

13 Nikolai Alekseev

Advocate of social justice and global peace

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Nikolai Nikolaevich Alekseev (1879–1964) was not an entirely typical representative of the Russian religious renaissance of the early twentieth century. Like many other Russian religious thinkers of his generation, he underwent a transition from Marxism to idealism, and later to the Christian religion. He was unusual, however, in that besides his intellectual inquiries, he also spent considerable time and effort on practical issues directly related to his scholarly and philosophical ideas: as an organizer of student protests in imperial Russia, a patriotic activist during World War I, a pro-democracy agitator in the Russian Revolution and Civil War, a soldier of the White armies, a member of the Russian émigré Eurasianist movement, and an ecumenical Christian activist in the practice-oriented Life and Work movement (rather than its more theoretical counterpart, Faith and Order). Practical activity was essential to Alekseev's belief. As he declared in the late 1930s: "Faith proves itself through deed and wants to be realized; faith without deed is dead."¹ It is surprising that, despite his prominence both in Russia and abroad, Alekseev remains one of the least known and least studied representatives of the Russian religious renaissance.²

Alekseev's breadth of interest is astonishing. Trained as a legal scholar, he was interested in general questions of philosophical inquiry, epistemology, the intellectual history of legal, social, and philosophical concepts, international relations, Russian and European legal thought, Russian history, political and legal theory,

1 N. N. Alekseev, "Christentum, Recht und internationale Beziehungen," [Oekumenischer Rat für praktisches Christentum. Forschungsabteilung] [March 1937], 25, Bibliothèque de Genève, Alekseev papers (henceforth BdG AP), Ms. l.e. 284. Alekseev's statement echoes the view of faith and works in James 2:14-26. The Life and Work movement and the Faith and Order movement of the 1920s and 1930s were the two main streams of the Ecumenical Movement that combined to form the World Council of Churches in 1948.

2 Among the few studies devoted to Alekseev are several brief encyclopedia entries as well as a few comprehensive works: I. V. Borshch, *Nikolai Alekseev kak filosof prava* (Moscow: Iurlitinform, 2015) and B. V. Nazmutdinov, *Zakony iz-za granitsy: Politiko-pravovye aspekty klassicheskogo evraziistva* (Moscow: Norma, 2017). There are shorter biographical sketches of Alekseev's life and thought: V. A. Tomsinov, "Nikolai Nikolaevich Alekseev," in *Rossiiskie pravovedy XVIII–XX vekov: Ocherki zhizni i tvorchestva*, 2nd rev. ed., 3 vols. (Moscow: Zertsalo-M, 2015), 3:236–51.

human rights, and questions of war and peace. He commented on political and cultural issues of his time concerning not only Russia and the Soviet Union but also Europe, the United States, and beyond. Alekseev's life and work, and his intellectual journey from Marxism to idealism and, later, to Christianity, as well as his special focus on questions of religion, law, and the state, deserve detailed investigation.

From student radical to legal scholar

Alekseev was born in Moscow in 1879 into the family of a provincial noble from Ryazan Province. His father had studied law at Moscow University with Boris Chicherin and other famous Russian scholars and even envisaged a scholarly career. But after his marriage, Alekseev *père* had to abandon those plans and became a minor official in the Moscow Region Transportation Department.³ Nikolai Alekseev's parents had a strong but rather contrasting influence on him. His father instilled in him a love for books, learning, and the desire to study some day at Moscow University. His mother, in her earlier years an emancipated "student radical," influenced his social and political outlook. Through her, Alekseev became familiar with the radical populism and nihilism of the 1860s and developed a passionate commitment to social justice. He came to despise government authority and, already as a schoolboy, having personally observed Emperor Aleksander III's visit to Moscow, concluded: "I am not with the tsar, I am with the 'populists.'"⁴

The 1896 Khodynka tragedy, where numerous people were killed in a panic during the celebration of Nicholas II's coronation, prompted Alekseev and his friends to embark on studying "serious" literature. They read the writings of radical thinkers, such as Dmitrii Pisarev and Nikolai Dobroliubov, as well as Aleksei Bakh's booklet *Tsar-Hunger*. During their summer holidays on the outskirts of Moscow, Alekseev and his peers were introduced through one of his friends into the milieu of "professional revolutionaries" and the incipient Social Democratic Party. By the end of the century, "the infantile-Bolshevik" period of Alekseev's life had taken full shape.⁵ He was *au courant* with the radical revolutionary literature of the day, Russian and European, and studied and discussed Karl Marx's *Capital* together with his first girlfriend, as was the custom among the members of his circle.⁶

Alekseev's early radicalism gradually receded after he entered the law faculty of Moscow University in 1900. Eager to accomplish the scholarly career denied to his father, he enjoyed his new freedom for intellectual pursuits. His summer visit to Germany in 1901 gave him a more realistic view of the world.⁷ But Alekseev's

3 N. N. Alekseev, "V burnye gody," pt. 1, chap. 1, "Roditeli," BdG AP, Ms. l.c. 282a.

4 Alekseev, "V burnye gody," pt. 1, chap. 3, "Pereezd v Moskvu i postuplenie v gimnaziuu," and chap. 4, "Kak my stali revoliutsionerami": *ibid.*

5 Alekseev, "V burnye gody," pt. 1, chap. 4: *ibid.*

6 *Ibid.*

7 N. N. Alekseev, "V burnye gody: Na pervykh stupeniakh nashei alma mater," *Novyi zhurnal*, no. 53 (1958): 172–88, here at 181 and 188.

deradicalization was due mostly to his acquaintance with Pavel Novgorodtsev, whose lectures on the history of political thought he attended in the 1901–02 academic year. Alekseev immediately fell under Novgorodtsev’s personal and scholarly spell. Later he enthusiastically remembered how “the history of political thought became, in [Novgorodtsev’s] presentation, a history of the philosophy of law, and even more, an introduction to social philosophy.” Novgorodtsev also introduced Alekseev to the philosophy of Immanuel Kant, in particular the idea “that the human person is the highest value,” that “one must not use the human being as a means,” and that human beings are “ends in themselves.”⁸ Alekseev joined Novgorodtsev’s “practical classes,” which were attended by “the most intelligent and educated students of the entire Law Faculty.”⁹ Soon he became a member of Novgorodtsev’s “school,” which, according to Alekseev, included people with very different philosophical views, from materialists to Hegelians, the most prominent of whom were the emotional and passionate Boris Vysheslavtsev (later to become Alekseev’s brother-in-law) and Ivan Ilyin, endowed with “pure intellect,” the creator of “straightforward systems and lifeless schemas.”¹⁰

Moscow University provided Alekseev with a stimulating intellectual environment. Still, his scholarly career nearly ended in 1902. Having moved away from radicalism, he nevertheless remained (as did Novgorodtsev) an advocate of democratic transformations in imperial Russia. During student protests in February 1902, he was among the nine hundred and twelve students of Moscow University who demanded student autonomy but also civil rights and the introduction of an eight-hour workday.¹¹ Together with the other protesters, he was arrested and sentenced to six months in prison. Although pardoned in July 1902, the students were banned from resuming their studies.¹² The ban was lifted the following year, but in the meantime, Alekseev found employment as tutor of the statesman and diplomat Count P. A. Shuvalov’s grandson, with whom he spent the 1902–03 academic year in Dresden. This contact with imperial Russia’s high society revealed to Alekseev the vast social and cultural gap separating the elite from ordinary people and fostered his pessimism about the empire’s stability. At the same time, while in Dresden, Alekseev audited courses in physics and the history of philosophy at the Politechnikum and, at a meeting of Russian students, lectured on the landmark collection *Problems of Idealism* (1902) that had just caused a stir in Russia.¹³

8 N. N. Alekseev, “V burnye gody: Nash akademicheskii mir,” *Novyi zhurnal*, no. 54 (1958): 148–63, here at 149.

9 *Ibid.*, 148.

10 *Ibid.*, 161.

11 N. N. Alekseev, “V burnye gody: Russkoe studenchestvo i revoliutsiia 1905 goda,” *Grani*, no. 47 (1960): 102–15, here at 103–04.

12 *Ibid.*, 105–10.

13 Alekseev, “V burnye gody,” pt. 1, chap. 8, “Iz tiurny v ‘vysshii svet’,” BdG AP, Ms. l.e. 282a. On *Problems of Idealism*, see Chapter 11 of this volume.

When Alekseev resumed his studies at Moscow University in the fall of 1903, he had wholly shed his infatuation with Marxism and had embraced idealism. In a report for Novgorodtsev's seminar that he soon turned into his first publication, Alekseev even declared the imminent decline of Marxism.¹⁴ Still, he did not refrain from further civic and political engagement. In 1905, following the Bloody Sunday massacre in St. Petersburg, Alekseev again got involved in student unrest. He chaired a student meeting at Moscow University's law faculty and became a representative in the Central University Organ, a student assembly formed in 1905 at Moscow University to coordinate political activism.¹⁵ This did not prevent him, however, from graduating from the university in the spring of 1906. Later that year he was awarded a scholarship to prepare for his master's examinations in public law in the department of the encyclopedia and philosophy of law, focusing on the history of political thought.¹⁶

After successfully passing his examinations in 1908, Alekseev received a generous research stipend that allowed him to spend two years abroad to prepare his master's thesis while studying with the most prominent philosophers of the time: in Berlin with Alois Riehl and Georg Simmel; in Heidelberg with Wilhelm Windelband and Georg Jellinek; and in Marburg with Hermann Cohen and Paul Natorp. Finally, he visited Paris, where he attended lectures by Henri Bergson and Joseph Barthélemy.¹⁷ While Alekseev later claimed that he belonged to neither of the two German Neo-Kantian schools, he quite obviously "borrowed a lot" from German philosophers, developing his epistemological concepts on a solid Neo-Kantian basis.¹⁸

Alekseev's publications before World War I give evidence of a profound search for an original methodological approach to the human sciences, and to the philosophy and history of law in particular. He authored half a dozen book reviews and essays on such Russian thinkers as Boris Chicherin, Leon Petrażycki, and Sergei Bulgakov,¹⁹ and on Western European scholars such as Rudolf Stammler and Georg Jellinek,²⁰ where he offered solidly Neo-Kantian investigations of the

14 [N. N.] Alekseev, "Razlozhenie marksizma," *Novyi put'*, 1904, no. 12: 86–115.

15 N. N. Alekseev, "V burnye gody: Russkoe studenchestvo i revoliutsiia 1905 goda," *Grani*, no. 47 (1960): 102–15, here at 114; no. 48 (1960): 136–49, here at 136, 139, 144n.

16 N. N. Alekseev, "Avtobiografia," Zernov family papers, box 1, folder "N. N. Alekseev," Bakhmeteff Archive of Russian and East European Culture, Columbia University.

17 Alekseev, "Avtobiografia."

18 Alekseev, "V burnye gody," pt. 1, chap. 11, "Dva goda za granitsei," BdG AP, Ms. l.e. 282a. On Alekseev's Neo-Kantianism, see Nina Dmitrieva, *Russkoe neokantianstvo: "Marburg" v Rossii. Istoriko-filosofskie ocherki* (Moscow: Rossiiskaia politicheskaia entsiklopediia, 2007), 197–201.

19 N. N. Alekseev, "Russkii gegel'ianets. Boris Chicherin," *Logos*, 1911, kn. 1: 193–220; "Osnovnye filosofskie predposylki psikhologicheskoi teorii prava L. I. Petrazhitskogo," *Iuridicheskii vestnik. Zhurnal Moskovskogo iuridicheskogo obshchestva* 4 (1913): 5–23; "Opyt postroeniia filosofskoi sistemy na poniatii khoziaistva [review of S. N. Bulgakov, *Filosofia khoziaistva*]," *Voprosy filosofii i psikhologii* 23, no. 5, kn. 115 (1912): 704–35.

20 N. N. Alekseev, Review of Georg Ellinek [Jellinek], *Bor'ba starogo prava s novym* [Der Kampf des alten mit dem neuen Recht] (Moscow, 1908), *Kriticheskoe obozrenie*, no. 5 (10) (1908):

nature of scientific knowledge. He rejected both rigid naturalism and purely metaphysical skepticism and relativism and suggested a third way of inquiry. Alekseev's scholarly work of this time can be summarized by questions such as: What is the philosophy of law and legal thought? How is law possible? These questions also are at the heart of his master's thesis, "Social Sciences and Natural Sciences in the Mutual Interrelations of their Methods: Essays on the History and Methodology of the Social Sciences, Part One: Mechanical Theories of Society: Historical Materialism," which he defended at Moscow University in April 1911.²¹ As the title suggests, Alekseev intended to complete his study with a second part, which would focus on organic theories of society. He envisioned this as his future doctoral dissertation. Because of the Revolution of 1917, he was unable to carry out this plan. Parts of his unfinished manuscript were later published in Moscow by his acquaintances.²²

In 1911, Alekseev's adviser and mentor Novgorodtsev resigned from Moscow University to protest the de facto elimination of the university's autonomy. His new academic base was the Moscow Commercial Institute, whose director he had been since 1907. In 1912, Alekseev followed him and became extraordinary professor and secretary of the institute's academic council. Soon he was assigned the chair of international law. Alekseev was not much interested in international law, however, and published only one article in this field, on the legal status of prisoners of war.²³ Concurrently, he taught various law courses at Moscow University as a privatdocent before becoming extraordinary professor at the university in February 1917.²⁴

Alekseev was working on his doctoral dissertation in Paris when World War I broke out. After a tiring journey back to Russia via Switzerland, Italy, and Constantinople, he felt compelled to join the patriotic effort.²⁵ Novgorodtsev was

62–65; "Sotsial'naiia filosofii Rudol'fa Shtammlera," *Voprosy filosofii i psikhologii* 20, no. 1, kn. 96 (1909): 1–26.

21 N. N. Alekseev, *Nauki obshchestvennye i estestvennye v istoricheskom vzaimootnoshenii ikh metodov: Ocherki po istorii i metodologii obshchestvennykh nauk*, Part 1: *Mekhanicheskaiia teoriia obshchestva. Istoricheskii materializm* (Moscow: Tipografiia Imperatorskogo Moskovskogo Universiteta, 1912) (= *Uchenye zapiski Imperatorskogo Moskovskogo Universiteta. Otdel iuridicheskii*, vol. 38). See also Alekseev, "V burnye gody," chap. 12, "Moia akademicheskaiia deiatel'nost i pervaiia mirovaia voina," BdG AP, Ms. 1.e. 282a. The dissertation received several positive yet not uncritical reviews: P. I. Novgorodtsev, "Nauki obshchestvennye i estestvennye. (Neskol'ko zamechaniia po povodu knigi N. N. Alekseeva)," *Voprosy filosofii i psikhologii* 24, no. 5, kn. 120 (1913): 716–22; V. I. Vernadskii, "Iz istorii idei," *Russkaiia mys'l'*, 1912, no. 10: 123–38.

22 N. N. Alekseev, *Ocherki po obshchei teorii gosudarstva: Osnovnye predposylki i gipotezy gosudarstvennoi nauki* (Moscow: Moskovskoe nauchnoe izdatel'stvo, 1919). See also Alekseev, "Avtobiografiia."

23 Alekseev, "Moia akademicheskaiia deiatel'nost i pervaiia mirovaia voina"; "Voenni plen i mezhdunarodnoe pravo," *Iuridicheskii vestnik. Zhurnal Moskovskogo iuridicheskogo obshchestva*, 1915, no. 12: 17–33.

24 Alekseev, "Avtobiografiia."

25 Alekseev, "Moia akademicheskaiia deiatel'nost i pervaiia mirovaia voina."

then in charge of coordinating the fuel supply of Moscow. Alekseev, too, took up a logistical task. As representative of the Zemgor war aid organization, he left for the Turkish front, where he procured steamboats for the evacuation of wounded soldiers.²⁶ He was back in Moscow by February 1917 to witness another major watershed in Russia's history.

Revolution and emigration

Alekseev welcomed the February Revolution of 1917 “with that optimism with which it was welcomed by the majority of the Russian intelligentsia.” He immediately plunged back into public activism. As a member of the Moscow Educational Commission, created “to prepare the population for the elections to the Constituent Assembly,” he lectured soldiers on “the basic principles of the election law and the foundations of constitutional law.” Very soon, however, he became disappointed with his mission and concluded that it was “very difficult to instill into the Russian popular masses the rightness of those political principles which, for the consciousness of the Russian liberal or radical intelligentsia, were axioms.”²⁷

Alekseev later claimed not to remember for which party he ultimately voted in the elections to the Constituent Assembly, but confessed that he had been torn between his social and political views: “Socioeconomically, I was closer to the leftists; politically, I thought that the forms of Western democracy do not suit us, that we need our own political forms.” He was repelled equally by the demagoguery of the political parties on the left and by “the tendencies toward restoration” on the right. Alekseev voiced his hopes and concerns about the fate of the Russian Revolution in four essays published between June and December 1917 on the pages of the Moscow journal *Narodopravstvo* (Popular rule), alongside articles by Nikolai Berdiaev, Georgii Chulkov, and others.

Alekseev did not welcome the October Revolution. Still, already in early December 1917 he came to the conclusion that the Bolshevik regime was there to stay for a long time.²⁸ This perspective filled him with anxiety: “The basic contradiction of my attitude then was that I sensed the inevitability of the Bolshevization of Russia ... and at the same time I was troubled by indignation about the violations of national values that accompanied Bolshevism at that time.” In late summer of 1918, Alekseev left the country to avoid arrest by the Bolsheviks. He spent some time in Berlin and then joined the anti-Bolshevik White forces, a decision he later attributed to his hostility to the Bolsheviks' antinational agenda.²⁹

26 N. N. Alekseev, “V burnye gody: Na turetskom fronte,” *Novyi zhurnal*, no. 57 (1959): 191–205.

27 Alekseev, “Avtobiografiia.”

28 N. N. Alekseev, “Sovremennyi krizis,” *Narodopravstvo*, no.17 (December 7, 1917): 12–13.

29 Alekseev, “Avtobiografiia.”

Alekseev's involvement in the Russian Civil War was complex. In the fall of 1918, he moved from Berlin to Kiev, then to Simferopol, where he briefly served as professor of constitutional law. In May 1919 he joined the anti-Bolshevik Crimean Cavalry Regiment, retreated to Kerch' with his unit, and participated in the armed struggle against the Bolsheviks. By early summer of 1919, he was working for the anti-Bolshevik newspaper *Velikaia Rossiia* (Great Russia) in Ekaterinodar. Later he collaborated with the White propaganda organization OSVAG (Information Agency). In March 1920, he was evacuated from Novorossiisk to Constantinople. After spending some time in Serbia, he returned to Crimea in a futile effort to support General Wrangel's last-ditch effort to resist the Bolsheviks. But in October 1920 he had to leave Russia for good and moved to Constantinople with the remnants of the White forces.³⁰ His life in emigration began.

Trying to find his place in a radically changed world, Alekseev lived for about a year in Constantinople, serving as an administrator in a Russian gymnasium. But soon he was able to resume his academic career. He was invited to Prague by the Czechoslovak government as professor and assistant to the dean in the recently founded Russian Law Faculty. The dean was none other than his mentor, Pavel Novgorodtsev.³¹ Elected also as a professor at the Russian Scientific Institute in Berlin in 1924, Alekseev commuted regularly between Prague and Berlin until the early 1930s.³²

In the interwar years, Prague and Berlin were prominent intellectual centers of the Russian emigration. The atmosphere of scholarly exchange stimulated Alekseev's further philosophical development and intellectual engagement. Although Alekseev began to discuss religious issues in print at this time, we know little about his private religious views and practices. In his memoirs, he mentioned observing religious holidays. But apart from that, his writings have a rather detached and sober attitude to questions of faith and religion. It was not until after World War II that Alekseev's engagement with the Orthodox Church grew stronger, when he played an active role in the life of a Russian parish in Belgrade.³³ It is obvious, though, that already by the early 1920s, Alekseev had developed a strong personal and intellectual interest in religion. Several circumstances may have contributed to this change: first, the experience of the revolution and Civil War, with their upheavals and unprecedented violence; second, his disenchantment with secular liberal democracies, a model which had not worked in Russia and was being increasingly challenged in Europe as well; finally, perhaps, the example of Novgorodtsev, who, after the revolution, wholeheartedly came to embrace religion as the foundation for his philosophy and his life.

30 N. N. Alekseev, "Iz vospominanii," *Arkhiv russkoi revoliutsii*, vol.17 (Berlin: Slowo, 1926): 170–255.

31 Alekseev, "Avtobiografia."

32 Ibid.

33 V. Nekliudov, "Russkaia zhizn' v Belgrade (35-yi iubilei protoiereia I. Sokalia)," *Zhurnal Moskovskoi Patriarkhii*, 1948, no.1: 66–69, here at 66–68.

Alekseev's interest in religion may also have been stimulated by his engagement with the Eurasianist movement. The movement was founded in 1921 by Russian émigré intellectuals who famously claimed that Russia was neither a part of Europe nor a part of Asia, but a continent *sui generis*—"Eurasia." Recruited by the music critic Petr Suvchinskii and the religious philosopher Lev Karsavin, Alekseev joined the movement in 1926 and remained in regular correspondence with its members until the beginning of World War II.³⁴ Although he regularly published in the movement's periodicals, and in the 1930s organized its Paris-based section, conceptually Alekseev's Eurasianist affiliation was rather casual.³⁵ He shared the movement's view that the Russian Revolution was a popular reaction against the artificial Europeanization imposed by Peter the Great and that, over time, Soviet rule would be overcome from within, as soon as the Russian people, based on their Orthodox religion, became conscious of the country's Eurasian character. However, he rejected Eurasianism's fascination with the "East" and its positive evaluation of the Mongol and Muscovite periods in Russian history.³⁶ Ultimately, his ideas were not in any essential way shaped by Eurasianism. Neither did Alekseev contribute significantly to the movement's ideology.

A new chapter in Alekseev's life opened in the early 1930s. After the closing of the Russian Law Faculty in Prague in 1931 and of the Russian Scientific Institute in Berlin the following year, he moved to Paris, where he "was elected professor of the Russian Law Courses at the Sorbonne—courses that during this particular period eked out their existence in name only."³⁷ The same year also saw the publication of Alekseev's most comprehensive jurisprudential study, his *Teoriia gosudarstva* (The theory of the state), the latest in a series of publications that strongly resemble more traditional textbooks despite exhibiting some of the author's original ideas.³⁸ The Paris years also allow us a rare glimpse into Alekseev's private life. As his memoir and correspondence suggest, by the end of the 1930s he was married and was raising a twelve-year-old stepdaughter.³⁹ He

34 Gosudarstvennyi arkhiv Rossiskoi Federatsii [henceforth GARF], f. 5783, op. 1, d. 359, l. 172.

35 For a comprehensive analysis of Alekseev's role in Eurasianism, see Nazmutdinov, *Zakony iz-za granitsy*.

36 On the Eurasianist movement, see Sergey Glebov, *From Empire to Eurasia: Politics, Scholarship, and Ideology in Russian Eurasianism, 1920s–1930s* (DeKalb: Northern Illinois University Press, 2017).

37 Alekseev, "Avtobiografiia."

38 N. N. Alekseev, *Vvedenie v izuchenie prava* (Moscow: Izdanie Moskovskoi Prosvetitel'noi Komissii, 1918); *Obshchee uchenie o prave. Kurs lektsii, pročitannykh v Tavricheskom universitete v 1918/19 godu* (Simferopol, 1919); *Ocherki po obshchei teorii gosudarstva* (note 22); *Osnovy filosofii prava* (Prague: Plamia, 1924); *Obshchaia teoriia gosudarstva*, 2 vols. (Prague, 1925–26); *Teoriia gosudarstva. Teoreticheskoe gosudarstvovedenie. Gosudarstvennoe ustroistvo. Gosudarstvennyi ideal* (Paris: Izdanie evraziitsev, 1931).

39 N. N. Alekseev, "V burnye gody," pt. 3, chap. 1, "Vtoraia mirovaia voina i novoe pereselenie v Iugoslaviu," BdG AP, Ms. l.c. 282b.

had been acquainted with his wife, Tat'iana Petrovna, also a Russian émigré, at least since the early 1930s.⁴⁰

Beginning in the early 1930s, Alekseev's thought was increasingly shaped by the transformation of the Soviet Union and Nazi Germany into powerful totalitarian and antireligious states. He regarded these new political phenomena as an existential threat not only to the very nature of the state as such but also to the Christian churches, to religion generally, and, most alarmingly, to the human person. Whereas in the Soviet Union religion and the human person were destroyed in the name of class, in Nazi Germany this destruction occurred in the name of race.⁴¹ Alekseev presciently predicted the inevitability of the two totalitarian regimes coming into violent conflict with each other, although he tried to assess ways in which this outcome could be avoided.⁴² By 1935, Alekseev was convinced that humanity was threatened by its own technological and industrial achievements. Unless a new anthropology could be found, humankind was destined to end up in physical and moral degeneration.⁴³ In a series of articles, Alekseev attempted to provide a philosophical foundation for such a new anthropology and planned to turn these efforts into a book, tentatively titled *O poslednikh veshchakh* (On last things), which he never completed.⁴⁴

At that time, Alekseev was concerned not just with philosophical considerations but also with more active strategies to counteract humankind's existential crisis. Already in the early 1930s he had been one of the editors of *Demain?*, an international journal devoted to questions of religious freedom and social justice. Published in Paris by the French-Irish Protestant aristocrat Hubert de Monbrison in collaboration with, among others, the Swiss nonconformist Denis de Rougemont, *Demain?* featured reports on the situation of believers in countries all over the world.⁴⁵

Quite possibly as a consequence of his collaboration with *Demain?*, in 1935 Alekseev became involved in the ecumenical Life and Work movement based in Geneva. In preparation for the movement's Oxford Conference in 1937, he authored at least eight analytical essays on various current questions, such as the relations between church and state and the nature of the human person.

40 N. N. Alekseev to P. N. Savitskii, October 16, 1930: GARF, f. 5783, op. 1, d. 425, l. 16–16 ob.

41 See, for instance, N. N. Alekseev, "L'Hitlérisme, le Racisme et la Religion," *Demain?*, no. 14–15 (May–June 1933): 4–8.

42 N. N. Alekseev, "La Bataille de l'avenir: le communisme russe en face du national-socialisme," *La Revue hebdomadaire* 42, no. 23 (June 10, 1933): 139–50.

43 N. N. Alekseev, "Tot, kotorogo my ne znaem. Po povodu knigi D-ra Aleksisa Karrel' 'Chelovek, kotorogo my ne znaem,' Parizh, izd. Plon, 1935 [L'Homme, cet inconnu, Plon, 1935]," *Evraziiskaia khronika*, vyp. 12 (1937): 86–91.

44 See, for example, N. N. Alekseev, "Ob idee filosofii i ee obshchestvennoi missii," *Put'*, no. 44 (1934): 27–43.

45 The journal's full title was: *Demain? Bulletin Mensuel d'Information non-politique concernant: Les Mouvements Religieux. L'Athéisme International. L'Antireligion en U.R.S.S. "Les Forces Nouvelles."*

Some of these were published in the movement's collected volumes.⁴⁶ Alekseev's primary focus within the Life and Work movement soon became the role of religion and the churches in the solution of the international crisis and the prevention of another war. Alekseev participated in the Oxford Conference as a member of the *Una Sancta* and the World of Nations section, with a special focus on "The Christian Attitude to War."⁴⁷ In July 1939, Alekseev discussed the critical international situation in Geneva with more than thirty other ecumenical activists—a key event in the Ecumenical Movement's struggle for global peace and human rights.⁴⁸ From the mid-1930s, Alekseev's antiwar activities and Russian patriotism manifested themselves also in his active participation in the Defense Movement (*Oboroncheskoe dvizhenie*) that called Russian émigrés to the defense of the Soviet Union in case it was attacked by Japan or Nazi Germany.⁴⁹

In late 1939, after the outbreak of World War II, Alekseev left Paris to become professor at the law faculty of the University of Belgrade, where he taught a course on the history of political thought until the spring of 1941, when, in the wake of the German invasion, all teaching was canceled.⁵⁰ In 1942 Alekseev was dismissed from the university altogether.⁵¹ During the war he tried to stay clear of contacts with the German occupiers. Interestingly, in early 1944, in Belgrade, he met the German theologian and ecumenical activist Eugen Gerstenmeier, one of the conspirators against Hitler, who sought Alekseev's expertise for prospective separate peace talks with the Soviet government.⁵² After the liberation of Belgrade by the Red Army, Alekseev was reinstated at Belgrade University and acquired Soviet citizenship. He continued to teach until the Stalin-Tito split in 1948 made his situation as a Soviet citizen in Yugoslavia unbearable. In 1950 he

46 N. N. Alekseev, "Das russische Volk und der Staat," in *Kirche, Staat und Mensch: Russisch-orthodoxe Studien* (Geneva: Forschungsabteilung des Oekumenischen Rates für Praktisches Christentum, 1937), 5–54; "Die marxistische Anthropologie," *ibid.*, 152–74; "Gesellschaft, Staat und Kirche," in *Totaler Staat und christliche Freiheit* (Geneva: Forschungsabteilung des Oekumenischen Rates für Praktisches Christentum, 1937), 3–19; "The Marxist Anthropology and the Christian Conception of Man," in *The Christian Understanding of Man* (London: George Allen & Unwin, 1938), 83–137.

47 *The Churches Survey Their Task: The Report of the Conference at Oxford, July 1937, on Church, Community and State* (London: George Allen & Unwin, 1937), 306. See also Alekseev's report on the conference: "Vsemirnyi s"ezd prakticheskogo khristianstva v Oksforde," *Novyi grad*, vol. 13 (1938): 152–63.

48 John S. Nurser, "The 'Ecumenical Movement' Churches, 'Global Order,' and Human Rights: 1938–1948," *Human Rights Quarterly* 25 (2003): 851n40. Alekseev is the unnamed "Russian Orthodox" from Paris in Nurser's footnote.

49 See, for example, N. N. Alekseev, "Oboroncheskoe dvizhenie," *Novaia Rossiia*, no. 4 (1936): 10–12.

50 An abridged version of his Belgrade lecture courses on the history of political thought was published after the war: N. N. Alekseev, *Ideia gosudarstva: Ocherk po istorii politicheskoi mysli* (New York: Izdatel'stvo imeni Chekhova, 1955).

51 Alekseev, "Avtobiografiia."

52 Alekseev, "V burnye gody," pt. 3, chap. 4, "Germanskaia okkupatsiia v Iugoslavii," BdG AP, Ms. l.e. 282b.

resigned from his position and emigrated to Switzerland with the help of Henry-Louis Henriod, former general secretary of Life and Work in Geneva.⁵³ He lived in Geneva until his death in 1964. There Alekseev authored his memoirs and continued his philosophical meditations concerning the fate of humanity in an age of existential crisis and the threat of wholesale destruction.⁵⁴

From Marxism to idealism and religion

Alekseev's thought mirrored his turbulent life and underwent transformations from radical revolutionary ideas to idealism and religion. What remained unchanged, however, was his quest for social justice, a goal to be attained in a lawful way and with the help of the state. The latter he understood as a rule-of-law state that protected the moral integrity and inviolability of the person. He rejected the unbridled individualism associated with the liberal idea of the state as a kind of night-watchman. He also refused anarchist concepts of society and, even more, the totalitarian state, in which the individual becomes a tool of state power.

Alekseev's first publication, "The Decay of Marxism," was a personal reckoning with his youthful radicalism. He characterized Marxism's epistemological method as "uncritical positivism" that was dogmatic and "based not on critical research, but on naive statements of ordinary human common sense."⁵⁵ At this time, when Russian thinkers became disenchanted with positivism, they turned toward an idealist, Kantian understanding of being. Idealism, Alekseev confidently argued, is not only based on a scientifically solid epistemology, it also "practically lifts up the significance of the human person and embodies the demands for its self-worth that are put forward by idealist philosophy."⁵⁶

For Alekseev, rejecting Marxism as a philosophical guide was the easy part of the task. But what should replace it? In a series of critical essays on influential thinkers, both Russian and foreign, Alekseev sought to develop his own concept of how a society should be organized on idealist principles and how social justice should be achieved. In an examination of the German philosopher of law Rudolf Stammler, Alekseev sought to determine how social life could be philosophically understood and legally regulated. He acknowledged that Stammler had worked toward "a new spiritual- and cultural-historical worldview that would be opposed to the naturalism that dominates thus far in philosophy."⁵⁷ Yet, by focusing on "an external regulation or a social norm ... that lies at the basis of the concept of people's social life," Stammler failed to provide a satisfactory

53 Alekseev, "V burnye gody," pt. 3, chap. 7, "Novaia sotsialisticheskaia Iugoslaviia i Belgradskii iuridicheskii fakul'tet," BdG AP, Ms. l.e. 282b.

54 See, for example, N. N. Alekseev, *Formy myshleniia i atomnaia revoliutsiia* (Geneva: n.p., 1959); *Mir i dusha. Filosofskie razmysbleniia o materii i dukhe na osnove dialekticheskogo realizma* (Frankfurt a. M.: Izdanie avtora, 1953) [pseudonym: N. Kolianskii].

55 Alekseev, "Razlozhenie marksizma," 92.

56 *Ibid.*, 115.

57 Alekseev, "Sotsial'naia filosofii Rudol'fa Shtammlera," 14–15.

answer. After all, Alekseev argued, social life could be organized according to different “social-philosophical principles” and, consequently, there could be different “social-philosophical types of society.” Besides the “universalist” society championed by Stammler, there could be Stirner’s “individualist” society or the “spiritual-organic” society developed by Aristotle, Hegel, or Vladimir Soloviev.⁵⁸

Alekseev continued his argument against the absolutization of particular legal norms in a lecture on “Natural Law and Historicism,” suggesting that natural law norms were by their very essence neither antihistorical nor valid “for all times and all peoples.”⁵⁹ Instead, he claimed, it was possible to describe a historical approach to law “as having emerged and gradually developed from the very same natural law doctrine.”⁶⁰ In Alekseev’s view, there was no inevitable contradiction between natural law and history. Alekseev saw confirmation of this approach in the writings of Boris Chicherin, whose landmark *History of Political Ideas* influenced him significantly. Examining the famous polemics between Chicherin and Soloviev over the latter’s *The Justification of the Good*, Alekseev sided with neither of them. He praised Soloviev for squarely posing the “problems of the social ideal,” yet also agreed with Chicherin’s strict methodological and historical critique. What was needed, Alekseev argued, was a synthesis of Chicherin’s and Soloviev’s ideas: this synthesis would have to “adapt [Chicherin’s] theoretical premises, [and take] from Soloviev—the vivid content of the contemporary ideals of life.”⁶¹

There is no doubt that, in the years before World War I, Alekseev himself attempted to produce such a synthesis. He wanted to return from the predominant naturalism of his day to the idealism and panlogism of Kant, Fichte, and Hegel, but without accepting these thinkers in their entirety. His ideal was “some kind of a middle line between Hegel’s rationalism and panlogism and the empiricism and naturalism of the sociological and historical theories of the nineteenth century.” According to Alekseev, the history of philosophy had already achieved some success in this respect. But the philosophy of law still needed to turn to history, to benefit from its insights, and to develop a new political and legal theory that could face the challenges of the current era.⁶²

The Russian Revolution interrupted Alekseev’s scholarly pursuits and forced him to turn his attention from abstract ideas to their political and social consequences. He mostly focused on the threat of anarchy, which he saw as a typical Russian phenomenon, a rebellion against all forms of law, order, and statehood. “Anarchists,” he wrote, “are the greatest idealists,” yet they have an “excessively naive faith in the potential of goodness.” They tend to reject “all historical

58 Ibid., 23 and 25.

59 N. N. Alekseev, “Estestvennoe pravo i istorizm,” *Voprosy prava*, 1911, no. 1, kn. 5: 5–29, here at 7.

60 Ibid., 28.

61 Alekseev, “Russkii gegel’ianets. Boris Chicherin,” 212. On Chicherin and Soloviev see Chapters 6 and 9 of this volume.

62 Ibid., 220.

forms of social life, in particular the order of state and law.”⁶³ The Bolshevik regime, Alekseev was convinced, satisfied the anarchistic and elemental forces of the Russian masses. It was an authentic voice of the Russian people, “a more *organic* phenomenon” than the Russian liberal intelligentsia was prone to think, and would therefore remain in power for years to come. Like earlier rebels, such as Sten’ka Razin and Emel’ian Pugachev, the Bolsheviks expressed the Russian people’s yearning for the fusion of “objective truth” (*pravda-istina*) and “moral justice” (*pravda-spravedlivost*) more convincingly than Russian intellectuals propagating the Western “political values” of a “constitutional regime, liberty, laws, guarantees, etc.”⁶⁴

Alekseev found another expression of Russian popular anarchism and antistatism in the postrevolutionary revival of Russian religious philosophy, including his mentor Novgorodtsev’s turn toward Russian Orthodoxy and the “East.” Russian religious culture, Alekseev admitted, had always prioritized “love of one’s neighbor” over love of self, but at the same time, it was lacking in the principles of “order and law.” Already, the Slavophiles, in particular Aleksei Khomiakov and Iurii Samarin, had understood the church as “the divine grace of mutual love,” where there was no hierarchy, “no place for authority and respect,” and where “all are equal, except God Himself.” This understanding inspired “a free unity of people on earth, achieved by an inner law.” Unfortunately, according to Alekseev, “the state and law cannot” be part of this unity; they “are simple historical outgrowths, epiphenomena.”⁶⁵

In Alekseev’s view, it was “the tragedy of Russian history” that Russia had to build a state “that was not sanctified by the acceptance of supraindividual values” and that “laws had to be created without the acceptance of the moral force of laws.” On the surface, the “ideology of Russian statehood” was an “ideology of theocratic absolutism that justified the divine foundation of the state’s unlimited power.” Yet “in its inner essence, this state absolutism demonstrates a certain ... *mechanical* character.” Since Ivan IV (the Terrible, r. 1547–84), Alekseev argued, the Russian state “was not a reflection of the eternal order of the universe, not a likeness of the divine cosmos, [but] a defense against rebellion.” Unlike Hobbes’s “Leviathan,” the Russian state was not created on the basis of a mutual political contract but was imposed upon its subjects from the outside by force.⁶⁶

The preeminent task of the postrevolutionary philosophy of law, Alekseev concluded, was to change this attitude. It had to revise the fateful contradictions between religion, law, and the state in Russia. “Oddly enough, among the contemporary Russian religious strivings, sometimes views emerge that tend to destroy both law and the state. They declare law to be the equivalent of force,

63 N. N. Alekseev, “Anarkhizm,” *Narodopravstvo*, no.2 (1917): 2–3.

64 Alekseev, “Sovremennyi krizis,” *Narodopravstvo*, no.17 (December 7, 1917): 13.

65 N. N. Alekseev, “O kharaktere i osobennostiakh russkoi filosofii prava,” *Novaia Russkaia Kniga*, 1923, no.2: 5–8, here at 5–6.

66 *Ibid.*, 6–7.

and the state—the vessel of the devil. Russian religious philosophy must nurture [*vyinosit'*] and bless the idea of law and of the state.”⁶⁷ With this powerful statement Alekseev set the postrevolutionary research agenda that would occupy him for at least the next two decades and lead to a systematic examination of religious justifications of law and state—something more than the epistemological justifications that had satisfied him before the Russian Revolution.

Toward an Orthodox rule-of-law state

In three essays published in the second half of the 1920s, Alekseev examined the historical relation between the Christian religion, law, and the state, in effect producing a sweeping history of political thought. The Old Testament, Alekseev argued, depicted ancient Israel as a theocracy with a negative attitude to the earthly kingdom. The latter was seen as a punishment for the fall from divine grace. The state was portrayed “as the refuge of the impious, as the kingdom of the spirit of darkness.”⁶⁸

The New Testament presented a more ambiguous view of the state. Preaching loyalty to the secular powers, Christianity also welcomed the deposition of unjust rulers and could, under certain circumstances, reject worldly power and the state as creations of the Antichrist. Medieval Catholic authors later created the formula of the “just earthly state” (*pravednoe zemnoe gosudarstvo*) and developed “the basic dogmas of the democratic theory of the state: the teaching of the contractual origin of state power, of popular sovereignty, of resistance against unjust rule, etc.” Thus, in one way or another, Christian authors agreed that “in a Christian state, the power of the state must be based on a contract as it was in the Bible.”⁶⁹

Christianity, Alekseev summarized, ascribes value only to earthly power that is “just,” or, using Leon Petrażycki’s terminology, “to power that is not the power of the master, but the power of service to society [*vlast' sotsialnogo sluzheniia*].” Here Alekseev advanced a concept of service that would later become central for his social theory. Already the church fathers “considered the legal interpretation of monarchy—the view of the king as the highest office, constrained by law—to be the only theory of kingly power in accord with Christianity.” In other words, “they considered the view of the kingdom as *a rule-of-law state* to be compatible with the teaching of Christ.”⁷⁰ Still, Alekseev observed, from the most ancient times there existed also a pagan tradition in which religion and monarchy were tightly

67 N. N. Alekseev, “P. I. Novgorodtsev i russkaia filosofii prava,” *Rul'*, no. 1038 (May 4, 1924): 7.

68 N. N. Alekseev, “Ideia ‘Zemnogo grada’ v khristianskom verouchenii,” in *Russkii narod i gosudarstvo*, ed. A. Dugin and D. Taratorin (Moscow: Agraf, 2003), 21–47, here at 30 [originally in *Put'*, 1926, no. 5].

69 *Ibid.*, 33, 38, 43.

70 N. N. Alekseev, “Khristianstvo i ideia monarkhii,” in *Russkii narod i gosudarstvo*, 48–67, here at 55–57 [originally in *Put'*, 1927, no. 6].

intertwined with the idea of sacred kingship (*tsarebozhestvo*), so that ruler and god were one and the same. In this view, power can only be absolute. Emerging first in the Assyrian, Babylonian, and Persian empires, this model was later transferred to the Greco-Roman world and entered Christianity, manifesting itself in the “the divinization of emperors.” Remnants of these pagan traditions were particularly evident in the Muscovite tsardom, both in the ideology of Iosif Volotskii and in the rule of Ivan IV, when “Orthodox monarchism was the Russian version of an ancient pagan idea somewhat softened by Christian influences.”⁷¹

The repressive character of the Russian state was conditioned by the permanent threat from Asian nomads. This explains the character of the Russian state as a “military society, built like a large army and based on the principle of harsh service [*tiaglo*].” Still, alternatives to the “official” ideology of Muscovy were deeply embedded in the popular masses: the idea of a secular military dictatorship advocated by Ivan Peresvetov in the sixteenth century; the populist, democratic, but “politically amorphous” and “semianarchical” concept of Cossack freedom (*vol'nitsa*); and sectarian-utopian concepts of the state, such as those of the conservative Old Believers.⁷²

In 1917, Alekseev argued, elements of all three concepts were fused with the Muscovite principle of dictatorship and realized under the guise of communism. The communist regime was destined to be a transitory phenomenon. “The ideas of democracy, dictatorship, and social justice,” on the other hand, would remain essential for Russia’s future. However, these ideas “need to be cleansed of materialism and transformed in a religious sense.” The result would be an “*Orthodox rule-of-law state* able to combine firm authority (the principle of dictatorship) with popular rule [*narodopravstvo*] (the principle of *vol'nitsa*) and the service of social justice.” This concept, too, had a precedent in Russian history in the “Orthodox rule-of-law monarchy,” advocated already in the fifteenth century by Nil Sorskii and the Trans-Volga Elders, whose ideas were further developed by Vassian Patrikeev and Maksim Grek.⁷³

In 1930, Alekseev complemented his historical argument for an Orthodox rule-of-law state with a philosophical argument. He now declared secular Western legal concepts, in particular those established by German idealism, insufficient. He criticized the Kantian categorical imperative as “empty,” as ultimately leading merely to the establishment of an “order of [earthly] life.” Due to this lack of content, the “ethics of idealism ... came close to the ethics of hedonism, utilitarianism, and materialism, which also denied the absoluteness of moral principles.”

71 Ibid., 49, 51–52, 59, 64.

72 N. N. Alekseev, “Russkii narod i gosudarstvo,” in *Russkii narod i gosudarstvo*, 68–119, here at 73, 83, 107 [originally in *Put'*, 1927, no. 8].

73 Ibid., 114–16, 84. Nil Sorskii (d. 1508) and the Trans-Volga Elders were contemplative monks who criticized the wealth of Russian monasteries. They also opposed reliance on state power and the use of violence to combat heresy. Vassian Patrikeev (d. after 1532) and Maksim Grek (Maximus the Greek, d. 1556) were monastic intellectuals whose editing of ecclesiastical books and discussion of other reforms earned them years of imprisonment.

Yet all moral values, Alekseev insisted, ultimately “receive their only genuine manifestation and expression in religion.” The same is true for law, historically “equally connected with both religion and morality.” In the process of secularization, however, the number of religiously mandated regulations decreased from a “moral maximum” to a “moral minimum,” and “the laws of the state were torn away from religion and morality.”⁷⁴

Alekseev called for reconnecting the state and its laws with religion and morality, without, however, falling back into Ivan the Terrible’s Orthodox dictatorship. For this purpose, Alekseev introduced the concept of “entitlement” (*pravomochie*), which ultimately allowed him, as he thought, to avoid the strict separation between laws that establish rights (*prava*) and laws that establish duties (*obiazannosti*). On one hand, there can be no duties without a certain freedom of choice. On the other hand, rights do not give unlimited freedom, but impose certain limits, although without directly establishing any duties. In Alekseev’s view, entitlements could play a vital role in the organization of social life, replacing an abstract concept of law that all too often simply means “a coercive rule that established something as obligatory.” Entitlements could provide a middle ground between social regulations that are solely “directed by the consciousness of duties,” as in communism, and the other extreme, namely “personal responsibility and freedom,” as in the pure form of liberalism.⁷⁵

The conceptual basis for this new balance of rights and duties Alekseev found in the New Testament, in “the principle of service [*sluzhenie*].” This principle, rather than “the right to power,” or “imperium,” was “the characteristic of the genuine king, the Son of God.” Here, “the external law acquires a purely relative meaning”; “personal conscience” and “spiritual consciousness” play a more important role. During the Protestant Reformation, Alekseev argued, demands for the respect of the human person became central, yet in their revolutionary zeal, the Reformers went too far, developing a “spirit of extreme and abstract individualism.” This one-sidedness needs to be corrected: “The idea of personal rights must be confirmed in full force as a purely Christian idea, but right must not be torn off from duty; duty must be the ground of *entitlement* and merge in its legal relations into one organic unity.” In Alekseev’s view, Orthodoxy could play an essential role in this process: “The formation of such an organic teaching on the rights of the person is the basic task of the Orthodox philosophy of right and of Orthodox politics.”⁷⁶

But how exactly would this Christian concept of human rights look in reality in a “Christian state?” In Alekseev’s view, several aspects were essential. First, there needs to be formal legality (*zakonnost*): “the protection and defense of the autonomous person’s rights must be the basic task of a Christian state.” Yet the state must not merely refrain from interfering in people’s lives (negative

74 N. N. Alekseev, *Religiia, pravo i npravstvennost* (Paris: YMCA Press, 1930), 16, 19, 22–23, 30–31.

75 Ibid., 49, 55, 63.

76 Ibid., 91–93, 96–97.

freedom). On the contrary, “only a policy that vests the state with a positive mission complies with love and the service of society.” The duty of the Christian state is to “improve the material conditions” of its people, to foster their “creative activities and to involve [them] in social construction.” In other words, the state must provide people with positive freedoms; it must help them satisfy “their cultural and spiritual interests” on a broad scale.⁷⁷ Alekseev later systematized these principles into what he called the “guarantor-state” (*garantiinoe gosudarstvo*), a state with “a positive mission,” called “to assist in the realization of certain positive social principles, of a certain permanent sociopolitical program.” Far from being a totalitarian ideology, this program would be accepted “by people of a wide variety of philosophical, scientific, or religious convictions.” At the same time, Alekseev’s guarantor-state was an alternative to the liberal capitalist states of Western Europe and the United States, which he perceived as “night-watchmen states,” “relativistic,” lacking any positive mission, and prone to the accidental changes of parliamentary majorities.⁷⁸ What Alekseev had in mind came close to what we would now call the modern welfare state.

Christian churches in defense of the human person and global peace

Alekseev’s concept of an Orthodox rule-of-law state also informed his contributions to the Life and Work movement in the 1930s. More explicitly than in his other writings, he emphasized here the key role of Christianity and the churches in preserving both the human person’s spiritual freedom within states and the states’ peaceful global coexistence. In Life and Work’s discussions, the Russian Orthodox position Alekseev represented was close to that of the British delegates, who called for an active social and economic role for church and state and insisted on the need for state and society to conform to Christian values. His position contrasted with that of the German representatives, who conceived of the state as ultimately autonomous and superior to the church.⁷⁹

Alekseev believed that states will exist as long as human beings exist. Their purpose is “not only to facilitate [the human being’s] existence on earth, but also to enable him to enter the Kingdom of God.” In order to pursue these goals and ensure that human beings are regarded in the political and economic spheres not as means but as ends in themselves,

the state uses “positive morality,” a value that in the West is usually called natural law. In the Christian sense of the word, “positive morality” is nothing

⁷⁷ Ibid., 101–02.

⁷⁸ N. N. Alekseev, “O garantiinom gosudarstve,” in *Russkii narod i gosudarstvo*, 372–85, here at 372–73 (originally in *Evrasiiskaia khronika*, vyp. 12 [1937]).

⁷⁹ On these discussions, see Kenneth C. Barnes, *Nazism, Liberalism, and Christianity: Protestant Social Thought in Germany and Great Britain, 1925–1937* (Lexington: The University Press of Kentucky, 1991).

but the secular emanation of Christian love, vested with a very specific normative form, the form of law or a legal norm.

The Christian state plays an essential and beneficial role: “as organizer of chaotic natural forces [the state] contained something of the divine Cosmos; it further developed these cosmic forces of nature, [and thereby] it prepares and creates the ground for the growth of spiritual energies.”⁸⁰

It is clear, then, that in Alekseev’s opinion openly “anti-Christian states” are not governed by law and thus are incapable of improving human lives. Rather, they cause dehumanization, turning human beings into animals. But what exactly makes a state “legal” and, hence, from a Christian perspective, acceptable? In Alekseev’s opinion, it was both necessary and sufficient that a state should accommodate both “centralized and decentralized social forces” and provide a certain degree of internal autonomy. At the same time, however, Alekseev saw no need for the church to advocate for the classical liberal state.⁸¹

By the mid-1930s, it had become clear that the human person as a free spiritual being was threatened not only by totalitarian states but also by a global war. Alekseev now stressed the positive role of the Christian churches for the pacification of international relations and the establishment of peace. In Alekseev’s opinion, Christianity was uniquely suited for peacemaking because of its view that “all human beings are equal in God and in their effort to become like God.” Christianity taught that all human beings live in a “mystical union with God and with all other human beings.” In the Christian perspective, humanity became “a genuine universal ‘communion,’ a universal mystical community” that found its expression in the church. At every moment there was an “‘all-unity’ of all human souls in God.” This new Christian concept of human equality, unknown to the pagan world, demanded “a revision of all pagan positive legal institutions” and the “creation of a more humane, more humanistic, and more universal legal system.”

Unfortunately, at the time Alekseev was writing (March 1937), “Christian culture” was unable to complete this task, “being defeated in ordinary life by Roman law and the pagan state.” Yet this defeat was not final: “the Christian ideal of love” retains its significance “for the further humanization of legal institutions and the institutions of the state.”⁸² War, Alekseev implied, was a predominantly pagan tradition, for in antiquity individual states considered themselves entirely sovereign. “Their highest law” in relations with other states “was the law of power,” and “their last word was war.” Yet slowly, among nations, “a consciousness of international solidarity” and an “international ethos” emerged that differed from the “exclusive ethos” of pagan states. Alekseev lamented the fact that the twentieth century witnessed “the rebirth of political and international

80 Alekseev, “Gesellschaft, Staat und Kirche,” 12, 16.

81 *Ibid.*, 14, 19.

82 Alekseev, “Christentum, Recht und internationale Beziehungen,” 5.

ideologies that reestablish the old idea of the absolute self-importance of the state.”⁸³

According to Alekseev, only the idea and practice of “Christian peace” can avoid war. Several considerations were important. “Peace, first of all, needs to be a general peace,” establishing peace in all spheres of social life. Under the social conditions of “envy, ambivalence, and widespread hostility,” no “stable human organizations” can be established. Likewise, no peace can succeed without international organizations and treaties. Yet these organizations need to make clear that they do not shy away from coercion as “‘the *ultima ratio*’ of law,” and that this coercion “will only be enacted if there is no other natural possibility to act otherwise.” Ultimately, “the human being needs to justify every act of violence before God.” Last but not least, one should not have exaggerated hopes for the Christian idea of peace: “[its] realization will not create the Kingdom of God on earth; it will merely build the conditions for an existence of human beings on earth that is worthy of God [*gottwürdig*].”⁸⁴

Alekseev believed that Christianity had not only a special mission but also a unique ability to act in international relations. Christianity

is not a theory of two worlds between which there is no transition. Deed serves as a bridge between faith and the real world. Faith proves itself through deed and wants to be realized.... On the other side, deed without leading principles, ideas, or ideals is blind.

Summing up his deliberations, Alekseev declared: “The church can and must lead spiritually.” This leadership does not mean that the church “interferes in the struggle of contemporary ideologies but, on the contrary, that it unmasks this struggle and points to the properly Christian paths toward the reorganization of social life that is so urgently needed in our critical era.”⁸⁵

Post-Soviet legacy and reception

Alekseev’s reception in post-Soviet Russia and elsewhere has thus far not served him very well. Although he is discussed in most recent Russian encyclopedias (with the notable exception of *Pravoslavnaia entsiklopediia*⁸⁶), students of his life and thought have focused predominantly (and unjustifiably) on his affiliation with the Eurasianist movement.⁸⁷ One of the reasons for this imbalance

83 Ibid., 6, 9–10, 13–14.

84 Ibid., 23–24.

85 Ibid., 25.

86 *Pravoslavnaia entsiklopediia* (The Orthodox encyclopedia) is a publication of the Moscow Patriarchate. Since 2000, over forty volumes and numerous supplementary entries have appeared (www.pravenc.ru).

87 I. A. Isaev, “Nikolai Nikolaevich Alekseev,” *Russkoe zarubezh’e. Zolotaia kniga emigratsii (pervaia tret’ XX veka). Entsiklopedicheskii biograficheskii slovar’* (Moscow: ROSSPEN,

may be that the most readily available reedition of some of Alekseev's works was undertaken by the enterprising but controversial Neo-Eurasianist ideologist Aleksandr Dugin, who called Alekseev "the Russian [Carl] Schmitt."⁸⁸ Alekseev's Eurasianism also became the subject of less ideologically charged studies by Dmitrii Taratorin, another representative of Dugin's brand of Neo-Eurasianism, and by A. I. Ovchinnikov and S. P. Ovchinnikova.⁸⁹ A more serious study of Alekseev's Eurasianism was undertaken by Bulat Nazmutdinov, who failed, however, to fully contextualize Alekseev's Eurasianist activities in his more general views on philosophy, law, and religion.⁹⁰

Alekseev's philosophy of law remains understudied, Irina Borshch's monograph being the exception that proves the rule.⁹¹ Since the early 1990s, some of Alekseev's central monographs on the history and philosophy of law were reprinted, with informative but brief biographical sketches and summaries of his ideas.⁹² More recently, Alekseev's post-World War II correspondence with his fellow Eurasianist Petr Savitskii has appeared in print.⁹³ It is much to be hoped that further editions and reeditions of Alekseev's works will follow and spark a new interest in this unique thinker, whose stormy life and unusually broad intellectual scope deserve to be known far more widely in Russia and abroad.

1997), 23–25; A. V. Sobolev, "Alekseev," in *Bol'shaia rossiiskaia entsiklopediia*, vol. 1 (Moscow: Bol'shaia rossiiskaia entsiklopediia, 2005): 461; Ia. A. Butakov, "Alekseev Nikolai Nikolaevich," in *Obshchestvennaia mysl' russkogo zarubezh'ia: Entsiklopediia* (Moscow: ROSSPEN, 2009), 173–77.

88 A. Dugin, "Teoriia evraziiskogo gosudarstva," in *Russkii narod i gosudarstvo*, 5–20, here at 9. This volume, initially published in 1998, was reissued twice (2000, 2003) with a total print run of several thousand copies. In addition to several of Alekseev's essays, it includes his monograph *Teoriia gosudarstva* (386–624), without, however, indicating its title. Many scholars have taken the title of Alekseev's introduction to the work ("Sovremennoe polozhenie nauki o gosudarstve i ee blizhaishie zadachi") for the title of the entire work. For the original edition (Paris, 1931), see note 38.

89 D. Taratorin, "Oderzhimyi Eidosom," *Elementy*, no. 9 (1998): 92–97; A. I. Ovchinnikov and S. P. Ovchinnikova, *Evraziiskoe pravovoe myshlenie N. N. Alekseeva* (Rostov-na-Donu: Izdatel'stvo SKNTs VSh MVD RF, 2002).

90 B. V. Nazmutdinov, *Zakony iz-za granitsy* (see note 2).

91 I. V. Borshch, *Nikolai Alekseev kak filosof prava* (see note 2).

92 N. N. Alekseev, *Osnovy filosofii prava* (1924; St. Petersburg: Iuridicheskii Institut, 1998); *Ideia gosudarstva: Ocherk po istorii politicheskoi mysli* (1955; St. Petersburg: Lan', 2001); *Ocherki po obshchei teorii gosudarstva: Osnovnye predposylki i gipotezy gosudarstvennoi nauki* (1919; Moscow: Zertsalo, 2008).

93 "Dorogoi moi drug Petr Nikolaevich': Pis'ma N. N. Alekseeva k P. N. Savitskomu (1957–1961)," ed. B. V. Nazmutdinov and O. T. Ermishin, in *Ezhegodnik Doma Russkogo Zarubezh'ia imeni Aleksandra Solzhenitsyna*, 2017 (Moscow: Dom Russkogo Zarubezh'ia imeni Aleksandra Solzhenitsyna, 2017): 351–445.

Law and the Christian Tradition in Modern Russia

Edited by Paul Valliere and
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Produced by the Center for the Study of Law and Religion, Emory University

 **Routledge**
Taylor & Francis Group
LONDON AND NEW YORK

First published 2022
by Routledge
2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

and by Routledge
605 Third Avenue, New York, NY 10158

Routledge is an imprint of the Taylor & Francis Group, an informa business

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British Library Cataloguing-in-Publication Data

A catalogue record for this book is available from the British Library

Library of Congress Cataloging-in-Publication Data

A catalog record has been requested for this book

ISBN: 978-0-367-86131-5 (hbk)

ISBN: 978-1-032-05442-1 (pbk)

ISBN: 978-1-003-01709-7 (ebk)

DOI: 10.4324/9781003017097

Typeset in Galliard
by Deanta Global Publishing Services, Chennai, India

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