic factor against the backdrop of economic difficulties was the strengthening of the role of the “Soviet middle class” – the intelligentsia – which began to increasingly demand changes in the distribution of economic benefits, an increase in the level of well-being, and real access to the levers of governmental power. Following the most prosperous years in material terms in the 1940s and 1950s, the material well-being and social status of the intelligentsia, especially the engineering and technical intelligentsia, seriously deteriorated – the word “engineer” became synonymous with the word “beggar” during the Brezhnev period; teachers and doctors were in a similar situation (Zolotarev 2012: 49–50). At the same time, the number of the intelligentsia was constantly growing (in the last years of the USSR, it constituted almost a quarter of the country’s population), but its qualitative composition gradually deteriorated due to widespread access to the higher education system. The so-called “intelligentsia ideology”, which had become quite widespread, included open or hidden dissidence, which did not fit well with the official state

⁶ *Transcript of conversation between Comrade N.S. Khrushchev and the leaders of the Moscow Council on urban development.* May 26, 1962, available at: <https://istmat.org/node/26312> (accessed February 12, 2025). (in Russ.).

ideology. According to researchers, “a considerable part of the Soviet intelligentsia of the Brezhnev period no longer took communist ideals seriously... the active part of the ‘sixties’ generation already perceived the Brezhnev regime as hostile” (Zolotarev 2012: 52). Moreover, the policy of the Soviet leadership partly determined this process, since in Soviet society in the 1970s and 1980s the degree of permitted freedom “grew more slowly than the need for self-expression and intellectual search” (Shubin 2008: 8-9).

Another consequence of the slowdown in population growth was the depletion of human resources required to continue along the path of extensive economic development. Although the size of the working class in the country tripled in the post-war years, which provided the opportunity for extensive economic development, by the 1980s there was no longer any prospect of continuing this policy due to the impossibility of further extracting human resources from the countryside without damaging agriculture.

In particular, the policy of *korenizatsiya*, which was aimed at developing party cadres for every nationality and implemented throughout the entire history of the USSR, created imbalances in development. Thus, by the turn of the 1990s, the RSFSR ranked only 11th among the Soviet republics in terms of the proportion of people (per 1,000 adults) with higher and secondary education (Degtyarov 2021: 37-38). While in the 1920s and 1930s, the policy of *korenizatsiya* might have seemed like a restoration of historical justice, by the late Soviet period it was already unnecessary, given that, according to many development indicators, the peoples of the union republics of the USSR had achieved relative parity. The continuation of such a policy led to the growth of national consciousness in the RSFSR, which can be seen as having contributed to USSR’s fate, since it began to be viewed by part of the RSFSR population as an unnecessary “yoke” that should be removed.

An important reason for the collapse of the Soviet political system was the change in generations of the country’s top leaders in the 1980s: the generation born in the 1900s and 1910s was replaced by younger people, mostly born in the 1920s and 1930s. Overall, it seemed like a natural process. However, due to the gerontocracy that developed during the Brezhnev era, the so-called “Gorbachev generation” of the 1920s and 1930s typically came to power at the age of 60 years and older. The gerontocracy in the upper echelons

of power in the Soviet system arose for many reasons, but a certain role in this was evidently played by the increase in the average life expectancy in the country from a little over 40 years in the 1930s to more than 60 years in the 1960s and 1970s.

The new generation of leaders also differed from the previous one in terms of its values. As Alexander Degtyarev points out, the generation of leaders who grew up and made successful careers in the stable 1960s and 1970s no longer possessed the ideological commitment of their predecessors; indeed, the new Politburo and Central Committee formed from their ranks proved ineffective at a critical moment for the country in August 1991 when they did not even meet to discuss what was happening (Degtyarov 2021: 37-38).

One can agree with the assessment that in the late USSR, in the minds of a part of the population and party-Soviet elites, “values of commitment to the local, corporate community” prevailed over universal moral principles (Martyanov, Fishman 2020), which contributed to their qualitative transformation. Moreover, this was also due to structural and demographic factors: thus, the transformation of Soviet morality and ideology was determined, among other things, by the replacement of the predominantly peasant-communal system by an urban society, which reduced the effectiveness of collective moral regulators of the pseudo-communal type (Martyanov, Fishman 2020). Thus, structural and demographic factors served to aggravate the above-described processes.

A key factor in the devaluation of the highest Soviet values was the gradual cessation of the revolutionary impulse that underlay them. As a result, by the 1970s and 1980s, instead of the meaningful production and discussion of ideological facts and meanings, Soviet official culture increasingly began to be dominated by the imitation of “ritual actions and formal linguistic practices designed only to confirm the subject’s loyalty to the moral norms/values existing in society” (Martyanov, Fishman 2020). In turn, the gradual cessation of revolutionary momentum was due, to a certain extent, to a change in generations: by the 1970s and 1980s, there were practically none of the participants in the revolution and the civil war, i.e., the founders of the Soviet state, left in the leadership of the party and government.

Thus, a whole set of demographic prerequisites for the onset of a crisis in the country, which subsequently led to the collapse

of the political system, is observed: demographic transition; elite crisis and degeneration; marginalised populations in cities; imbalances in ethnodemographic development, etc. These factors, which deprived Soviet society and the economy of dynamism (perestroika began precisely as an attempt to give them new dynamism), also gave rise to acute contradictions between the state and society, between different social groups, different generations, etc. Although the internal tensions within the social system were not fatal and could have been overcome, the reasons for not resolving them were no longer demographic.

Why did the collapse of the Soviet political system in 1991 not result in a civil war as had occurred in the early 20th century? From the point of view of political demography, the explanation lies, among other things, in the aging of the population: the median age of the population of the USSR in 1990 was 33.36 years,⁷ whereas at the beginning of the century it was no more than 20-25 years. In other words, the age structure of the Russian Empire at the beginning of the 20th century resembled that of some countries where the “Arab Spring” broke out in 2011. Research shows that an increase in the median age from 20 to 30 years leads to a significant reduction in the risk of armed internal political conflicts (Ustyuzhanin et al. 2022). This helps to explain why the collapse of the USSR, as a whole, did not result in a civil war. The rule is demonstrated by the exception of some Soviet republics, where the median age was just right for this (in the Tajik SSR in 1990, it was 18.08 years).⁸ Here it should be emphasised once again that the young age structure only creates the preconditions for the emergence of an armed conflict, while its actual onset is triggered by other factors.

However, the collapse of the Soviet system, as is well known, did cause a sharp surge in criminal activity in the country, which led to the deaths of a significant number of predominantly young men; even today, it is impossible to accurately determine the number of those killed in gang shootouts. Typically, criminal structures developed most strongly among “marginalised” city dwellers, as well as in new towns and villages where there was a high proportion of teenagers and young people in the population. Thus, here

⁷ https://www.demoscope.ru/weekly/ssp/sng_med_age.php (in Russ.).

⁸ Ibid.

too one can observe certain consequences of the demographic processes that took place in the previous period.

From the point of view of political demography, one of the results of the collapse of the USSR was the creation of a qualitatively new state in demographic terms, in which the Russian people made up approximately three-quarters of the population. These are new ethnodemographic realities that were not observed either in the Russian Empire or in the USSR.

Results. The presented study of the socio-demographic development of the late Russian Empire and Soviet Union reveals a consistent change in the dominant socio-demographic groups: first the peasantry and lumpen proletariat in the first half of the 20th century, then the working class and intelligentsia in the second half of the 20th century. Moreover, in addition to the dominant socio-demographic group, a socio-demographic group emerged in the social structure that could be conditionally called “revolutionary”. In the Russian Empire, the dominant group was the peasantry, while the revolutionary role was played to a greater extent by the working class – and, to some extent, the intelligentsia. During the Soviet period, the working class gradually became the largest group in terms of numbers, while the intelligentsia became the “revolutionary” group.

The influence of demographic factors in largely predetermining the development of political systems in the 20th century was predictable due to the fact that the country was undergoing a process of demographic modernisation. However, this was compounded by domestic and foreign policy factors that could distort these processes. In particular, such factors changed the dynamics (speed, duration) of the demographic transition, created fluctuations in demographic indicators for individual generations, and disrupted the nature of the demographic behaviour of various social and age groups of the country’s population.

Although it was impossible to avoid the crises, the fact that their occurrence at the beginning and end of the 20th century led to the collapse of existing political systems was also due to the influence of other, non-demographic factors. Again, we emphasise that demography only creates the preconditions (“field”) for historical events, but how they will develop still depends on the actions of specific people, groups and nations.

It can be noted that agrarian overpopulation, urbanisation and the transformation of the age and socio-professional structure influenced the functioning of political systems throughout the 20th century, while the degree of influence of various factors varied at different stages. At the beginning of the 20th century, agricultural overpopulation, a “youth bulge” and unfolding urbanisation created the preconditions for the collapse of the empire. In the mid-20th century, rapid urbanisation, famine, and war led to a solution to the problem of agricultural overpopulation in the country, but gave rise to new challenges associated with the socialisation of former rural dwellers in cities and meeting the increased needs of the working class. The collapse of the USSR was largely caused by a slowdown in demographic development, national imbalances, and the increased role of the intelligentsia, which was dissatisfied with its position in society and role in the state.

Was this dynamic unique? In some ways no, since it was based on the processes of demographic modernisation, which were natural for any society moving from a traditional type of reproduction to a modern one. There was no way to avoid this transition. However, the processes that occurred in the transitions at the beginning and end of the Soviet period acquired a specific dynamic due to a number of domestic and foreign policy reasons, which may help to explain why they had a different speed of development and were of a particularly painful – and often even tragic – nature. Indeed, the consequences of this type of demographic transition in the 20th century are still being felt, to varying degrees, to this day.

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Resolution summarising the outcome of the Second International Scientific Conference “Philosophical Understanding of Historiographical and Prospective Tasks of Modern Public Law” (Ekaterinburg, November 10, 2025), including scientific and practical proposals and expert recommendations for specialists, federal, state and municipal legislative and executive authorities, interested institutions and organisations

In 2025, the Institute of Philosophy and Law of the Ural Branch of the Russian Academy of Sciences carried out fundamental research and organisational work aimed at obtaining new scientific knowledge in the interdisciplinary field of the historiography of political and legal doctrines, as well as in the area of the formation of a common Russian civic narrative, and in connection with the consolidation of identity reflecting the historical and cultural unity of a sovereign nation. On the topic of the scientific project, the Second International Scientific and Practical Conference “Philosophical Understanding of Historiographic and Prospective Tasks of Modern Public Law” was organised and held (Ekaterinburg, November 10, 2025). 46 reports were prepared for scientific events of various levels and 31 scientific publications, including 10 articles in leading scientific journals included in the “White List”, RSCI and the core of the Russian Science Citation Index (State and Law, Russia in Global Politics, Polity, Antinomies, Discourse-Pi, Bulletin of Tomsk State University, etc.).

Among the most significant scientific, methodological and expert recommendations for specialists, federal, state and municipal legislative and executive authorities, as well as other relevant institutions and organisations, the following can be noted.

I. Increasing the efficiency of legal regulation of issues of historical policy, memory policy, civic education and training

1. To address the protection of historical memory, traditional values, and national identity, it is recommended to build upon soft law instruments within the framework of human rights law and the UN Charter. Where it is possible to develop a consensus on these issues, international platforms should be used for these purposes (BRICS, SCO).

2. To facilitate the creation of legal and diplomatic protection mechanisms, a focus should be placed on safeguarding the constitutional sovereignty of the Russian Federation while upholding international obligations. This includes systematically countering decisions that harm the reputation and material interests of the Russian Federation, its economy and public organisations, as well as citizens and their associations.

3. It is recommended that key elements of the existing Russian human rights model be integrated into educational programmes. This model is built upon a balance of individual freedoms and collective values, universal norms and national-cultural identity. As well as bolstering the social consensus regarding the acceptable parameters of the national model, this will contribute to strengthening the country's legal and cultural sovereignty.

4. Using a network of research organisations, a system should be created for monitoring and countering historiographic narratives that distort Russia's role in European and world history, with an emphasis on analysing the activities of the most active centres of ideological confrontation, including Eastern European countries. State interests should be protected through targeted funding of scientific institutions that develop a critique of Eurocentric classifications and offer alternatives to them.

5. It is recommended that a public discussion be initiated regarding the semantic and value parameters of a prospective strategic planning document – the Concept for the Protection of Historical Memory in Russia and Abroad.

II. Counteracting destructive ideologies and distortions of the process of Russia's civilisational development

1. When developing components for a modern Russian historiographical model of politico-legal knowledge, which is related to the application of a civilisational approach in legal and socio-

political research, it is recommended to avoid bias towards pre-revolutionary philosophical, religious and ideological discourses, and to correct the corresponding tendency to ignore the legacy of the revolutionary-democratic tradition and the Soviet period. A more balanced approach will consist in developing approaches that can comprehensively reflect the significance of these traditions in shaping Russian civilisational identity.

2. In terms of Russia's public positioning as a civilisational state, it would be appropriate to clarify the concept of civilisation in order to avoid the inaccuracies inherent in outdated versions of the civilisational approach. In addition, alternative options should be developed for publicly positioning Russia from the perspective of competing approaches, such as modernisation theory and world-system analysis. The policy of protecting historical truth should not exclude pluralism in interpretations of Russian history.

3. When assessing contemporary discourses on tradition and traditional values, it is recommended that attention be paid to their actual content, which often turns out to belong to the era of Modernity. Since, in a multi-confessional and multi-ethnic country, competition between traditions can lead to conflicts, an emphasis on tradition should not hinder the goal of strengthening civil unity and developing an all-Russian civic identity in order to protect spiritual and moral values.

4. Based on an analysis of the phenomenon of "cancellation" as a novel form of collective responsibility, it is recommended that relevant authorities develop legal and ethical standards for regulating public shaming in the digital environment to prevent the replacement of justice with arbitrary sanctions based on group membership rather than individual guilt.

5. It is recommended that educational and cultural programs be developed and implemented that promote the development of democratic and dialogical Russian culture and strengthen the values of the majority. A system of values should be developed and maintained that includes respect for the individual, striving for the common good, as well as collective responsibility for the destiny of the country.

6. Key challenges associated with declining trust in representative democratic institutions should be identified along with opportunities to address them. Direct-democracy mechanisms

(referenda, public hearings, electronic petitions, online voting) that take into account citizens' opinions in decision-making should be improved. It is necessary to ensure monitoring of social tensions in society to identify causes of discontent and permit the timely adoption of measures to eliminate them. Pilot projects aimed at testing new forms of citizen participation in government should be implemented.

7. In the context of municipal reform in Russia, it is recommended that the increasing role of local communities be taken into account in terms of their significance as a centre for the formation of primary measures of socialisation and fostering a sense of "small homeland".

III. Improving the quality of education and historiographic competence of lawyers and other representatives of the social sciences

1. In the area of scientific and ideological support for the civilisational development of Russia, it is recommended that work be intensified on returning the works of outstanding scientists and public figures of the pre-revolutionary era to scientific and cultural circulation. The full inclusion of these works in contemporary discourse presupposes, firstly, their accompaniment by qualified scholarly commentary and, secondly, the actualisation of their content through coordination with contemporary legal, political, moral and psychological problems.

2. Work on preparing and publishing an academic course "History of State and Law of Russia" to reflect the modern level of development of historical and legal research should be continued.

3. The teaching of philosophy of law at the law master's level should be retained as a compulsory subject. Current work on the creation of a teaching and methodological complex for teaching the philosophy of law at the level of a law master's degree program, involving both legal scholars and philosophers, should also be continued. When studying the history of the philosophy of law, the historical genesis of domestic political and legal concepts should be taken into account. In the context of Russian jurisprudence, the set of primary sources that must be studied and commented on should be the subject of prior definition.

4. It is recommended that the study of a course in the philosophy of law, based on a historiographical model of political and legal knowledge, be included in the fundamental part of the unified core within the structure of new federal state educational standards for specialities within the enlarged group of “Jurisprudence” specialities.

5. It is recommended that the new federal state educational standards for specialities within the enlarged group of specialities “Jurisprudence” be supplemented with the universal competence of “forming an all-Russian civic identity” and the general professional competence of “being able to develop and justify options for legal decisions, to choose and implement the optimal option, and to assess its consequences”.

6. The history of legal science and legal historiography should be considered for inclusion as mandatory educational units (disciplines) in the structure of federal state educational standards for academic master’s programs.

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