

*Law and Revolution:
The Impact of Soviet Legitimacy on
Post-Soviet Constitutional Transformation*

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The world's changing social conditions have introduced principally new parameters: globalization, which questions traditional Eurocentric theories; information technologies, which open doors to online communications between representatives of different societies, irrespective of developmental stereotypes and historical diversities; and more intensive intercultural mobility, which reveals the importance of new value-free and more neutral terminology in order to avoid the mechanical explanation of one culture in terms and values taken from another one.

From this point of view, the democratic transit theory, which was dominant after the collapse of the Soviet Union and during the period of anti-Communist revolutions in Eastern Europe, could not be adopted as a comprehensive explanation of the new post-Soviet reality. The main inconsistencies of this theory can be schematically summarized in five key arguments:

- (1) the theory combines, in one basket, the targets of scientific explanation of phenomena and its ideological legitimacy fabrication, and thus it is not a value-free interpretation of the democratic transit;
- (2) it is too abstract, ignoring the difference between the cultural, historical, and political prerequisites of democratic trends in different parts of the world and in different countries;
- (3) it postulates the linear character of the whole transformation, ignoring the retroactive trends and mistakes in this development;

- (4) it has a teleological character that was probably inspired by a naive good faith in the final result—the indisputable triumph of liberal democracy as the best system in the history of the world;
- (5) it stands in obvious contradiction to the facts: the rise of a new conservative wave in Eastern Europe, Russia, and the countries of the post-Soviet region, where the end of the “democratic transit” means not the establishment of liberal democracy but the definitive challenge to classic Western constitutionalism, its values, principles, and norms.

It is clear that the logic of constitutional transformation in the countries of Eastern Europe and Russia, as shown in recent legal and political upheavals, demonstrates that the initial liberal impulse that inspired the whole democratic transition in the countries of the region has been dissolved and replaced by a new conservative political orientation rooted in feelings of alienation, disappointment, inconsistency, and aggressive nationalistic reaction toward constitutional modernization. Why did this new trend become so visible in political life and so influential in the current agenda of constitutional counterreforms, and where are the natural limits for its fulfillment?

In order to answer these questions, I propose the conceptual framework of the theory of constitutional cycles, which reveals the dynamic of the legal transformation as a shift of social priorities (and legal consciousness stereotypes) from the abandonment of an old constitutional model to the reception of a new one, followed by a subsequent phase of constitutional abeyance, which potentially could be finished in a more or less visible restoration of traditional forms and methods of constitutional regulation. This big constitutional cycle is coming to its end in Eastern Europe and Russia, making actual the analysis of such phenomenon as constitutional re-traditionalization (or re-constitutionalization).

From this angle, I present the theoretical grounds of this study, which analyses the typology and main characteristic features of the constitutional re-traditionalization process in countries of the region, its evident and implicit functions in legal and political development regarding such items as the public search for a new national identity, conservative reinterpretation of fundamental legal rights, authoritarian corrections in the system of separation of powers, the suppression of independent constitutional justice, and public policy regulation. Being an apparent challenge to classic European liberal values, this trend has its own logic and limits. The crucial

thread in this development is the destiny of constitutionalism, political pluralism, the real independence of constitutional justice, and the ability of elites to protect or repudiate these values for their own interests.¹

It is important to propose a new interpretation of the legal tradition that views it not as a frozen and unchangeable system of values but as a dynamic cognitive reality that is open to different interpretations, innovative impulses, and alternative strategies for the legal construction of a new social reality. From this point of view, the political prevision is not prediction or self-realized prognosis (as it is normally represented by ideologists). Rather, it should be interpreted as a scientific forecast based on cognitive choice: the balance of ideological priorities (value system), legal regulation (normative system principles), and political practice (functional system). The changing balance or various constellations of these three options creates the ground for different social constructivism priorities: the picture of the world, the sense of life, and predominant stereotypes of political culture in transformation. This approach is important not only for the construction of the future reality but also for the retrospective reconstruction of the past in order to understand the impact of alternative ideological and legal models, the process of their selection, combination, or modification (ideological programs, constitutional projects or amendments), and the motives that became predominant (and fulfilled in the adopted constitutions, legal acts, and fixed formal and informal norms of legal behavior).

As such, my approach to the problem is comparative (comparison of legitimacy formulas of classic and contemporary revolutions and political regimes), historical (long-wave periods of constitutional development), and cognitive (the analysis of initial attitudes, motives, and impulses of constitution writing, their impact on the process of political transformation, and the variety of possible results). The academic debate about the contemporary Russian legal and political system is ipso facto only possible in the context of the revolutionary heritage—the political tradition of the Soviet and even pre-Soviet periods.

Revolution is a radical and violent change in the informational picture of the world, the basis of a new social and cognitive adaptation process. Although it creates the situation of a normative chaos, revolution inevitably should be transformed into a new legal order (a new normative settlement). Competitive projects of social constructivism are fixed in

1. See Andrey N. Medushevsky, *Russian Constitutionalism: Historical and Contemporary Development* (London and New-York: Routledge, 2006).

political constitutions or are embodied in the evolving formula of power legitimacy. Revolutions are active through the whole period of time in which revolutionary myth and power legitimacy formula are at work. In Russia, that period covers the time from 1917 to 1991.

Our purpose is to reconstruct the changing balance of ideology (revolutionary myth), positive law (political constitutional norms), and political practice (the decision-making process in legal development). That can be done by means of newly opened archival materials from all of the constitutional commissions in Russia during the twentieth century—from the Constitutional Assembly (1918) and constitutional projects of the provisional government (1917) to the commissions that drafted the latest Russian constitution in 1993. Let me illustrate more profoundly the role of each component of revolutionary heritage in the formation of the Russian political tradition in the twentieth and early twenty-first centuries.

Ideology—the revolutionary myth, based on the Communist utopia, that dominated social consciousness—is a system of attitudes based on beliefs but not on knowledge. The substance of the myth—the idea of eternal justice as social equality—reproduced the logic of the religious myth; its function is also quite obvious—the building of legitimacy for a one-party dictatorship. The myth played a central role in the process of social transition from traditional agrarian societies to industrial ones, and it influenced in one way or another about half of humankind in the twentieth century. It became the basis of social transformation in Russia, where it passed through different stages of interpretation. They can be summarized in five principle ideological constructions:

- (1) Communist revolution as the nearest future of all countries (the interpretation given by fanatical adherents of the Bolshevik revolution);
- (2) Communism as a new “Time of Troubles” (the interpretation given by the counterrevolutionary movement that proposed an allusion between the revolutionary collapse of the Russian Empire and the historical period that had the same name and a similar result at the beginning of the seventeenth century);
- (3) the idea of “socialism in one country” (which became dominant in the Stalinist period as a reflection of the fact that the global victory of the Communist revolution could not be realized in a short period of time);

- (4) Communism as a guiding project of the global social transformation that was deformed by its Stalinist interpretation but which should be revived on the basis of an authentic Leninist vision of ideology (the interpretation of the Communist order as a legal fiction, which was in effect during the periods of Khrushchev's and later Gorbachev's reforms);
- (5) the anti-Communist myth created by liberal critics of the regime during the late phase of its existence. The essence of this myth consists in the naive idea that the simple fact of Communism's rejection would be enough for the substantive democratic transformation and the creation of a full-fledged civil society and a law-based state.

These five modifications of the Communist myth in the Soviet Union reflect the logic of the political and legal development of the Soviet regime. Ideology was the basis of social constructivism, and the Communist Party's programs (adopted in 1903, 1919, 1961, and, in a new redaction, in 1986) were the main source of constitutional law projects. In general, it was an ideological transformation from pure utopia to reality, and the whole trend could be interpreted in Max Weber's terminology as the "routinization of revolutionary charisma."

Political constitutionalism is another important component of this threefold scheme. In my works, I have introduced the notion of "nominal constitutionalism" to describe the Soviet version of this phenomenon. Of course, nominal constitutionalism is a unique phenomenon in comparative studies of modern constitutional development. On the one hand, it is quite different from the European liberal or classic constitutional mode, which emerged out of the theoretical heritage of the Enlightenment and the American and French revolutions to become the framework of the contemporary plural state. On the other hand, it is quite different from despotic (theocratic, absolutist, or dictatorial) political regimes of the same period, which did not refer to constitutionalism as a part of their legitimacy background at all.

The uniqueness of nominal constitutionalism consists in a rare combination of secular ideology, law, and social reconstruction policy. In this sense, nominal constitutionalism, as opposed to a real one, has three principle characteristic features: (1) the absence of realizable human rights norms; (2) the rejection of the judicial control of constitutionality (only

political or ideological control); and (3) great flexibility (the substance of each norm or constitutional provision can be profoundly transformed via logical, semantic, and teleological interpretations and thus used in the interest of political power).

The third component is a functional one: how did the norms of Soviet constitutions influence the practice of a one-party political regime? The social functions of nominal constitutionalism are the following: (1) they explained the basic fact, the final historical choice of society in favor of Communism; (2) they fixed a new interpretation of the social contract for the existing as well as for all future generations; and (3) they disguised the real political power structures (in first Soviet constitutions, the Communist Party was not even mentioned). But the main function of nominal constitutionalism consists in social mobilization and control over political behavior.

The analysis of the elaboration processes of the 1918, 1924, 1936, and 1977 Soviet constitutions shows that all of them were adopted at the apex of repressive campaigns waged by the state against real or presumed enemies. The first RSFSR constitution (1918) was adopted after the forceful dissolution of the national Constitutional Assembly by the Bolsheviks and in the process of liquidating the last rudiments of party pluralism. The second Soviet constitution (1924) symbolized the triumph of the centralized party regime over all opponents in national republics. The Stalin Constitution of “established socialism” (1936) opened the way to mass mobilization, ideological indoctrination, and the Great Terror campaign. The last Soviet constitution of the “developed socialist society” (1977) demonstrated in many important aspects the traditionalist reaction against the so-called “liberalization period.” By the way, constitutional initiatives that took place during periods of system liberalization or reform did not result in the adoption of a new constitution. The most prominent examples are the uneven character of the 1964 constitution (the project was prepared but rejected by Communist Party authorities immediately after the fall of Khrushchev) and the constitutional project of perestroika (new legal norms were incorporated into the text of the old Soviet constitution of 1977 and a new one was not adopted until the collapse of the Soviet Union in 1991).

The key element of the political system, the unlimited power of the Communist leader as a real head of state, is a permanent and stable characteristic of the Soviet political regime, which reproduced itself at different

stages of its development and was similar in other political systems with the same ideological pedigree. The party leader was the supreme priest of an ideological cult, the mediator in all conflicts between institutions and elite groups, as well as the designer of the whole political system, which officially declared and explained its priorities and their change. His legitimacy was not based on the constitution (which fixed the atypical institution of the collective head of state, the Presidium of the Supreme Soviet, as the Soviet “president”) but on extra-constitutional ideological norms and the presumed unique personal qualities of the leader as a theorist or politician (the “cult of personality,” as the officially adopted pejorative term, is the best definition of this charismatic nature of the Soviet leadership).

The important question (under intense debate in the literature) is the rigidity or flexibility of nominal constitutionalism. On the one hand, this type of constitutionalism was a rigid one because it embodied the monolithic ideological unity of the system and officially postulated the continuity of its legitimacy formula during the whole period of Communist one-party hegemony. On the other hand, nominal Soviet constitutions were rather flexible from the legal point of view: they could be easily changed by the official ideological interpretation of the main principles and norms, the bulk of constitutional legislation, as well as by the adopted amending procedures (which indeed sufficiently transformed some key areas of normative regulation). The official Soviet legal doctrine, as opposed to the “bourgeois” one, interpreted the amending process not as an obstacle to constitutional changes but rather as a “technical” procedure for the necessary correction of norms in order to realize the “scientific,” planned, and target-oriented project of social transformation under the guidance of the Communist Party. The interesting question in the long historiography debate is how the system really worked and did not really work. I think that the answer can be found through an investigation of the changing balance of formal and informal norms and political behavioral practices at different stages of Soviet legal regulation.

From this point, the construction of the system involves three main stages, which are precisely marked by different interpretations of the main legal formula or components of the revolutionary interpretation of the legal phenomenon:

(1) The doctrine of “revolutionary consciousness” (the formative years, 1917 through the early 1920s): the definite rejection of the existing positive law as the instrument of “bourgeois class dominance” and

“exploitation.” The essence of the doctrine is the psychological theory of law in its quite simplistic interpretation—law as a mental prejudice that should be overcome by impulsive mass reaction in the process of creating a stateless Communist society. “Revolutionary consciousness” thus means the immediate and decisive destruction of all traditional legal institutions—courts, judiciary, advocacy, etc.—in order to replace them with the pure revolutionary virtue embodied in vague mass (or proletariat) revolutionary impulses. The predominance of informal (moral) norms over formal (legal) ones in this interpretation is obvious.

(2) The doctrine of “revolutionary legality” (1920 through the early 1930s): the adoption of the possibility of some special “revolutionary law” as a principally new form of social regulation. This idea realized a compromise between two guiding formative principles: revolutionary ideological charisma (as a triumph of class virtue) and the adoption of positive legal norms, interpreted of course in a quite narrow sense—under the auspices of one-party dictatorship. New law is a partisan class-based law, as opposed to the formally neutral normal law. That was a compromise between informal and formal legal norms for the practical interests of a new political system. Dictatorship understood the role of legal regulation for the maintenance of order following the revolutionary turmoil and disorder of the Civil War period, but it did so in a limited and ideologically oriented form.

(3) The doctrine of “the socialist legal order” (which was formulated by Andrey Vyshinsky and became officially dominant in the middle of 1930s). The doctrine describes the synthesis of all previous concepts of the socialist legal system—revolutionary consciousness, legal order, and the target-oriented legal policy of the state. The concept formed the theoretical background of the 1936 Stalin Constitution’s “socialism built in one country.” The important feature of this model was the strict separation of formal and informal norms of social regulation. The first norms were scrupulously fixed in the 1936 constitution, which indeed contained a prominent bill of social and political rights taken from Western constitutions or invented by Soviet legal theorists. The unrealizable character of all these provisions (which were skillfully reduced by their connection with the new society creation targets) was not clear to internal or even external commentators, who were kept under the charm of the revolutionary experiment and the Communist legitimacy formula. Norms of the second type were not fixed at all and represented an interesting phenomenon of extra-constitutional

legal norms—some variety of conventions formulated on the basis of the ideological interpretation of moral or cognitive imperatives.

That was an interesting example of the original “soft law” regulation based not on exact constitutional or legal norms but rather on vague moral or quasi-moral regulations. They concentrated themselves in a zone between formal and informal regulators, including a broad spectrum of social pressure methods, lists of “good” and “bad” stereotypes, and behavioral practices formally irrelevant to legal prescriptions and prohibitions. This phenomenon is interesting from the point of anthropological theory—as a variety of the “law without sanction,” in which moral ostracism plays the role of formal legal sanctions. In the totalitarian system, these two types of norms—formal and informal ones—could be combined in one regulative system only by three main instruments: massive propaganda, cognitive indoctrination (the so-called national canvass over the Soviet constitution), and political terror as a method of new social mobilization and stratification, based on the strict separation between loyal elements and opponents (real or potential) of the protracted social constructivism engineering program (“friends” and “enemies” of the people, according to the French Revolution terminology adopted by Soviet Communists).

The functional aspect of the system combined formal and informal attitudes and behavioral practices that demonstrated the role of Orwellian “doublethinking,” i.e., the necessity of adopting different forms of behavior in principally different social circumstances and changing them immediately in order to survive in the system by fulfilling prescribed formal or informal requirements. The establishment of the system was based on such cognitive manipulation strategies as the national and international debate over 1936 constitution—not propaganda in the strict sense but a kind of public relations strategy that involved a specific disciplined dialogue between society and power, creating the illusion of inclusiveness of ordinary people in the debate about fundamental social constructivism matters. From a Machiavellian point of view, it was a real success of Stalin’s strategy, which created a new reduced version of the revolutionary legitimacy formula (at a time when Communist illusions about the world revolution had come to the logical limits of their practical realization), introduced a new concept of positive law, and used it as the basis of a new mobilization strategy. Not by chance is the 1936 Soviet constitution interpreted as the most successful Soviet constitution: this document that formed the legitimacy of all political systems for a long period of time

(in some ways, until the end of Soviet Union), in spite of subsequent constitutional reforms, was the longest-living Soviet constitution and even represented some original aesthetic style of the totalitarian state.

Hence, the monolithic political construction of the Stalinist model could not remain untouchable in the second half of the twentieth century. The eruption of the system came from different sources—external and internal. The first reached its apex in the postwar period with the adoption of the Universal Declaration of Human Rights (1948), the European Convention on Human Rights (1950), and other treaties, and with the prominent development of universal standards of human rights protection. The second came from the internal development of Soviet society, which step-by-step liberated itself from the paranoid revolutionary political culture and looked forward to a more open, consumerist, and Western style of life. In contrast to their revolutionary ancestors, the younger generations were not ready to sacrifice their lives in the present in order to build the ideal Communist society of the future. At the same time, new questions entered the social discourse: why, after victory in the Second World War and the officially proclaimed establishment of socialism, did the political system remain closed to all alternative information resources, and why did the one-party dictatorship not transform into a more liberal one? All these cognitive dissonances were of importance for the progressive erosion of the charismatic revolutionary formula, the ideology-based state, and the stability of the bulk of the formal and informal legal and quasi-legal practices and their regulatory potential.

These new developments posed a great challenge to the Soviet political system during the second half of twentieth century, to its constitutional legitimacy and methods of government. The general framework of possible reforms was a priori limited by ideological stereotypes of the founding revolutionary myth, which could not be put under revision without uncontrolled dangers for the ruling Communist elite. The real solution to the problem consisted in an evolutionary movement toward a less nominal and more real legal system—the convergence of formal and informal norms in order to make them closer to each other and thus more rational (in the sense of normative implementation). In order to do so, two main strategies were proposed: (1) integrate the ideological formula in the positive law (i.e., fix the ideological principles of the third Program of the Communist Party in a new constitution) or (2) fix in the constitution the guiding role of the party as the main law-producing institution.

The first strategy was predominant in the period of uneven constitutional elaboration during the period of Khrushchev's reforms: Communism was interpreted as original "juridical fiction"—the ground of the whole system of constitutional principles and as a system of legal norms in action. The failure of this attempt (by the 1964 Constitutional Commission) symbolized the impossibility of transforming the pure ideological declarations into norms of positive law as well as a growing internal contradiction of the adopted reformist program as such. Another strategy, a more "realist" one, was put into action during the so-called "stagnation period" and reflected the predominant conservative drive of the political system. The key element of this strategy consisted in a postulation of the Communist Party as a nucleus of the political system that theoretically is not limited by any constitutional provisions but is capable of realizing its will through the constitutional regulation and legal norms.

This new version of the legitimacy formula became the principle innovation of 1977 Soviet constitution (Article 6), while formerly the charismatic revolutionary role of the party was not declared in the first two Soviet constitutions and was only mentioned in 1936 constitution. This decision, as the minutes of the Constitutional Commission clearly show, was made after a long and difficult debate inside the party leadership and the Constitutional Commission, showing the growing split between two opposite groups and options—those who believed in the pure ideological character of the revolutionary leadership and those who supported the necessity of the legal legitimacy of that leadership in order to prevent or minimize the rising external and internal challenges to one-party dominance. This constitutional decision was indeed a "moment of truth" for the system because it opened the way to uncontrolled debates on fundamental questions: (1) How should the principle of "people's sovereignty" be interpreted in the context of the principle of the party's legal absolutism? (2) Should the party reduce its own unlimited power in order to protect constitutional guarantees or should it have no right to limit its own prerogatives? (3) Should the party in the future fulfill its guiding role outside of constitutional control, as extralegal supreme guardian of the constitutional system, or should it realize its leadership only in a strict accordance with established constitutional norms? These questions were effectively used by opponents—external liberal critics who declared the Communist system to be totally unconstitutional (or anti-constitutional) and dissidents who demanded more constitutionalism and formulated the slogan

“Communists, respect your own constitution.” Constitutionalization of the party dominance became the inevitable result of the original revolutionary legitimacy formula transformation, but tactically it was a political mistake for the regime and the visible sign of the coming collapse of one-party dictatorship.

According to this logic, the perestroika of Mikhail Gorbachev (1985–1991) should be interpreted as the final stage of the whole revolutionary project. It was not a new revolution because a new messianic idea had not been proposed and the old revolutionary legitimacy formula did not change profoundly (“Leninist” heritage was declared as the cornerstone of the political system’s transformation). Neither was it a reform in the conventional sense of this term because it lacked a clear concept and step-by-step control over protracted changes. It was not even a restoration in the sense of a return to the pre-revolutionary system because this intention initially had not been consciously adopted by reformers. The essence of perestroika could be interpreted rather as reformation of the Communist “secular theocracy”—the change of the general political culture, its values, principles, and norms of behavior—in many aspects similar to the Protestant Reformation, initiated by Martin Luther against the Catholic Church in Europe in 1517. The key element of this program is the search for a cognitive compromise between the established revolutionary formula and reality. The goals were the following: (1) transform ideology into law; (2) transform nominal law into a real one; and (3) find effective ways for its positive implementation. All three goals were humanistic and reflected the idealistic nature of Gorbachev’s vision of reality, but they could not be realized in the system of nominal constitutionalism. The collapse of the Soviet Union became possible on the basis of the legal framework of nominal constitutionalism, namely, on the provisions of Soviet federalism that declared the right of secession for all socialist republics. At the same time, the positive results of this transformation were of great importance for the construction of the post-Soviet Russian political system. Among them were the de-ideologization of society, the abolition of the one-party system, and the creation of the Soviet presidency (as a key element of the construction of the separation of powers, which was officially rejected by the Marxist-Leninist theory of state and law). This new interpretation of the revolutionary legitimacy formula was fixed in constitutional amendments and the profoundly revised text of the 1977 Soviet constitution during perestroika period (1991).

The formula of power in the twentieth century has gone through five stages: (1) the transition from monarchical absolutism to dualist monarchy, with visible traces of pretended constitutionalism (the 1905 October Manifesto and the 1906 Basic Laws of Empire); (2) from this form to a parliamentary (or mixed) republic, which was proclaimed by the Provisory Government and 1918 Constitutional Assembly but did not become a reality); (3) the establishment of the Soviet system under one-party dictatorship (1918–1985). Its stages of development were described with such euphemisms as “labor republic,” “republic of Soviets,” “Soviet parliamentary system,” and “the all-people’s socialist state”; (4) the transitional regime of the perestroika period (1985–1991), defined as “socialist parliamentary system” and “the Soviet system with presidential power”; and (5) the adoption of the dual system in contemporary Russia (after 1993)—the mixed form of the presidential/parliamentary system designed according to the French model but in reality bringing about the creation of the super-presidential power. The initial and closing stages of the revolutionary cycle demonstrate the remarkable similarity of political systems; in spite of their dual character, both demonstrate the practically uncontrollable role of the head of state—monarch or president, with comparable scope of prerogatives.

In contrast to the European revolutions of the seventeenth to the nineteenth centuries, the Russian Revolution did not know the closing phase of the revolutionary cycle in the form of a restoration of monarchy as a realized compromise between society and state in order to resolve the revolutionary crisis and achieve stability. But the contemporary Russian political regime objectively should fulfill similar functions. That fact predetermined some original features of its legitimacy formula, particularly the original mixture of Soviet and imperial traditions and symbols regarding the general meta-constitutional status of the “President of the whole Russia” as ersatz monarch.

The important question of actual political debates over the Russian constitutional system is concerned with the problem of its historical continuity. The problem could be formulated in the following terms: does the 1993 constitutional revolution and a newly built political system mean a break with historical tradition, or is the opposite true and it means the restoration of this tradition in another form? This problem is of key importance for all debates on the 1993 constitution in action and on prospects of its revision. On the one hand, the constitution indeed symbolized the

rejection of all Soviet legitimacy and thus formed a new one based on international treaties on human rights and which incorporated norms from European national constitutions. On the other hand, the 1993 basic law introduced the original form of government that created a super-powerful presidency. The president in this system is not only the head of state but the guardian of the constitution, who determines the course of internal and external policy and has a great power of legal decree. In the period under consideration, constitutional as well as meta-constitutional presidential prerogatives have grown dramatically in all important areas of political regulation.

The current political regime demonstrates the synthesis of three historical forms: constitutional democracy (the national elections of the president); revolutionary or Soviet legitimacy (ideological functions of the political leader); and monarchy (the president is posed over the separation of power's system). In contemporary literature we can find different definitions of this regime—as plebiscitary democracy, democratic caesareanism, media-Bonapartism, personalistic regime, and even latent monarchy.

Why is Soviet legitimacy still so influential? There are five main reasons: (1) Russia declared juridical continuity with the former Soviet Union in international law. That fact created conditions for the continuity of Russia's leading role in the reorganization of post-Soviet area relations and thus for the restoration of some old stereotypes from the Soviet and imperial periods. (2) The basic values of Russian society, as sociologists describe them, remain fundamentally unchanged: law, justice, equality, freedom, and economic relations are interpreted in the old-style manner. The Soviet collectivist stereotypes are still alive. (3) Federalism, the separation of powers, and the judicial system are interpreted in many ways according to the centralized Soviet understanding. (4) Social and economic modernization targets in some important areas are not properly realized. (5) Transformation of the political system is still far from classic liberal democracy standards. There are a lot of “reserved zones,” delegated prerogatives, and informal practices that make the administrative system and bureaucracy actually free from effective legal and social control.

Contemporary Russian society still does not fulfill the program of the liberal 1917 February Revolution in terms of liberal democracy, the parliamentary system, representative government, and human rights protection. Russian constitutionalism is of an uneven character, showing remarkable

traces of previous authoritarian culture. On the current stage, it is already not nominal but is still a pretended constitutional order. The dominant political culture is colored by conservative political romanticism and populism, which combine different stereotypes of imperial, Soviet, and contemporary authoritarian culture. That makes actual the concept of democratic constitutional reforms, which are perhaps not possible in the short or medium term but which are inevitable, reasonable, and possible in the long term.²

2. This article is based on my recent book, Andrey N. Medushevsky, *Political History of the Russian Revolution: Norms, Institutions, and Forms of Social Mobilization in the Twentieth Century* [in Russian] (Moscow and St. Petersburg: Center for Humanitarian Initiatives, 2017).



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