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Features of Russian classical liberalism

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Abstract

The relevance of a subject of the article is defined by the fact that the ideas of the Russian national (conservative) liberalism are demanded now more than ever. It resisted to both left-wing radical currents and conservative traditionalism. This article points out the differences in interpretation of the ideas of the natural right by representatives of classical liberalism and scientists of sociological school of the right, and also the comparison of the Russian liberalism with classical western model is carried out. The unique feature of the Russian liberalism, as the author emphasizes, is the idea of philosophical justification of a social ideal, which is based on the right for worthy existence. Concepts of the Russian neoliberals, apparently, break the developed differentiation of social and political positions. But the author considers that they, on the one hand, answer national cultural archetypes of social justice of solidarity, collectivism, and with another, they reflect all-civilization trends. The most important problem classical liberalism faced then is still relevant. That is the nature of relation between society and state in the period of rapid social changes. The merit of the Russian liberals is that they defended the principle of law sanctity, differentiated clearly the sphere of morality and law, protected property rights, free market, and economic activity autonomy. The conclusion is drawn that the neoliberalism of the 20th century offered the optimum model of society for Russia, put forward the important principle of the advancing cultural development in relation to social subsystems of society.

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Keywords

Liberalism, conservatism, social ideal, state, culture.

Relevance of the Topic

Ideological discord between Westerners and Slavophiles in the public thought of Russia of the XIX century occurred throughout the school of social coordinates. Consecutively, such antagonism was characteristic of other currents of the Russian ideological and political elite: populists – Marxists, Bolsheviks – Mensheviks, etc.

But in the history of Russia existed and played a significant role the "middle" current, which has long been hushed up by both Orthodox Marxists and Orthodox liberals. This trend is Russian national (conservative) liberalism, the ideas of which, in our opinion, are in demand now more than ever. It is important to identify the importance of the concepts of a legal (social) state and civil society, developed in the Russian national liberalism of the XIX-XX centuries, for modern social practice.

We can trace the line of development of Russian liberalism from classical liberalism (K.D. Kavelin, B.N. Chicherin) to "new liberalism" (V.S. Soloviev, P.I. Novgorodtsev, L.I. Petrazhitsky), "social and legal" (B.A. Kistyakovsky, S.I. Hessen) and, finally, conservative liberalism (I.A. Ilyin). Within the framework of the classical liberal idea, an attempt was made to resolve the main social contradiction not by revolution, but by a purposeful strategy of creating a civil society and a rule-of-law state through reforms from above. A purely negative and essentially anarchic program of destruction of the existing system was contrasted with its holistic scientific analysis, designed to give the concept of radical modernization of the traditional agricultural society with the preservation of the continuity of state and legal development.

This trend, which shared the values of classical Western European liberalism, differed from it at the same time by a number of fundamental features associated with the impossibility of practical implementation of civil society and individual rights in Russia without active state intervention in the transformation of traditional social relations (the core of which was serfdom). In a wide range of currents of Russian political thought, this direction opposed both the left-wing radical current (rejecting reform in the name of revolution) and conservative traditionalism (rejecting the idea of changing the existing system). It is within its framework that the state or law school is formed (K.D. Kavelin, B.N. Chicherin, A.D. Gradovsky), which created a coherent scientific concept of the Russian historical process, the relations of society and the state in it, the transition from absolutism to the rule of law in the form of a constitutional monarchy, and later, a democratic parliamentary Republic.

K.D. Kavelin's philosophical ideas

K.D. Kavelin gives the "sense of identity" exceptional role in the process of world-historical action of a people. The scientist questions the idea of predetermination, fatality of historical development prevailing in the official science, which relieves the person of any responsibility for his actions. Man is endowed with free will, is capable of choice, is responsible for his choice and is therefore subject to moral judgment. This applies not only to politicians. In the events of history, "each person contributes, no matter how imperceptible his activities, no matter how microscopically small what he does in his field... In this sense, every person... is a figure of history and development" [Kavelin, 1989, 346].

K.D. Kavelin considered the state to be one of the conditions of liberation and personal development. Assessing the political situation in Russia, he defined it as "autocratic anarchy." The aim for Russia, he believed "autocratic Republic" – a device in which the unity of interests of the sovereign, the highest strata of society and the bulk of the population represented by the peasantry. In the work "Conversation with the socialist revolutionary" (1880) reveals the meaning of the concept of "autocratic

Republic". This political form begins with the peasant community, "completely Autonomous in all matters, to its one concerning, then unions of communities County and provincial or regional with all elected representatives: and the whole ends with the General Zemstvo Council under the chairmanship of the autocratic, hereditary king" [Ibid., 440].

Assessing Kavelin's ideas about the "autocratic Republic", we should not forget that nowhere in Europe did the state have such power over the life and property of its subjects as in Russia. P.Ya. Chaadaev, analyzing the historical trends of Russia, saw the constant of her life in the "impersonal chaos", in the absence of guarantees for property and personal freedom, in the total suppression of human by power structures. As a result, the constant readiness of the Russian people to the metaphysical and a literal rebellion against all legal norms. And the Russian autocracy, with one hand "sowing European enlightenment", and with the other building restraining structures to European ideas of freedom. What, then, are the chances of a person appearing in a country that has no basis for its formation?

The peculiarity of solving many problems of Russian liberalism due to the specifics of the modernization process in the historically peripheral regions, faced with the need to quickly overcome the backwardness or reform the traditional institutions for the implementation of new functions. Traditional liberalism was entirely based on the principle of inviolability of law and saw its task, first of all, in the construction of the rule of law. However, in the context of large-scale social changes, the state faces a choice: on the one hand, while remaining legal, it can not actively influence social relations (this involves the destruction of the existing legal system), on the other, carrying out the necessary transformations in the new conditions for the modernization of society, it is forced to cease to be legal (following the logic of reforms, and not for outdated legal norms). The task of Russian classical liberalism was to overcome this contradiction: to reconcile the rights and freedoms of society with the existence of a strong state capable of implementing social reforms, despite the resistance.

The resolution of the above contradiction is possible only with the recognition of reciprocity and mutual benefit of the rights of citizens and the state. The theory of social contract, on which the representatives of classical liberalism relied, is a kind of theoretical model of relations between society and the state, the conflict between them, as well as a way to resolve this conflict. It contains the fundamental ethical premise of social existence – natural consent. This principle became, thanks to Kant, the basis for the restructuring of society on the basis of liberalism, parliamentary democracy and respect for human rights. All Russian liberals considered law within the framework of the General philosophy of man and the philosophy of values, thus trying to avoid relativism inherent in historicism and positivism.

The analysis of the ideas of K. D. Kavelin – the representative of classical Russian liberalism – allows us to draw the following conclusions:

1. Traditional negativism in relation to liberalism and its evaluation as a purely Western European phenomenon, characteristic of Slavophiles of all generations, Eurasians and the currents of Russian philosophy close to them, are illegal.
2. The controversy of liberalism as "Westernism" and anti-liberalism as "pochvennichestvo" by itself is futile. Practice shows that the renewed cultural and value sphere of modern Russia accepts the ideas of liberalism (though, perhaps, in utilitarian form, in the spirit of early liberalism). The problem is to what extent these values and moral and pragmatic attitudes can be realized in the institutional and legal system, which is experiencing very contradictory trends in its formation.

An important problem for Russian liberalism of the late XIX – early XX century was the justification of the concept of the rule of law of modern times. One of the means to achieve this goal

was to appeal to the theories of natural law. The problems of theory and history of revolution, reforms, the introduction of democratic political institutions, specifically, representative institutions, consolidation of their status in the constitutions of Western countries were actual.

Interpretation of the ideas of natural law was different among the representatives of classical liberalism (K.D. Kavelin, B.N. Chicherin), influenced by classical German philosophy, and scientists of the sociological school of law (S.A. Muromtsev, M.M. Kovalevsky, etc.), adjacent to positivism. The essence of the dispute was to clarify the question of the nature of natural law, its relation to reality: is the doctrine of natural law a purely logical structure, the moral ideal of mankind (as positivists thought); or is it an expression of real human values that have an objective nature and an enduring character?

The Liberal concept of B.N. Chicherin

According to the concept of B.N. Chicherin, civil society and the state naturally arise in the course of historical development. Human society, according to Chicherin, forms four types of unions:

-natural Union – a family where the beginning of the common good dominates;

-legal Union – civil society providing private relations of persons as private owners on the basis of private law;

-moral Union – Church;

-absolute Union – state-based early power;

The state arises as a result of a common will on the basis of one of three types of social unions: family, civil, or Church. The constituent elements of the state are power, law, freedom, and a common goal. In the formation of the state idea, an important role plays one of several factors – conquest, religion or, “the gradual development of life and its needs”. The state is the arbiter of the legal and moral spheres of life [Chicherin, 1892, 82]. Thus, the Central state power, pushing aside class and corporate interests, is the main constitutive element of culture.

The highest goal of the state is the common good. State power that neglects the common good loses the right to obedience on the part of citizens. In the name of this good, the state requires subordination of private interests to the public. The connection to the state requires a refusal of the person from some of their claims because outside of society and state he can't realize their personal goals. As a result, sacrificing selfish instincts, a person commits a moral act. Compulsory morality is immoral. Only the Church can influence the conscience.

B.N. Chicherin opposes extreme forms of statehood – pure democracy, aristocratic Republic, and absolute monarchy. His ideal was a mixed government, a "censorship Republic": it has a significant advantage over the aristocracy, because it does not exclude people from governance, and before democracy, because it gives independent power to aristocratic elements, eliminates the boundless "rule of the masses", humiliation and robbery of the upper classes by the lower ones. The strength of such a rule is provided only by monarchical power, balancing between different social groups, leading them to an agreement. Having considered the various forms of government, Chicherin concludes: for Russia, the best is a constitutional monarchy.

The analysis of fundamental works of B.N. Chicherin allows to conclude that their author is based on the following fundamental ideas:

-reveals the unique role of state power in Russia as an objective embodiment of the moral idea of the nation;

-in the spirit of Kant, it clearly divides the spheres of morality and law, emphasizes the priority of

the individual in free moral choice;

-as a supporter of the Manchester school stands for free market and autonomy of economic activity.

Compared with the "classical" Western model, Chicherin's liberalism has a number of significant features:

-uncertainty of social support due to the backwardness and weakness of the bourgeoisie;

-constitutional and legal program in the spirit of the historical school of law (as opposed to traditional installations of natural law in the spirit of Education);

-appeal to the state (as opposed to the proclamation of the struggle against the old absolutist regime);

-support of reforms from above.

Social and Political Doctrine of P.I. Novgorodtsev

Among the Russian liberals of the early twentieth century, a special place belongs to P.I. Novgorodtsev. He was the head of the Moscow school of legal philosophy, the most prominent theorist of neoliberalism, a talented teacher, first marxology in Russia. Russian neoliberalism had its philosophical basis. P.I. Novgorodtsev made a great contribution to its development.

"Autonomous moral personality" is for Novgorodtsev the highest principle of legal consciousness. The philosophy of law is thus based on ethics, the center of which is the idea of "absolute personality". In these and a number of other works, Pavel Ivanovich shows the incommensurability of the ideal of absolute and imperfect forms of its existence.

Novgorodtsev develops the idea of philosophical justification of the social ideal. The individualistic view of society, perceived by him from B.N. Chicherin, is replaced by the understanding of the need to connect the individual with a specific whole hostel, the essence of which is in the unity of complementary individuals ("Two legal ideals"). In the article "On the right to a decent existence" he approaches the ideas of V. S. Solovyov, who sought to unite individualism and universalism in the idea of a holistic moral and legal society. Objecting Chicherin, Novgorodtsev proposes to legislate the human right to a decent existence, which is meant to ensure the subsistence minimum as a guarantee of personal freedom. The social position on the right to a decent existence allows us to refer the philosopher to the ancestors of Russian neoliberalism.

The work of P.I. Novgorodtsev "Ideals of the party of people's freedom and socialism" is, in fact, a theoretical program of the cadet party. The book's pathos is that the state is not only a means of class suppression but also a means of class consent. This work also contains the concept of the rule of law. The book by Novgorodtsev, "Crisis of modern consciousness", presents the problem of the illegitimacy of the existence of such a social ideal that absolutizes the isolated and historically coming forms of social existence. This problem is revealed in detail in the main book of Novgorodtsev "On the social ideal" (1917) and the last articles of the philosopher, already receiving religious and metaphysical formulation. The connection of the ideal with the reality they now thought of as the embodiment of the Divine law that determines the course of human history. The existence of a person in its activities for the realization of the ideal acquires a religious meaning [Novgorodtsev, 1991, 40].

P.I. Novgorodtsev put forward the idea of the religious rootedness of the national-state and moral-legal foundations of public life. One of the most striking evidence of this view is the article "On the original elements of the Russian philosophy of law". Showing that the final basis of the differences between historical epochs is their different attitude to religion, he reveals the characteristic features of the Russian religious consciousness. According to the Russian view of the world, the highest goal of

culture is not to build external forms of life, but in its spiritual, inner essence. Such evolution of views is typical for the work of other Russian thinkers, for example, N.A. Berdyaev.

The work of P.I. Novgorodtsev is imbued with the idea of moral responsibility of the individual for all his actions and for everything that happens in history. Not the court of history (often wrong, "decisions" of which are constantly canceled by the further course of historical development), but the moral court of history – that's what should be a guide for every person. He realized that the basis of absolute historicism is the depersonalization of man, whereby the past is constantly rewritten from the point of view of the last victorious principle. In his accentuation of this problem, Novgorodtsev opposed not only positivism and historicism but also the main line of Russian philosophy of the early twentieth century, namely the metaphysics of unity, which had in itself, with all possible reservations, anti-personal charge.

Around P.I. Novgorodtsev and his ideas formed a whole school of philosophy of law and philosophy of society. His immediate disciples were I.A. Ilyin, B.P. Vysheslavtsev, N.N. Alekseev, V.A. Savalskoe, A.S. Yashchenko, G.V. Florovsky. His ideas were developed by S.L. Frank. The theorist and historian of law, philosopher and politician, P.I. Novgorodtsev was at the origins of the Russian spiritual Renaissance of the early twentieth century, an organic part of which was the concept of "revived natural law" developed by the thinker. Together with other representatives of this direction, he made the way from neo-Kantian ideas to Orthodox philosophy and from neoliberalism to a kind of liberal conservatism. Novgorodtsev managed to identify and analyze in detail a number of significant ideas, without which it is impossible to imagine the development of the theory of the rule of law:

- ideas of national sovereignty and individual autonomy,
- natural rights,
- freedom and equality of people,
- the relationship of law and power, morality and law, etc.

The Importance of the Ideas of Russian Liberalism Theorists

The concept of Russian neo-liberals would seem to violate the established differentiation of social-political positions: statist (state-trusteeship) and civil (oriented towards a high degree of autonomy of civil society and its constituent groups).

We believe, however, that, on the one hand, they correspond to the national cultural "archetypes" of social justice, solidarity, collectivism, and on the other, they reflect the General civilizational trends expressed in the social orientation of the doctrines of post-industrialism.

In Russia, as the study of the works of Russian liberals of the XIX – early XX centuries shows, there were traditions of liberalism. Components of liberalism- individuality, not identified with individualism, freedom, not reduced to self-will, the rule of law in public life, local government, consensus, absorbing the diversity of cultures, lifestyles, and thinking – all this can serve to the formation of a free personality in Russia, to solve the problem of "man-society" in all interaction and interconnection. The liberal model of social development of Russian thinkers is far from the idea of modern "neoliberalism", which frighten naive readers and listeners of our modern "right". It assumes:

- personal autonomy subject to the organizational and legal framework;
- pluralism of cultural patterns and tolerance in their execution and exchange (if there is a common strategy);
- democratic and collegial management style, the presence of "common cause", the predominance of relations "horizontally»;

- development of "bottom-up" priority solutions»;
- the prevalence of individual personality, the pursuit of harmonization with the public interest.

The most important problem facing classical liberalism in Russia is still relevant today – the nature of relations between society and the state in a period of rapid social change, the position of the state in relation to these changes. The merit of the Russian liberals is the protection of the principle of inviolability of law, a clear division of the sphere of morality and law, protection of property rights, free market, and the autonomy of economic activity. The neo-liberalism of the twentieth century suggested that the optimal model for Russia, which involves the strengthening of the role of the state, social partnership in society, the policy of concessions to the wider society (socialization), social legislation (right to a guaranteed social minimum), political democratization (the exercise of fundamental rights and freedoms of the individual), and the primacy of the individual.

Representatives of Russian liberalism at the same time put forward the principle of priority development of culture in relation to the social subsystems of society. New social institutions can only be created if cultural preconditions mature and by selecting the most viable patterns. This excludes the direct copying and transfer of samples of a different culture to national soil without their preliminary adaptation and assimilation within the established institutional structures.

It is our pleasure to note that, first, the liberal models of civil society, the constitutional (social) state, division of branches of the power, and the organization of local government became universal values today; and secondly, they strongly entered practice and spiritual life of the present Russian society.

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Особенности классического русского либерализма

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Аннотация

Актуальность темы определяется тем, что идеи российского национального (консервативного) либерализма востребованы сейчас, как никогда. Он противостоит как леворадикальным течениям, так и консервативному традиционализму. В данной статье отмечаются различия в трактовке представлений о естественном праве представителями классического либерализма и учеными социологической школы права, а также проводится сравнение российского либерализма с «классической» западной моделью. Уникальной чертой российского либерализма, как подчеркивает автор, является идея философского

обоснования социального идеала, в основе которого лежит право на достойное существование общества. Концепции русских неолибералов, по-видимому, нарушают сложившуюся дифференциацию социальных и политических позиций. Но автор считает, что они, с одной стороны, отвечают национальным культурным «архетипам» социальной справедливости солидарности, коллективизма, а с другой, отражают общецивилизационные тенденции.

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Ключевые слова

Либерализм, консерватизм, социальный идеал, государство, культура.

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