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Sobornost' and Christian Order:
On Dignity, Rights, and Responsibility in Milbank and Frank

by Nathaniel Wood

This paper examines how the Russian Orthodox concept of *sobornost'* (ecclesial communion) functions in the political-theological approaches to human dignity and human rights in the work of John Milbank and S. L. Frank. Both thinkers reject liberal "subjective" rights rooted in individual self-interest, reimagining dignity/rights instead as a "right of service" oriented toward social responsibility and the realization of communion within society. However, they diverge on whether *sobornost'* requires establishing an explicitly Christian political order. Whereas Milbank grounds human dignity within an externally realized "order of charity" that would replace liberal democracy, effectively binding *sobornost'* to establishing a postliberal Christian socialist order organized by the Church, Frank conversely distinguishes between *sobornost'* as an eschatological ideal and *obshchestvennost'* as an empirical social order, grounding rights in the ongoing democratic struggle to transform society while rejecting utopian attempts to realize *sobornost'* directly as a Christian order. Frank's approach thus points to a way of preserving a form of subjective rights grounded in social responsibility without demanding liberalism's replacement, enabling a more constructive Christian engagement with liberal democracy and its rights tradition.

Keywords: sobornost, human dignity, human rights, John Milbank, S. L. Frank, postliberalism, theosis

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Nathaniel Wood

This paper examines how the Russian notion of *sobornost'* informs the Christian political-theological approaches to human dignity, individual rights, and social responsibility in the work of John Milbank and S. L. Frank. The focal question is whether a "sobornal" approach to human dignity and rights necessitates the establishment of a Christian political order. Milbank and Frank, who both make *sobornost'* central to their treatments of dignity and rights, represent two different answers to this question. These differences no doubt reflect the influence of the vastly different contexts in which the two authors' political theologies took shape. Frank, the Russian religious philosopher writing in the first half of the 20th century who experienced the defeat of rights-based liberalism by communism and fascism, advocated an anti-utopian and anti-totalitarian "Christian realism" that eschewed an externally realized Christian order. Milbank, the English Anglo-Catholic who first developed the major themes of his political theology in the late 1980s during the ascendancy of neoliberalism and the aggressive dominance of the market, has become one of the most prominent theological critics of liberalism, situating dignity and rights within a postliberal Christian socialist order organized under the influence of the Church.

Despite their different settings, Milbank and Frank share some political-theological commonalities that make them worth comparing—especially considering that Milbank has frequently drawn on Russian religious philosophy in support of his own positions.[1] Both Milbank and Frank are wary of liberal theories of rights based in individuals' subjective self-interest, and both turn to the *sobornost'* of the Church—which rests on the self-renunciation of private interest in favor of service to the common good—for an alternative. In both cases, the main target is so-called "subjective rights," a term that is somewhat loosely and variously defined by different scholars, but which, at the most basic level, means that rights in some sense "belong" to the individual subject.

1. Milbank has engaged primarily with Vladimir Soloviev and especially Sergei Bulgakov. At the time this article was written, he has never cited Frank. However, considering that Soloviev's concept of "divine-humanity" is central for all three of these Russian thinkers and has influenced Milbank, comparison between Frank and Milbank is fitting. I explore Milbank's indebtedness to this stream of Russian religious philosophy in more detail in my forthcoming *Deifying Democracy: Liberalism and the Politics of Theosis* (New York: Fordham University Press, 2026).

Some Christian thinkers have worried that subjective rights lead inexorably to a *subjectivism* that "exclude[s] a larger, qualifying, objective order of moral *right*" and therefore "function as vehicles for atomistic egos to assert their selfish desires."[2] Milbank, who has long described his project as a response to Thatcherite neoliberalism—the inevitable end stage of liberalism, in his view—thinks that liberal subjective rights lead to neoliberalism's "unleashing of purely selfish individual endeavor" and the economic injustice and environmental destruction that accompany it.[3] Frank, likewise, denounces "liberal-individualist" approaches to economic rights, which he found insufficient to resist Europe's slide toward fascism;[4] more generally, he worries that liberalism can lead to an "unchaining of egoism" that opens the door to the exploitation of the less fortunate.[5] In response, both thinkers reimagine rights primarily in terms of social *service*, and for both, the responsibility of service is inseparably linked to *sobornost'*—specifically, to the "sobornizing" of the social order, which is to say, the reformation of society according to the principles of ecclesial love and communion.

The question, then, is whether *sobornost'* as a political-theological response to egoism depends on the existence of a Christian political order. I argue that Milbank, while offering what is in many ways a compelling vision of social harmony shaped by *sobornost'*, attempts to overcome subjectivism by rooting rights in an objectively realized sobornal social order that in a way ultimately binds *sobornost'*—and therefore human dignity and individual rights—to such a Christian order. Frank, on the other hand, treats *sobornost'* as the objective moral goal of political action, and even, to some extent, the basis of human subjectivity itself, without collapsing *sobornost'* into a Christian order. Frank thus points to the possibility of a sobornal theory of subjective rights that resists egoistic individualism and maintains the link between rights and social responsibility but does not depend on replacing the liberal order with a Christian one.

Ecclesial and Political *Sobornost'*

Developed mainly by Alexei Khomiakov in the 1840s and '50s as an account of the Church's "conciliarity" or "all-togetherness," *sobornost'* is first and foremost a doctrine about the Church. The doctrine quickly established itself within Orthodox ecclesiology and, through the influence of figures like Yves Congar, eventually found its way into the Roman Catholicism of the Second Vatican Council.[6] Yet, as Paul Valliere has observed, contemporary theological receptions of *sobornost'* have shown "a tendency to

2. Nigel Biggar, *What's Wrong with Rights?* (Oxford: Oxford University Press, 2020), 132.

3. John Milbank, "Thatcher's Perverse Victory and the Prospect of an Ethical Economy," *ABC Religion and Ethics*, April 15, 2013, http://www.abc.net.au/religion/articles/2013/04/15/3737062.htm.

4. I have translated from the German edition: Simon L. Frank, "Eigentum und Sozialismus," in *Jenseits von rechts und links: Anmerkungen zur russischen Revolution un zur moralischen Krise in Europa*, ed. Peter Schulz, Peter Ehlen, Nikolaus Lobkowicz, and Leonid Luks (Freiburg/Munich: Verlag Karl Alber, 2012), 221–250. Compare to Milbank's charge that "Liberalism is always incipient fascism" (John Milbank, "Catholic Social Teaching as Political Theology." *New Polity* 3.2 [2022], 40).

5. S. L. Frank, *The Light Shineth in Darkness: An Essay in Christian Ethics and Social Philosophy*, trans. Boris Jakim (Athens, Ohio: Ohio University Press, 1989), 176.

6. Fr. Edward Farrugia, "Sobornost': A Russian Orthodox Term at the Heart of Roman Ecclesiology," *The Quarterly Journal of St. Philaret's Institute* 47 (2023): 140–180. DOI: 10.25803/26587599.

value Khomiakov's ecclesiological vision while ignoring his social and political vision."[7] For Khomiakov himself, however, *sobornost'* was a social as well as an ecclesiological concept, and his description of the organic communion of ecclesial *sobornost'* coincided with the Slavophiles' romanticized portrait of the Russian peasant commune as the ideal of social development. Slavophile polemics against the "West" targeted a property- and contract-based order founded on what C. B. Macpherson later called "possessive individualism,"[8] a liberal conception of individuals as independent "owners" of themselves rather than as interdependent members of a social whole; and Khomiakov's *sobornost'* ecclesiology similarly rejects individual self-ownership in favor of personal participation in the Church's communal possession of God's self-revelation.

The overlap between Slavophile descriptions of Church and society is very much in keeping with the Orthodox understanding of salvation as "deification" or *theosis*, humanity's union with God, whereby the human being is perfected *as human* by attaining the "likeness" of God through ontological participation in divine perfection. *Theosis* points to a certain ontological continuity between created nature and divine grace, according to which creation is naturally oriented towards fulfillment in the supernatural; the doctrine thus resists strict divisions between the graced, "divine-human" life of the Church and the "merely human" life of the political community. For this reason, Orthodoxy's "theotic" ethos has tended to encourage the idea, widespread in Orthodox political theology, that "the ecclesial and the political communities will eventually coincide."[9] The natural political community anticipates fulfillment in the communion of the Church, and the work of Christian politics, in some sense, is to introduce ecclesial social principles into the broader social life.

Approached in certain ways, however, this continuity between the social and the ecclesial poses certain dangers, especially when combined with a Christian political theology of dignity and rights. Among these dangers is the fusion of dignity and rights with a specific form of social order that is thought to be most congruent with Christianity. One of Nikolai Berdyaev's criticisms of Khomiakov is that the latter could seem at times to "chain down" *sobornost'* to the Russian commune,[10] as if the commune were a *precondition* for ecclesial communion—a repetition, in a way, of the old Byzantine temptation of making the Church dependent upon the existence of the Christian imperial order.[11] *Sobornost'*, as the supernatural fulfillment of natural sociality, becomes wedded to a specific type of social order—in Khomiakov's case, a decidedly non-liberal one—such that the "sobornizing" of social relations becomes closely identified with the

7. Paul Valliere, "The Modernity of Khomiakov," in *A.S. Khomiakov: Poet, Philosopher, Theologian*, ed. Vladimir Tsurikov (Jordanville: Holy Trinity Seminary Press, 2004), 140.

8. C. B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (Oxford: Clarendon Press, 1962).

9. Alexander Kyrlezhev, "On the Possibility/Impossibility of an Eastern Orthodox Political Theology," in *Political Theologies in Orthodox Christianity: Common Challenges – Divergent Positions*, ed. Kristina Stoeckl, Ingeborg Gabriel, and Aristotle Papanikolaou (London: T&T Clark, 2017), 182.

10. Nicholas Berdyaev, *Aleksei Stepanovich Khomyakov*, trans. Fr. S. Janos (self-published, 2017), 140–141.

11. E.g., the claim of Patriarch Anthony IV of Constantinople that "It is impossible for Christians to have a church and no empire." Quoted in Deno John Geanakoplos, *Byzantium: Church, Society, and Civilization Seen Through Contemporary Eyes* (Chicago: University of Chicago Press, 1984), 143.

establishment of that order. Combined with a sobornal theology of dignity, this error in turn ends up chaining human dignity to the maintenance of said order.

Nevertheless, Khomiakov's *sobornost'* is not identical to the empirical Christian community but is a kind of *performance* of communion.[12] While his ecclesiology contains no notion of individual rights, it does contain a relational and theocentric idea of personal "dignity," based in the person's union with God mediated by this performance. In contrast to possessive individualism, sobornal dignity is not privately "owned" but communally realized. Dignity originates in the *insufficiency* of the separate individual, beginning with the insufficiency of their knowledge of God, which is "given to the mutual love of Christians,"[13] not to the individual rational mind. The person's knowledge of God is a function of their participation in the Holy Spirit, who dwells within the mutual love that circulates throughout the ecclesial community. Within the Church, then, dignity is grounded in the performance of mutual love and service, in a free and reciprocal exchange of the members' unique gifts that reconciles them in a common life. On the other hand, to withdraw from this gift-exchange through the self-assertion of egoism—as, for instance, Khomiakov accuses the Catholic Church of doing by its unilateral alteration of the Nicene Creed—is to separate oneself from *sobornost'* and to "wither" like an organ that has cut itself off from the body's circulation of blood.[14]

If this vision of *sobornost'* were translated into a theory of rights following the common approach of basing rights in dignity, then this would mean that rights, like dignity, would also be oriented towards social cohesion. Rather than protecting private interest and the self-assertion of the individual will, which threatens to weaken social cohesion, sobornal rights instead would incorporate responsibility for the good of the community. Here, the potential dangers start to emerge. A sobornal ethos in politics risks collapsing into a collectivism that subordinates individual freedom to social conformity—a danger on display in the revisionist anti-liberal rights agenda of Patriarch Kirill and the Moscow Patriarchate. Arguing that Western liberal rights encourage the individual to "base his behavior on his own interests as having priority over those of society,"[15] the patriarch's alternative rights framework refigures individual rights in a way that ends up binding them to the church's understanding of Russia's "traditional values." Just as individual self-assertion within *sobornost'* separates the individual from the communal mediation of their participation in God, the political assertion of individual freedom to engage in behavior that offends so-called traditional values can "darken" the dignity of the divine image in the offender.[16] Therefore, if the fundamental purpose of human rights is to safeguard human dignity, then rights do that here by *restricting* individual freedom to

12. Alexis Khomiakov, "The Church Is One," in *On Spiritual Unity: A Slavophile Reader*, trans. and ed. Boris Jakim and Robert Bird (Hudson, NY: Lindisfarne Books, 1998), 39.

13. Alexis Khomiakov, "Some Remarks by an Orthodox Christian Concerning the Western Communions, on the Occasion of a Letter Published by the Archbishop of Paris," in Jakim and Bird, 112.

14. Khomiakov, "The Church Is One," 49–50.

15. Patriarch Kirill of Moscow, "Liberal Ideology: A Threat to Peace and Freedom," in *Freedom and Responsibility: A Search for Harmony—Human Rights and Personal Dignity*, trans. Basil Bush (Darton, Longman and Todd, 2011), 67.

16. Russian Orthodox Church, *The Russian Orthodox Church's Basic Teaching on Human Dignity, Freedom, and Rights* (2008), section I.5. https://old.mospat.ru/en/documents/dignity-freedom-rights/i/

deviate from conservative social norms. In this "secularization" of the sobornal ethos, relational dignity becomes chained down to an anti-liberal vision for Russian society, with rights as an instrument of its enforcement.

Patriarch Kirill is a particularly egregious example of the subjugation of the sobornal ethos to maintenance of an anti-liberal order. Milbank and Frank both offer far more compelling, and more theologically sincere, proposals for a sobornal approach to dignity and rights that links rights to moral responsibility to the community—the responsibility especially to foster *sobornost'* within extra-ecclesial social relations. Both of their approaches share certain commonalities regarding *theosis* and the nature-grace continuity, as well as the ontological priority of peace over violence. Both follow Vladimir Soloviev's path of ontologizing *sobornost'* by pushing it back into the primordial heart of creation through the concept of "All-Unity"—Frank with his "universal *sobornost* of being"[17] and Milbank with his "*concordantia* of the whole cosmos."[18] In both cases, the deification of the world is the restoration of a sobornal peace that already is the reality of creation in its depths, though currently submerged beneath the divisions drawn by competition between egoistic individual wills (which finds political expression in Hobbes's state of nature). For both Milbank and Frank, a Christian theory of rights must not reinscribe egoism but must be directed towards *overcoming* it in the harmonization of differences and the realization of the objective truth of the world as *sobornost'*; and in this sense, rights become instruments of the world's deification, justified in relation to the sobornizing of social relations.

However, their approaches have very different consequences for the relationship between *sobornost'* and Christian order.

Milbank builds on a *sobornost'* ecclesiology to advance an "order of charity" as an *alternative* to the liberal order. Rejecting the "ontology of violence" that he sees at the basis of liberalism's founding myths, he argues for the possibility of a politics that surpasses the liberal management of ineliminable conflict—a politics that is "more than an uneasy peace of contract, or agreement to differ"[19]—in the genuine peace of consensus, which he believes defines the redeemed social life of the *ecclesia*. Central to this project is Milbank's critique of subjective rights and of a social order founded on the celebration of subjective willing in the abstract, irrespective of the *object* of that willing. Milbank hopes to shift the focus away from subjective rights to dignity, advancing a relational and vocational approach that situates dignity within an objective "right order" shaped by the educative influence of the Church and oriented towards the common good.

Frank, on the other hand, retains an emphasis on subjective rights but regrounds them in *sobornost'* as the objective content of the obligatory. Frank does not understand *sobornost'* primarily in terms of an external order but moves it into the divine foundation of human consciousness, where it is encountered as both truth and obligation in the human being's experience of ontological kinship with God.

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17. S. L. Frank, *The Spiritual Foundations of Society: An Introduction to Social Philosophy,* trans. Boris Jakim (Athens, Ohio: Ohio University Press, 1987), 61.

18. John Milbank, *Being Reconciled: Ontology and Pardon* (London: Routledge, 2003), 129.

19. John Milbank, *Theology and Social Theory,* 2nd edition (Oxford: Wiley-Blackwell, 2006), 367.

For both Milbank and Frank, *sobornost'* detaches dignity and rights from possessive individualism and reorients them towards social responsibility or a kind of "right of service." Yet, as I show below, Milbank's service depends on the Church's coordination of specific roles and responsibilities within a Christian order; whereas Frank, with his anti-utopian skepticism towards such an order, points towards the possibility of a revitalized liberalism that justifies an expansive individual freedom in relation to the general moral responsibility to build charitable social relations, a responsibility which grounds the absoluteness of human dignity.

Milbank's Order of Charity

Milbank offers what is perhaps the most extensive attempt to incorporate aspects of *sobornost'* into contemporary Western political theology. He has described his understanding of the Church as "an event of *concordantia*," a description that he notes—citing Sergei Bulgakov—is "almost identical to the Russian *sobornost*."[20] The social life of the Church, which he describes as a kind of "deified democracy,"[21] is characterized above all by "social reciprocity and gift-exchange—in a word, *charity*."[22] Because of nature's orientation to the supernatural, natural human society is to be fulfilled in this deified democracy. For this reason, Milbank allows no strict ontological boundaries between ecclesial *sobornost'* and extra-ecclesial society. Since society is already potentially the Church, Milbank's politics seeks "to incarnate charity also in political structures,"[23] which means transforming society "in the direction of a charitable order."[24]

In effect, Milbank translates ecclesial *sobornost'* into a social and political order that is meant to replace the liberal order. The general aim of his politics is to establish a *postliberal* order of charity, and his approach to dignity and rights is a crucial part of that project. Milbank's order of charity would be based—as the title of one of his articles suggests—on the priority of "dignity rather than right."[25] Within mainstream contemporary human rights discourse, dignity and rights usually belong together, with dignity as the foundation of rights—as we see, for example, in the *Universal Declaration of Human Rights.* Milbank challenges this commonly assumed relationship between the two. The usual linking of dignity and rights, he contends, is actually the fusion of two *opposing* traditions: the Catholic and the liberal-individualist. In practice, he argues, the 20th-century union of these two traditions stripped dignity of its substantive (Christian, personalist) content and has effectively made the concept of dignity subservient to a liberal-individualist right that is "derived from the exercise of subjective freedom or from human autonomy and requires no other foundation"[26]—including no foundation in

20. Milbank, *Being Reconciled,* 128.

21. Ibid., 133.

22. John Milbank and Adrian Pabst, *The Politics of Virtue: Post-Liberalism and the Human Future* (London and New York: Rowman & Littlefield, 2016), 239.

23. John Milbank, *Beyond Secular Order*: *The Representation of Being and the Representation of the People* (Oxford: Wiley-Blackwell, 2013), 256.

24. Ibid., 229.

25. John Milbank, "Dignity Rather than Right." *Open Insight* 5(7): 77–124.

26. Milbank, "Dignity," 80.

social obligation. Basically, Milbank worries that dignity—which admittedly sometimes appears to be an empty, purely functional concept in contemporary rights discourse—is reduced to nothing more than the moral basis for the *amoral* sovereignty of unfettered private choice. For Milbank, however, this distorts the older Catholic sense of dignity, which was not the property of an abstract subject but belonged to specific groups and social roles based on their service to an objective common good. Dignity was attached to specific positions within an objective right order, which worked together to realize the good.

Ultimately, the common good these roles or positions realize just *is* that of charity, or *sobornost'*. This is why the diversity of distinct roles is crucial for Milbank's charitable order, because, like Khomiakov's *sobornost'*, this order is constituted as a "harmonious blending of diverse gifts."[27] The order of charity, like the Church, is gift-exchange. Therefore, in support of this exchange, Milbank moves away from talk of "human dignity" in general and towards specific, differentiated *dignities* attached to the various co-essential social roles. "To value the dignity of the person is not to value an abstract bearer of free-will, equivalent to all other such bearers,"[28] but it is to value them as the occupant of specific positions that make specific contributions to social harmony: e.g., the dignity of the person as "miner, son, father, cricket player, or lover."[29] Properly speaking, none of these roles possesses dignity *by itself* any more than isolated individuals do; rather they have dignity only *together with others*—only situated within the reciprocal gift-exchange. What this means, essentially, is that Milbank "ecclesializes" the political notion of human dignity by grounding it in the charitable performance of *sobornost'*—in a sense, "doing church"—within the people's various social roles and relations: in labor, economic exchange, family, education, and so on.

The performative dimension of *sobornost'* is particularly important, for one, because it preserves an element of subjective freedom in Milbank's theory of dignity, preventing it from collapsing into pure social conformity that suppresses personality. The dignity of social roles is a function of their contribution to building the peace of consensus, or put differently, realizing the *ecclesia* within society. In Khomiakov's ecclesiology, the performance of ecclesial consensus was at least as important as the propositional content of that consensus; we see this, for instance, in his critique of the *filioque*, which he deems heretical not primarily because of its theological content but for the fact that its unilateral insertion into the Creed broke consensus.[30] Consensus follows a similar logic in Milbank. For Milbank, a genuinely *social* unity is not the mere coordination of wills but the unity of consensus about what is good and true; but truth here is the ontological peace of *sobornost'*, which is to say, consensus itself. This places a partial check on the theocratic thrust of Milbank's position, because if truth is a charitable performance and as such is irreducible to a proposition, then consensus about the truth cannot be coercively and externally imposed; it can only be performed as free communion, as

27. Milbank, *Being Reconciled,* ix.

28. John Milbank, "Human Dignity, Not Rights: Breaking up Modernity's Uneasy Marriage," *ABC Religion and Ethics*, March 14, 2014, http://www.abc.net.au/religion/articles/2014/03/04/3956588.htm.

29. Milbank and Pabst, *Politics of Virtue,* 210.

30. Khomiakov, "Archbishop of Paris," especially 66–68 and 132–133.

"perfect social harmony."[31] This would preclude the forced profession of state dogma or the exclusion of ideological minorities. The performance of *sobornost'* is "democratic" in the sense that it must include the free participation of all of society's members, for just as Khomiakov "dispersed" divine revelation by locating it within mutual love, Milbank insists that "the entire truth of Christianity exists in harmonious dispersal amongst the body of Christ,"[32] so that this truth is accessible only "democratically" through charitable gift-exchange. Milbank's orientation is more ecumenical than Khomiakov's, though. Significantly, Milbank—once again following from the nature-grace continuity—does not restrict the democratic dispersal of truth to the visible community of believers but extends it to all people, who are potentially the Church.[33] Therefore, even the heterodox Christian or the non-Christian has a place within Milbank's sobornal order. Because of this ecumenical aspect, the logic of *sobornost'* precludes the institutional Church's imposition of Christian truth onto non-Christians, because such an imposition (à la Khomiakov's polemical depiction of Roman Catholicism) would itself violate the mutuality of consensus, and so would be a "heretical" separation from the truth itself. For this reason, Aristotle Papanikolaou's concern that Milbank's focus on consensus "looks very much like the neo-scholastic principle that the rejection of truth should not be allowed in a political order"[34] does not seem to be entirely accurate, since, in Milbank's social *sobornost'*, even minority and dissident groups can be "performing certain roles that contribute to the cohesion of the entire polity."[35]

The democratic dimension of Milbank's system is further reinforced by his insistence on the "personalist" aspect of social performance. In this way, Milbank treats dignity as the *convergence* of freedom and responsibility. Dignity is a function of the distinct social obligations associated with a role or position, but these obligations must be performed "freely, interpretively and creatively."[36] This means that the human *person*, the personal claimant of dignity and rights, is not the abstract subject but a concrete performer of specific obligations. It is the convergence of freedom and obligation that gives the person their distinctive personal character, which "springs up as much spontaneously from herself as from her unique and complex relational situation."[37] All of this is in keeping with Milbank's larger understanding of the human person as a "fabricating animal" whose personality derives from labor directed towards the realization of the good.[38] He goes as far as to identify the creative performance of obligation with the person's (always social, never individual) reflection of the *imago dei*[39]—this reflection typically being, in Christian thought, the theological basis of human dignity. For

31. John Milbank, *The Word Made Strange: Theology, Language, Culture* (Oxford: Wiley-Blackwell, 1997), 154.

32. John Milbank, *The Future of Love: Essays in Political Theology* (Eugene: Cascade Books, 2009), xiv.

33. Ibid., 245.

34. Aristotle Papanikolaou, *The Mystical as Political: Democracy and (Non-Radical) Orthodoxy* (Notre Dame: University of Notre Dame Press, 2012), 141.

35. Milbank and Pabst, *Politics of Virtue,* 82.

36. Ibid., 83.

37. Ibid.

38. Ibid., 384.

39. Ibid., 84.

Milbank, the divine image in humanity is *productive*; it means "also constantly to shape better images of deity,"[40] which we do, in part, through the collective performance of our social obligations.

All this points to the restricted sense in which Milbank reintroduces a kind of subjective right. To the extent that Milbank preserves rights-language at all, rights do not inhere in the pre-social subject but in social roles as determined by their contribution to charitable order. The persons who perform these roles can make a subjective claim to those rights, but the rights themselves are objectively determined by the location of a role within the order of charity. Milbank's subjective rights, in this way, are short of subjectivism: "It is indeed allowed that one can have a legitimate subjective claim to an objective *ius*, but not that such *ius* is ever derived from self-willing alone."[41] Persons can claim by right whatever is necessary for the performance of their roles, including the freedom to perform them creatively in ways that perpetually generate new modes of cooperation and communion, but legitimate rights-claims are never divorced from one's responsibilities. In principle, this approach would allow rights to safeguard persons in their full personal uniqueness as active social creators rather than in their abstract (and thus interchangeable) individuality.[42]

In sum, Milbank's rights are a kind of "right of service" inseparable from the (always differentiated) obligation to foster mutual love within society. Rights are, again, an instrument of the "sobornizing" of the social order. The general project of linking rights to service is one that Frank also affirms and, in my view, an attractive one. In Milbank's version, this project ends up binding rights too closely to "right order," specifically a Christian order. Strictly speaking, Milbank does not identify *sobornost'* fully with a particular order, since *sobornost'* is the *performance* of charity. Nevertheless, the sobornal performance does appear to be too tightly bound to an externally sobornized order, such that it is unclear the extent to which the performance is possible within some other social and political order—such as a liberal democratic one. In other words, the performance appears to depend on the external organization along ecclesial lines. It rests on a "good and just coordination of diverse talents and needs"[43] and the "distribution of specific liberties, offices and duties to certain individuals and groups in certain circumstances according to the discernment of what is specifically desirable and has a tendency to cement human solidarity."[44] Of course, *someone* must perform this work of discernment and coordination, and Milbank is clear that it would be carried out within the framework of a Christian state—ideally, a constitutional monarchy—in "symphonic" cooperation with an established Church.[45] Milbank's approach appears to rest on the legal codification of Christian charity under the Church's guidance. Therefore, even if

40. John Milbank, "Sophiology and Theurgy: The New Theological Horizon," in *Encounter Between Eastern Orthodoxy and Radical Orthodoxy: Transfiguring the World Through the Word*, eds. Adrian Pabst and Christoph Schneider (Surrey: Ashgate, 2009), 66.

41. Milbank, "Dignity Rather Than Right," 90.

42. See, e.g., John Milbank, "Against Human Rights: Liberty in the Western Tradition," *Oxford Journal of Law and Religion* 1 (2012), 56.

43. Milbank and Pabst, *Politics of Virtue,* 211.

44. Milbank, *Future of Love,* 246–247.

45. Milbank and Pabst, *The Politics of Virtue*, 210.

the *ecclesia* is not identical to the *polis,* the performance of ecclesial love within the *polis* seems to be inseparably tied to the transformation of the *polis* into an *ecclesia*-shaped Christian political order.

Even setting aside the obvious objections of those who do not share Milbank's own Christian convictions, the attachment of dignity and rights to positions/roles within the Christian order calls into question the possibility of utilizing those concepts *outside* of that order—an order that, of course, does not currently exist. Milbank appears to have jettisoned the possibility of *universal* human rights to which justice advocates might appeal across different social and religious contexts. This has potentially serious implications for a Christian politics practiced within the existing liberal democratic order. Because the objective moral foundation of human rights is not the human subject itself but the subject's role within the Christian order, any appeal to human rights must be, at least implicitly, an appeal to that order. Without an overlapping concept of human rights, all that is left for Christian politics committed to personal dignity is to *oppose* the liberal order with a Christian order of charity; it is not clear how rights or dignity might be a resource for a Christian politics that works *within* the liberal order to sobornize it from within, rather than to *replace* it.

In the end, then, Milbank falls victim to Berdyaev's critique, and in this case—as it has also been for Khomiakov—the "chaining" of *sobornost'* to an external order accompanies a Christian rejection of liberalism. Frank, I suggest, offers a way past Milbank's opposition between liberalism and the order of charity, while still maintaining an essential link between dignity/rights and social obligation. Rights, once again, are a function of the performance of *sobornost'* within society, but in Frank's case, that performance does not rest on the existence of an "ecclesialized" Christian order.

Frank's *Sobornost'* and *Obshchestvennost'*

Frank provides a more substantial notion of subjective rights than Milbank does, but this is not to say that he endorses *subjectivism* in rights. One place Frank uses the language of "subjective rights" is in his 1927 essay "Property and Socialism," which addresses the right to private property from a Christian perspective. Here Frank defends property rights, but he distances them from what he calls an "individualistic liberalism" that treats these rights as absolute as "an expression of pure egoism and self-interest."[46] Because Frank thinks that no one's self-interest can place moral obligations onto another, it cannot be the moral basis of subjective rights-claims. Provocatively, Frank goes as far as to claim that human beings "cannot have any innate, inalienable or sacred rights" at all, in the subjective sense.[47] This is because Frank, like Milbank, treats all rights as a right of service: "Every subjective right has only a functional meaning, directed towards service."[48] Instead of the inviolability of private choice, Frank argues that

> Every subjective right only finds its moral basis when it is traced back to an obligation. In the final analysis, man has only one right, which is sacred in

46. Frank, "Eigentum und Sozialismus," 224.

47. Ibid., 225.

48. Ibid., 231.

> the true sense (of course every right is sacred, insofar as it is a true right): the right to be given the opportunity to fulfill his duty as well as possible, the right to demand that no one should prevent him from doing so. All human rights, directly or indirectly, boil down to this single right.[49]

It is, in other words, not subjective interest but the sacredness of moral obligation—the responsibility to realize objective justice—that imbues rights with their sacredness.

The question is how Frank's "right of service" relates to *sobornost'*, and here, he differs notably from Milbank. The "right of service" links rights to the task of "Christianizing" society by introducing ecclesial love into social relations and reforming laws and institutions in a more charitable direction. However, rather than focusing on an externally sobornized "right order" within which differentiated rights are determined, Frank locates the link between rights and *sobornost'* in the historical struggle to *transform* society in a sobornal direction, a task that is fully accomplished only eschatologically.

I base this reading on the key distinction between *sobornost'* and *obshchestvennost'* that Frank develops in his book *The Spiritual Foundations of Society*. Building on the nature-grace continuity, Frank sees the *sobornost'* of cosmic all-unity as the hidden foundation of social relations, even those empirically founded on contract, because sociality as such originates in the movement (even if unconscious) towards eschatological communion: "Not only all people but all that exists in general is destined to participate in the all-embracing 'we,' and is therefore potentially a part of 'we.'"[50] For Frank, if *sobornost'* is the inner foundation of creation, then this foundation is partly obscured by the reality of empirical atomism, division, and managed conflict. In his social theory, *sobornost'* is obscured behind *obshchestvennost'*, the external, "mechanical" layer of society. If *sobornost'* is the ontological peace of all-unity, then in the midst of history, it is submerged within the *obshchestvennost'*, where the superficial peace of contract and coordinated self-interest dominates. Frank's crucial move is that he does not treat *sobornost'* and *obshchestvennost'* as two distinct, rival *types* of social order, like the Slavophiles' contrast between the Russian commune and Western contract-based society. Instead, they are two aspects that exist in every social order, as *obshchestvennost'* imperfectly mediates *sobornost'* in history: "*Sobornost'* is empirically realized as *obshchestvennost'*, as the interaction of separate, corporeally isolated individuals."[51] Frank's social theory, then, is defined by a certain tension between *sobornost'* and *obshchestvennost'*. *Obshchestvennost'* both conceals and reveals humanity's ontological unity. There is a sense in which *obshchestvennost'* names society's "fall" from the perfect peace of communion, but at the same time, it is also the arena in which grace overcomes that very fallenness. Although Frank no longer relies explicitly on his *sobornost'*/*obshchestvennost'* scheme in his later, more expressly theological book on politics, *The Light Shineth in Darkness*, the Johannine metaphor that frames the book—"The light shines in darkness, but the darkness has not overcome it" (John 1:5)—captures the tension between the two: the

49. Ibid, 225.

50. Frank, *Spiritual Foundations*, 50–51.

51. Ibid., 174.

divine light of sobornal peace "shines" even in the "darkness" of externalized, compulsory social relations between individuals, but nonetheless, it *shines*.

It is especially in *The Light Shineth* that Frank lays out what he describes as a "Christian realist" politics. While the term "Christian realism" is most strongly associated with the politics of Reinhold Niebuhr, scholars such as Philip Boobbyer have identified some commonalities between Niebuhr and Frank, even if there is no evidence that the two were aware of each other's work.[52] In *Light Shineth*, completed in the wake of the Second World War, Frank's outlook on external social order takes a somewhat more pessimistic tone, now framed more forcefully as a kind of sin-burdened "darkness." Yet Frank's message in the book is not one-sidedly pessimistic but, like Niebuhr, attempts to balance hope for social change with recognition of the actual limits of fallen humanity's capacity for perfection. Frank's realism wrestles with the tension between Christians' obligation to struggle for the good in history and the pervasive reality of sin that corrupts every such effort and casts judgment upon all utopian confidence that the Kingdom of God can be realized by political means.[53] The meaning of this realism is most clearly on display in the book's final chapter on the Christian task of perfecting, deifying, or (to use Frank's term) "Christianizing" the world—a genuine Christian obligation, no doubt, and one that is in a sense constitutive of the human person created in God's image (the person's "divine-humanity"), but one that also demands the rejection of "all political and social fanaticism" associated with utopian politics.[54] One on hand, Frank considers the idea that Christianity should not influence political and social change to be "one of the most bizarre errors of Christian thought,"[55] but on the other hand, he cautions that "all attempts to directly conquer the world, to include the world into the church of Christ or to transform it into the church of Christ, into the blessed and righteous church of God ... *lead only to the distortion of Christ's truth*."[56] Christian politics must not attempt "to 'save the world' ... by the establishment of some ideal, compulsorily realized *order*"[57] but instead must act only through "separate attempts to directly influence the world, to let the world feel Christ's truth."[58]

In other words, Frank's Christian realism refuses the ideal of "Christian order" in favor of what he calls "the path from inside outward,"[59] which recognizes the inescapable sinfulness of every social order as long as human personality remains plagued by ignorance and egoism. Returning to the categories that Frank developed in *Spiritual Foundations*, the realism of *Light Shineth* can be understood as the refusal of every attempt to realize *sobornost'* directly in the *obshchestvennost'*. In short, the desire to establish a "Christian order" amounts to the translation of *sobornost'* into the categories of *ob-*

52. Philip Boobbyer, "A Russian Version of Christian Realism: Spiritual Wisdom and Politics in the Thought of S. L. Frank (1877–1950)," *The International History Review* 38.1 (2016), 45–65.

53. For a concise summary of Frank's realism, see especially *Light Shineth*, 179.

54. Frank, *Light Shineth*, 225.

55. Ibid., 145.

56. Ibid., 90.

57. Ibid., 167.

58. Ibid., 91.

59. Ibid., 225.

shchestvennost'—the translation of the free, inner union of mutual love into external, compulsory political unity, an impossibility that contradicts the very nature of *sobornost'*. Such a confusion of *sobornost'* and *obshchestvennost'*, I suggest, is the basic error to which Milbank ultimately succumbs. His sobornal order of charity risks falling into what Frank calls the "heresy of utopianism," which he defines as a politics that "transfer[s] the function of salvation to the law, to measures of state compulsion."[60] If salvation is the perfect realization of *sobornost'*, wherein the sacred dignity of persons is fully actualized in their loving reciprocity, Milbank's political theology appears too confident about the extent to which this salvation can be accomplished through the legal coordination of dignities within a Christian socialist order. Frank, by contrast, in some places treats socialism as a *moral* and *religious* obligation for Christians but challenges the political translation of that imperative directly into a socialist order that seeks the "forced realization of social justice," since "any attempt to force a Christian virtue," as by a "legal norm," betrays the inner spiritual freedom of love.[61]

How, then, do *sobornost'* and *obshchestvennost'* inform Frank's theory of dignity and rights, given the realist orientation of his thought? He does not, and cannot, join Milbank in situating his "right of service" within a Christianized *obshchestvennost'*. Instead, Frank's right of service originates within the tension or the "gap" between *sobornost'* and *obshchestvennost'*. Rights emerge from within the moral intuition that empirical society, with its constant conflict between individualist atomization and compulsory unification, points to something higher and deeper; that it is, in some sense, *unreal*, a deviation from the reality of cosmic *sobornost'* that is creation's divine ground and goal. The right of service is thus rooted in the perception of one's obligation to realize, in a piecemeal and *ad hoc* manner, more transparent expressions of the reality of sobornal peace within the *obshchestvennost'*, but without thereby attempting to realize *sobornost'* directly *as* an external order. This right derives, in other words, from sobornization as the ongoing work of social reform that strives to incarnate traces of love in law and society, but rights do not derive from one's position within an already-realized charitable order.

Taking this approach moves dignity back into the willing subject, but not the empty self-asserting subject. *Sobornost'* is still, for Frank, the *objective* end of subjective freedom. This is facilitated by Frank's spin on Soloviev's notion of divine-humanity or Godmanhood (*bogochelovechestvo*) as humanity's uncreated divine ground, which for Frank situates the morally obligatory force of *sobornost'* within the constitution of subjective consciousness itself. God is the transcendent principle who is immanent within human personality.[62] The human subject encounters God as a transcendent "Thou" dwelling

60. Frank, *Light Shineth*, 167.

61. Simon L. Frank, "Das Problem des »christlichen Sozializmus«," in *Jenseits von rechts und links: Anmerkungen zur russischen Revolution un zur moralischen Krise in Europa*, ed. Peter Schulz, Peter Ehlen, Nikolaus Lobkowicz, and Leonid Luks (Freiburg/Munich: Verlag Karl Alber, 2012), 321–335. The quoted text is translated from the German.

62. Frank develops this aspect of divine-humanity in several places. See, for example, S. L. Frank, *The Unknowable: An Ontological Introduction to the Philosophy of Religion*, trans. Boris Jakim (Athens, Ohio: Ohio University Press, 1983), Chapter IX "God and I," 224–260; and S. L. Frank, *Reality and Man: An Essay in the Metaphysics of Human Nature*, trans. Natalie Duddington (London: Faber and Faber, 1965), Chapter IV "Man and God," 110–161.

within the self, an "Other" who is the innermost ground of the self. Thus, the nature of the human subject is not that of egoistic self-assertion but divine-human communion: I am *myself* only in relation to *God-in-me.* At the same time, my discovery of ontological kinship with God is also the discovery of kinship with all things in God—Frank's cosmic *sobornost'*. Moreover, the experience of God is also an intuitive grasping of the *obligatory*. "God-in-me" is none other than God the Creator, and humanity's kinship with God is necessarily that of co-creativity. God "*creates creators*,"[63] insists Frank, and God creates through human creativity, which is to be "participation in God's activity," in service to the realization of God's will.[64] For Frank, the obligatory is experienced as a "free wanting without the element of self-willfulness, the merging of 'I should' and 'I want'"[65]—or, in other words, not as external *law* but as a *vocation* originating from within one's own depths, a drive to take up the realization of the truth freely as *my own* work. Here, as in Milbank, we find a fusion of freedom and obligation, which is the image and likeness of God and the basis of human dignity.

Sobornost', therefore, exists within Frank's thought not only as the ontological basis of society but also as a creative task that human beings carry out as God's co-creators, joining God in the still-ongoing completion—or deification—of creation by realizing sobornal truth within it.[66] As a task, *sobornost'* grounds subjective rights that remain linked to service, to the responsibility of building a more just and peaceful community. These subjective rights are not based on the egoistic divisions of private interest but on the interior call to *overcome* those divisions through a divine-human co-laboring. Yet it is precisely this moral grounding of subjective rights in obligation that requires the *obshchestvennost'* to be founded on individual freedom, not as the protection of egoism, but as the human being's "primordial *obligation*," since freedom is "the general and highest condition for the fulfillment of all his other obligations."[67] Thus, returning to the topic of property rights Frank addresses in "Property and Socialism," he offers a Christian justification for private property on the basis of freedom as an "indispensable prerequisite" for "the realization of morality"[68] and for "productive service" that fosters social solidarity.[69] This is an adoption and subversion of possessive individualism: a society founded on property rights, but those with rights themselves based not in atomism but in the recognition of human unity.

Individual freedom, as the precondition of service, is therefore also the precondition for the realization of *sobornost'*. Thus, we arrive back at Frank's "realist" duality of *sobornost'* and *obshchestvennost'*: while *sobornost'* enacts a peace and a communion be-

63. Frank, *Reality and Man,* 157.

64. S. L. Frank, *God with Us: Three Meditations*, trans. Natalie Duddington (London: Jonathan Cape, 1946), 159.

65. S. L. Frank, *Man's Soul: An Introductory Essay in Philosophical Psychology*, trans. Boris Jakim (Athens, Ohio: Ohio University Press, 1993), 167.

66. For Frank, creation and deification are "two aspects of one general creative act" (*Reality and Man*, 221). Therefore, the human being as co-creator also participates in the deification of creation, or a victory over sin that is already won "in the metaphysical depths of being" (*Reality and Man,* 223)

67. Frank, *Spiritual Foundations*, 136.

68. Frank, "Eigentum und Sozialismus," 231.

69. Ibid., 248.

yond the liberal rights-based order, the conditions of its realization demand the recognition of individual rights that are, by themselves, something less than *sobornost'* and cannot ever guarantee its realization. For although Frank allows that subjective rights such as the right to property are non-absolute and can be "chastened" by the responsibilities of charity, the nature of *sobornost'* as a *free* communion of mutual love precludes its exact convertibility into a fully realized Christian alternative. Politics is the "one domain of human creativeness which stands by its very nature in dangerous proximity to demonism," including the sin of "unrestrainedly ordering people's destinies (even if it does so with the good intention of improving them)."[70] Christian politics, therefore, must inhabit the tension between *sobornost'* as the ideal norm of social action and the impossibility of its accomplishment as a Christian social order; and yet, it is precisely this persistent gap between *sobornost'* and *obshchestvennost'* that preserves the space for the free, creative work of charitable social engagement through which *sobornost'* is performed and human dignity is expressed.

Conclusion

Both Milbank and Frank draw on *sobornost'* to challenge the separation of rights from social responsibility, yet the differences between their approaches have important implications for subjective rights and their relationship to "Christian order," and so also for the relationship between Christian politics and liberal democracy. As I have argued, Milbank errs by tying *sobornost'*—and thus dignity and rights—too closely to a postliberal Christian order of charity, while Frank offers a corrective to Milbank's error with his distinction (but not separation) between *sobornost'* and *obshchestvennost'*. The upshot of Milbank's treatment is that a Christian conception of human dignity (as well as what he retains of subjective rights) is ultimately incompatible with liberalism. Frank, on the other hand, is critical of liberal individualism, which is at odds with *sobornost'*; but his detachment of subjective rights from an externally realized sobornal order provides greater opportunity for (critical) Christian support of liberalism. Frank shows that one of the foundational concepts of liberalism, subjective individual rights, can be established on sobornal terms, shorn of possessive individualist justifications. In that case, a political *sobornost'* can offer an opportunity for fruitful Christian engagement with the liberal tradition—a chance to imagine better, more charitable liberalisms—and not simply to oppose it with a Christian alternative.

70. Frank, *Reality and Man,* 188.

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