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Freedom and Rights in the Thought of Ivan Ilyin

by Paul Robinson

This article examines the writings of Russian philosopher Ivan Ilyin (1883–1954) on the topic of freedom and rights. It demonstrates that Ilyin wrote what may be some of the most impassioned defences of freedom ever written by a Russian political thinker. In accordance with idealist modes of thought, Ilyin considered human beings to be primarily spiritual beings. Natural law, he believed, determined that humans need to be spiritually autonomous. This spiritual emphasis shaped Ilyin's understanding of freedom, which he divided into three types: inner freedom; outer freedom; and political freedom. Of these, inner freedom was the most important, followed by outer freedom, and lastly political freedom. The latter two were impossible without the existence of the first, and in any case were of value only insofar as they enabled inner freedom. Ilyin thus believed that political rights and freedoms could be restricted as long as these restrictions did not impinge on inner freedom. In this way, like many Russian philosophers of his era, he envisioned a middle way between liberal democracy on the one hand and communist and fascist totalitarianism on the other, seeking to combine personal autonomy with strong executive authority.

Keywords: Ivan Ilyin, Russia, philosophy, rights, freedom, inner freedom, outer freedom, political freedom, legal consciousness, idealism

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Paul Robinson

"A man who lives in freedom doesn't spend much time thinking about it, he lives *in it*, he enjoys it; he simply floats in its easy stream. It's like air; when you breathe air, you don't think about it. … You think about air when you don't have any. … It's the same with freedom; a person cannot live without it, he needs it as much as he needs air. Why?"[1] So asked the philosopher Ivan Ilyin (1883–1954) in a 1939 article titled "Freedom." He then provided an answer. Freedom was necessary, he wrote:

> Because one can only *love* freely. Because love … arises either freely, or not at all. Because one can only *believe* and *pray* freely. For either faith penetrates to the deepest depth of the soul where the commands and prohibitions of other people cannot reach, where you *yourself* contemplate and believe—or it doesn't arise at all. … A person *thinks* only freely, for free thought is independent thought. … A person can only *comprehend* freely; only a freely-held conviction is worth anything. … A person can only be *creative* freely—without hindrance, without order, without prohibitions—according to his own, secret motive. … Without freedom, a person is dead and empty, broken into pieces, insincere, powerless and helpless. … Only free labour enables life and is productive; only uncoerced, voluntary and joyful effort has a truly beneficial influence. Coercion cannot replace freedom in anything. Any attempts to do so are hopeless, wherever they are undertaken and regardless of the objectives they try to serve.[2]

In this and other works, Ilyin made what may be some of the most impassioned defences of freedom ever written by a Russian political thinker. The purpose of this article, therefore, is to investigate Ilyin's writings on the topic of freedom and the foundations on which they rested.

To this end, the article will first place Ilyin in his historical context and will then focus on four of his works which discuss the issue of freedom in some detail: *On the Essence of Legal Consciousness*, *The Path of Spiritual Renewal*, and *Our Tasks*, together with a draft constitution for a future Russian state drawn up by Ilyin towards the end of

1. Ivan Il'in, "Svoboda," in Ivan Aleksandrovich Il'in, *Novaia natsional'naia Rossiia: Publitsistika 1924–1952 godov* (Moscow: Institut naslediia, 2019), 577 (emphasis in the original).

2. Il'in, "Svoboda," 577–79 (emphasis in the original).

his life and published under the title, *Foundations of the State System: A Draft of Russia's Fundamental Law*. Various newspaper articles published by Ilyin in the 1930s on the topic of freedom will also be mentioned.

Ilyin's passionate endorsement of freedom may come as a surprise to those used to seeing him described as a "fascist" or at least as belonging to "a right-wing communitarian tradition ... [that] could be identified as a close relative of classic fascism."[3] Yet, Ilyin was a complex figure who defied such easy labels. Analyses of his work often contain words such as "contradictory" and "paradoxical." His biographer Igor Evlampiev, for instance, comments that "Ilyin was undoubtedly a particularly paradoxical figure ... [who] provides an example of radical oscillations and contradictions."[4] There is undoubtedly an authoritarian element in Ilyin's work, but there are also many other elements, including some that might be called "liberal." Thus, Paul Valliere concludes that "Ilyin was a statist and a monarchist, but to deny that liberal values occupied a central place in his political thought is a mistake. ... A rule-of-law state in Russia was always his goal."[5] Others agree, describing Ilyin variously as a "liberal conservative," "a proponent of modern conservative liberalism," or as "belonging to the school of classical liberalism."[6] Evlampiev goes so far as to call Ilyin's book *On the Essence of Legal Consciousness* "the culmination of the development of Russian liberalism in the nineteenth and early twentieth centuries."[7]

Evlampiev admits, however, that what he calls Ilyin's liberalism was very different from that generally understood in the West, creating doubts as to whether the liberal label is any more valid than the fascist one. In this vein, Mikhail Suslov contends that "Ilyin's ideas about freedom, lawfulness, and limited power of the state could not be understood in the context of classical liberalism, because they have absolutely different philosophical foundations."[8] Indeed, Ilyin can be seen as a distinctly Russian writer who rejected political philosophies such as liberalism and fascism as Western constructs that were not relevant to Russian conditions. Iury Lisitsa, who has edited over 30 volumes of Ilyin's work, thus rejects the "liberal conservative" label given to Ilyin by Evlampiev

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3. Timothy Snyder, "God is a Russian," *The New York Review of Books*, April 5, 2018, https://www.nybooks.com/articles/2018/04/05/god-is-a-russian/; Timothy Snyder, *The Road to Unfreedom: Russia, Europe, America* (New York: Tim Duggan, 2018); Anton Barbashin and Hanna Thorburn, "Putin's Philosopher," *Foreign Affairs*, September 20, 2015, https://www.foreignaffairs.com/articles/ukraine/2015–09–20/putins-philosopher; Mikhail Suslov, *Putinism—Post-Soviet Russian Regime Ideology* (London: Routledge, 2024), 56. For a detailed discussion of whether Ilyin deserves the fascist label, see: Hanus Nykl, "Ivan Ilyin: Fascist or Ideologue of the White Movement Utopia?" *Studies in East European Thought* (2024): https://doi-org.proxy.bib.uottawa.ca/10.1007/s11212–024–09631–8.

4. I. I. Evlampiev, "Ot religioznogo ekzistentsializma k filosofii pravoslaviia: dostizheniia i neudachi Ivana Il'ina," in *I. A. Il'in: Pro et contra. Lichnost' i tvorchestvo Ivana Il'ina v vospominaniiakh, dokumentakh i otsenkakh russkikh myslitelei i issledovatelei*, ed. I. I. Evlampiev (St Petersburg: Izdatel'stvo Russkogo Khristianskogo gumanitarnogo instituta, 2004), 8.

5. Paul Valliere, "Ivan Ilyin: Philosopher of Law, Force, and Faith," in *Law and the Christian Tradition in Modern Russia*, eds. Paul Valliere and Randall A. Poole (London: Routledge, 2021), 321, 325.

6. N. P. Poltoratskii, *Ivan Aleksandrovich Il'in* (Tenafly: Ermitazh, 1989), 153. Egor Kholmogorov, "Pravyi gegel'ianets v okopakh Stalingrada," *Samopoznanie* 2 (2015): 24. Liubov' Ul'ianova, "Skrytoe slavianofil'stvo v tvorchestve Il'ina," *Samopoznanie* 2 (2015): 38.

7. I. I. Evlampiev, *I. A. Il'in* (St Petersburg: Nauka, 2016), 180.

8. Suslov, *Putinism*, 64.

and others, and instead calls him a "conservative innovator," that is to say somebody who regarded existing institutions and ideas as outmoded and sought to create new ones, but who at the same time sought to ensure that those institutions and ideas were rooted in Russia's particular circumstances. To this end, Lisitsa quotes Ilyin as saying, "We must reject the very method of posing political questions ... We must think not of an 'ideal,' or a 'dream,' or a 'doctrine,' but of the vital task of restoring Russia. And we must understand Russia as a living, organically historical and unique state whose heritage is Russian, and which has its own special faith, and its own special traditions and needs."[9]

Another way to look at Ilyin is as heir to a strand of Russian idealist philosophy that combined elements of Western natural law with ideas taken from Russian Orthodoxy. This strand of philosophy is associated with names such as Boris Chicherin, Vladimir Solovyov, Pyotr Struve, and Pavel Novgorodtsev, the last of whom served as Ilyin's academic supervisor while Ilyin was studying at Moscow State University. In 1903, Novgorodtsev edited a volume titled *Problems of Idealism* in which he, Struve, and other contributors attacked the prevailing positivism of the era and sought instead to ground liberalism in morality, specifically a morality founded on natural law. Novgorodtsev, for instance, wrote of a "crisis of legal consciousness" that was the product of a legal positivism that "reduced [law] to positive law, that is, order of the State authority." Consequently, Russians had no respect for the law, regarding it as "the product of force." The solution, he claimed, was a "revival of natural law."[10]

Both Struve and Novgorodtsev played an active role in the Union of Liberation that sought to pressure Tsar Nicholas II into making democratic constitutional reforms, and subsequently both joined the leading liberal organization of the late Imperial period, the Constitutional Democratic Party. Following the 1917 revolutions, they swung politically to the right and became strong supporters of military dictatorship. As Novgorodtsev said in May 1919, "If nothing is left our democratism, then that is an excellent thing, what is needed now is dictatorship, a force for creating authority."[11] Ilyin's political and intellectual path, therefore, fitted a pattern of Russian political and legal thinkers who were committed to the concepts of freedom and law but became disenchanted with liberalism and democracy in an era where liberal democratic states had a depressing tendency to collapse into left or right-wing totalitarianism, and who sought therefore to find an alternative model of social and political development that would expand peoples' freedoms and rights while at the same time preserving the order without which the question of freedoms and rights becomes moot.

Comparisons have been drawn, for instance, between Ilyin and Soviet mathematician and theologian Pavel Florensky, whose posthumously published tract *A Proposed Future State System* combined proposals for a civil society and an authoritarian state in

9. Liubov Ul'ianova, "Il'in pokazal sushchnost' svobody kak podobiia Bozhiia v cheloveke: interv'iu s Iuriem Lisitsei," *Samopoznanie* 2 (2015): 11.

10. P. I. Novgorodtsev, "Ethical Idealism in the Philosophy of Law (On the Question of the Revival of Natural Law)," in *Problems of Idealism: Essays in Russian Social Philosophy*, ed., trans., and intro. Randall A. Poole (New Haven: Yale University Press, 2003), 275–76.

11. William Rosenberg, *Liberals in the Russian Revolution: The Constitutional Democratic Party, 1917–1921* (Princeton: Princeton University Press, 1974), 416.

a manner that has been said to be not dissimilar to Ilyin's proposals in his book *Our Tasks*.[12] That said, the concept of freedom receives little attention from Florensky compared with Ilyin. A closer comparison might be with fellow émigrés such as those who wrote for the religious journal *Put'*, including Nikolai Berdyaev, Georgii Fedotov, and Fyodor Stepun. Despite their many serious differences with Ilyin, they shared his concern for freedom and his scepticism regarding liberal democracy. Fedotov, for instance, declared that "democracy is too good for our cruel times."[13] He predicted "the inevitability of dictatorship" after the collapse of communism, commenting that "democracy is possible now in Russia only through the methods of dictatorship," due to the lack of "intellectual growth of the popular consciousness."[14]

Fedotov's mention of the "popular consciousness" reflects the manner in which he and other idealist émigré philosophers attributed the negative consequences of the Russian revolution to the spiritual failings of the Russian people, including their undeveloped legal consciousness, lack of patriotism, and loss of religious faith. Ilyin shared this understanding of events. For him, as for them, the spiritual side of human life took priority over the material. Consequently, he saw the roots of Russia's troubles as lying not in economic or other material factors but in the corrupted spirituality of the country prior to the revolution. As he put it: "The crisis that has brought Russia to enslavement, humiliation, martyrdom, and extinction was at root not simply political and not simply economic, but spiritual."[15] It followed that Russia's salvation lay in spiritual renewal, or rather in the development of what Ilyin called an appropriate legal consciousness (*pravosoznanie*), a concept that might perhaps be better translated as political and legal culture, as it went beyond attitudes to law and incorporated such ideas as patriotism, honor, loyalty, and religious faith.

Perhaps the clearest exposition of Ilyin's thinking on the matter is his book *On the Essence of Legal Consciousness*. This was originally written in 1918, but Ilyin returned to it and amended it on various occasions throughout his life, and it was eventually published in 1956, two years after his death.[16] The final version was very similar to the original, suggesting that Ilyin did not substantially change his views in the 35 years following 1918.

Ilyin's key argument was that a legal order depends not on positive law, that is to say on the state enacting laws and forcing people to obey them, but on the presence within the people of an appropriate legal consciousness, of a sort that encourages them to obey the law of their own free will because they recognize the validity and purpose of the law and so want to obey it. This requires the state to bring positive law in line as much as possible with natural law so that the law is seen to respect citizens' natural freedoms and rights. At the same time, though, it does not imply the existence of any

12. I. V. Florenskii, "Politicheskii platonizm sviashchennika P. A. Florenskogo: 'Predpolagaemoe gosudarstvennoe ustroistvo v budushchem,'" *Vestnik RKhGA* 24, no. 2 (2023): 146.

13. Georgii P. Fedotov, "Nasha demokratiia," *Novyi grad* 9 (1934): 12.

14. Georgii P. Fedotov, "Problemy budushchei Rossii (part 2)," *Sovremennye zapiski* 45 (1931): 476–77.

15. I. A. Il'in, "Chto nam delat'?" in Evlampiev, *I. A. Il'in: Pro et contra*, 156.

16. William Butler, "The Origins of Il'in's Treatise on the Essence of Legal Consciousness," in Ivan Aleksandrovich Il'in, *On the Essence of Legal Consciousness*, ed. and trans. William Butler, Philip T. Grier, and Paul Robinson, second revised ed. (Clark, NJ: Talbot, 2023), 55–57.

particular form of government, be it a republic, a monarchy, a democracy, a dictatorship, or anything else. The legal consciousness of different peoples will differ, and their form of government must differ too, so as to fit the national legal consciousness.

To build this argument, Ilyin began with the claim that, "However great the significance of the material factor in history ... the human spirit is never reduced, and never will be reduced, to a passive, non-acting medium subordinated to material influences. ... It is impossible to organize the world of matter not having organized the world of the soul."[17] This put Ilyin firmly in the idealist camp. He then continued by noting that, "obedience to an external authority as a motive determining the activity of a person is not commensurate with his spiritual dignity, and, moreover, in *all* spheres of spiritual life, in knowledge and in morality, in art, in religion, and in law. The most fundamental and profound essence of what humanity always fought for in the name of *freedom* consists in the possibility of *autonomous and voluntary self-determination* in spiritual life."[18]

Ilyin based this claim on natural law, stating that humans are by nature all isolated from one another, as nobody can know what is inside the mind of another. Nor can anybody dictate what is in the mind of another. Spiritually, all humans are unique and individual, and thus, Ilyin wrote, "every person is *distinctive and singular in his own way*."[19] "Every human being," he continued, "has an intrinsic attraction toward a vital *self-sufficiency and self-activity*, toward an autonomous self-determination."[20] From this natural law, it followed that "*freedom of will is essential*. ... The fundamental dignity of the human consists in living a spiritual life *independently* of any heterogeneous encroachment and pressure. ... *Free self-determination* in spirit is the deepest law of this life."[21] Likewise, it followed that "the value lying at the foundation of natural law is the *worthy, internally self-sufficient and externally free* life *of the entire multiplicity of individual spirits* composing humanity." Having an "inspirated life," Ilyin argued, is an "inalienable right," the loss of which "destroys the dignity of the human."[22]

Ilyin's focus here was on what one might call "inner freedom," which Ilyin referred to as "*free self-determination* in spirit." At the same time Ilyin recognized that inner freedom is dependent on a degree of outer, or external, freedom. People, he wrote, have "the right to lead a spiritually dignified life." This requires not merely the means of life, but also "that *leisure* which Aristotle required for a person 'free from nature,'" and "presupposes *a right to education*," and various other rights which follow naturally.[23] These other rights include a right to "legal guarantees of personhood and the legal organization of a worthy life," which in turn requires a "common and just legal order."[24]

17. Il'in, *On the Essence of Legal Consciousness*, 129.

18. Ibid., 156 (emphasis in the original).

19. Ibid., 163 (emphasis in the original).

20. Ibid., 197 (emphasis in the original).

21. Ibid., 165 (emphasis in the original).

22. Ibid., 167 (emphasis in the original).

23. Ibid., 167–68 (emphasis in the original).

24. Ibid., 200.

Having established this principle, Ilyin then used it to create a theory of the state. In a true state, he wrote, "Political membership must be *consciously accepted* by each separate citizen and recognized by him in an *unfettered, free decision*. ... One cannot be a member of a political union *despite* one's own feelings. ... A state possessing such members ... prepares its own disintegration."[25] A stable state could not be founded on coercion, he argued, because "the State ... must live in the *souls* of people."[26] To this he added that the mission of the state "consists in the *protection and organization of the spiritual life of the people belonging to a given political union*. The protection of spirit consists in guaranteeing to *the entire population and to each individual* their natural right to a distinctive self-determination in life, that is, the right to *life* and, moreover, to *a worthy* life, outwardly free and inwardly self-sufficient."[27] "The interest of the State consists in maintaining and realizing all *the natural rights* of all its citizens," he concluded.[28]

Ilyin did not believe, however, that these natural rights extended to politics. Democracy did not guarantee that those elected to office would be people inclined to protect others' natural freedoms and rights. Indeed, if the national legal consciousness was insufficiently developed, it was unlikely that they would be, and democracy could well have catastrophic consequences. Ilyin wrote:

> On the one hand, the State lives through *the legal consciousness* of the nation; whereas the essential characteristic of legal consciousness is *the capacity for self-governance*; *from this, in theory, the State reduces to the self-governance of the nation*. However, on the other hand, the sole and objective *end* of the State is so elevated and requires from the citizenry such a *mature legal consciousness*, that historically speaking, nations turn out to be *incapable* of self-governance, of the realization of that end. And thus is revealed the great discrepancy between the ideal form of the State and its historical manifestation.[29]

Overcoming this discrepancy, according to Ilyin, required that control of the state be in the hands of the "best" people, in other words, people with the most advanced legal consciousness, but on condition that they used their power to develop the legal consciousness of the masses and gradually brought them towards self-government. The emphasis here was on gradualness. "A political union not observing this gradualness," wrote Ilyin, "risks its existence; it places its fate in the hands of political infants or political imbeciles, and its days are numbered. In this safe gradualness there is nothing politically reprehensible; on the contrary, there is profound sense and political wisdom in it. On the other hand, the behavior of ruling groups and classes is ruinous and criminal if they use the incompetence of the people in order to replace state interest with class interest, and keep the people's legal consciousness as a low level."[30]

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25. Ibid., 221–22 (emphasis in the original).
26. Ibid., 223.
27. Ibid., 227 (emphasis in the original).
28. Ibid., 232 (emphasis in the original).
29. Ibid., 235 (emphasis in the original).
30. Ibid., 242.

There was, therefore, no single form of the state that was suitable for all nations—the appropriate form would depend on the condition of the national legal consciousness, with fewer or more political freedoms and rights depending on whether the people were ready for them. In the case of Russia, Ilyin believed that the national legal consciousness was so corrupted that self-governance would be impossible should communism collapse. Consequently, post-communist Russia would need dictatorship, not democracy, albeit a dictatorship that protected people's natural rights and gradually elevated the legal consciousness of the people until they became capable of self-government.

Ilyin elaborated further on these themes in his book *The Path of Spiritual Renewal*, first published in 1937. In *On the Essence of Legal Consciousness*, Ilyin had written continuously of the "spirit." In *The Path of Spiritual Renewal*, he continued to do so, declaring that "Freedom is something *for* the spirit and *thanks to* the spirit, freedom is something that matures *in the spirit* and comes *from the spirit*. Outside the spirit, and contrary to the spirit, it loses its meaning and its sacred significance."[31] At the same time, though, he allied spirit more closely to religious faith than he previously had, describing faith as "not simply some 'sensation' or 'feeling,'" but something that "comes from the depths of the human essence and consequently inevitably takes over the entire person."[32] "For faith to arise and take flame and acquire such strength," he stated, "the person must be *free* in his faith," which raised the questions: "What does it mean to be free? What sort of freedom do I have in mind? Freedom *from what and for what?*"[33] Answering these questions, Ilyin identified three types of freedom. These can be translated as inner freedom, outer freedom, and political freedom. Of these, inner freedom was the most important, followed by outer freedom, and finally by political freedom.

Regarding inner freedom, Ilyin wrote, "Internally freeing oneself ... means *instilling spiritual character in oneself*."[34] According to Ilyin, "Freedom is *accessible* to the human spirit, and *befits* it. *For spirit is the strength of self-definition towards betterment*. ... Spirit is a force that allows one *to strengthen oneself and overcome* in oneself what one rejects. ... Freeing oneself above all means becomes stronger than any inclination, any whim, any desire, any temptation, any sin. ... This is the *negative* stage of self-definition. The *positive* stage follows: it consists of voluntarily and lovingly filling oneself with *the best*."[35]

Ilyin described this inner freedom as "being *master of one's passions*."[36] This was not the same as suppressing negative passions. Rather, just as a positive legal consciousness implied voluntary recognition and obedience of the law, so inner freedom consisted "of the person's passions voluntarily serving the spirit ... inner freedom is the spirit's ability to independently see the eternal law, independently recognize its authoritative

31. Ivan Il'in, *Put' dukhovnogo obnovleniia* (Moscow: Institut russkoi tsivilizatsii, 2011), 93 (emphasis in the original).

32. Ibid., 70.

33. Ibid., 71 (emphasis in the original).

34. Ibid., 79 (emphasis in the original).

35. Ibid., 78 (emphasis in the original).

36. Ibid., 79 (emphasis in the original).

strength, and independently put it into life."[37] Or as Ilyin also put it, "freedom consists in ... having the inner strength and capacity to independently and responsibly stand before God and serve the cause of God on earth."[38]

Ilyin defined outer freedom differently. It was, he wrote, "Not the freedom to do anything one wants, so that other people cannot hinder one in any way, but *freedom of faith, of opinion, and conviction*, in which *other people do not have the right to intrude using forcible directives or prohibitions*; in other words, freedom from unspiritual and counter-spiritual *pressure*, from *coercion and prohibition*, from *brute force, threats and persecution*."[39] As such, outer freedom is secondary to inner freedom because it exists to serve inner freedom, but at the same time, it is extremely important, as inner freedom is difficult to maintain in the absence of outer freedom. As Ilyin put it, "outer freedom is given to humans specifically for *inner self-liberation*. ... Outer freedom serves inner freedom, is necessary for it and is given for it. *Outer freedom is the natural and necessary condition for the establishment and strengthening of inner freedom*."[40]

According to Ilyin, this outer freedom was necessary because, "Without this freedom, human life has no meaning or worth, and this is the most important thing. The meaning of life consists of loving, creating, and praying. And without freedom, one cannot pray, or create, or love. ... One cannot pray by order or not pray due to prohibition. ... One cannot love God, motherland, and people by order, or stop loving them because of a prohibition. ... One can create only according to inspiration, from the depths, freely. One cannot create by order, or not create due to a prohibition."[41] He continued, "Non-recognition of freedom [of spiritual creation] as the *basis of life* and as *a spiritual necessity* brings humans down to the level of animals, diminishes human dignity. It makes people *lie* – to God, to themselves, to others. ... Freedom is the air which faith and prayer breathe."[42]

Inner and outer freedom did not, according to Ilyin, make state power redundant. But the purpose of the latter, he considered, was "to attend to the inner freedom of the individual, to appeal to it, nurture it, and strengthen it."[43] Similarly, political freedom also existed to nurture and strengthen inner freedom, but it came with limitations. Ilyin wrote:

> Political freedom is something valuable and responsible, but only in so far as spiritual, inner freedom lies behind it. ... Political freedom is a variety of outer freedom: the individual is allowed to independently speak, write, vote, decide, and express his voice in public affairs. ... Political freedom is something bigger—in scope and responsibility—from outer negative freedom, for the latter gives the individual rights in his own internal affairs, rights concerning *himself* and his soul, but political freedom gives him rights over the

37. Ibid., 79.

38. Ibid., 86–87.

39. Ibid., 71 (emphasis in the original).

40. Ibid., 77, 80 (emphasis in the original).

41. Ibid., 75.

42. Ibid., 76 (emphasis in the original).

43. Ibid., 89.

> affairs *of others*, *rights over others*. This means that political freedom presupposes a greater maturity in the person to whom it is given. ... *Outer freedom is given to people so that they can internally nurture and liberate themselves. Political freedom presupposes that people have already nurtured and liberated themselves, and so is given to them so that they can nurture others towards freedom*.[44]

From this, Ilyin concluded: "It follows that here there cannot be limitless freedom. ... There is a minimum of inner freedom below which political freedom loses its sense and becomes an entirely destructive principle. ... 'To gift' a people political freedom sometimes means bringing it to temptation and putting it on the path towards death."[45]

To summarize, freedom to Ilyin was fundamentally spiritual in nature, meaning that he considered inner freedom to be the most important of all freedoms. In Ilyin's logic, however, inner freedom depends on some degree of outer freedom, for which reason the latter is also required. It may also benefit from some degree of political freedom, but this is less important and is only relevant to the extent that it supports inner freedom. Furthermore, because political freedom inherently involves making decisions about other people, which may potentially restrict their freedom, it requires a mature legal consciousness and may properly be restricted where such legal consciousness is absent.

Ilyin put forward similar arguments in articles he wrote for popular audiences. These included articles written in the 1930s for German and Swiss newspapers, and articles written in the late 1940s and early 1950s for the White Russian military veterans organization ROVS, the latter of which were collected after his death and published as a book titled *Our Tasks*. In these articles, Ilyin demonstrated a passionate concern for freedom. For instance, in an article entitled "The Free Person," Ilyin wrote that:

> [C]oerced life and coerced labour are obsolete, and cannot be brought back. All history shows that the labour of the enslaved is economically unproductive and inferior; that the politically repressed lack character and lose their honor; that literature when compelled seems vulgar and pitiful, lacking in spirit, and dead; that one cannot prohibit religious convictions, nor can one command them. Life without creative initiative, without independence and freedom becomes complete *slavery* and the *galleys*. God save us from this![46]

He then continued: "the greatest good on earth is not at all embodied in the state, and is not accomplished by the state. The state exists to regulate and encourage the free creation of man, and not to take it away. ... Man is not a machine, but a living spiritual organism; and the laws of this organism must be respected and preserved."[47]

Similarly, in an article titled "Freedom," Ilyin wrote, "without freedom life has *no meaning, no dignity*. ... Every legal order rests on the recognition of the person as *a subject of law*, that is as a self-directing, free center, possessing its own volition. ... The

44. Ibid., 90 (emphasis in the original).

45. Ibid., 92.

46. Ivan Il'in, "Svobodnyi chelovek," in Il'in, *Novaia natsional'naia Rossiia*, 635 (emphasis in the original).

47. Ibid., 635.

law can threaten unpleasant consequences, but that is all. *In fact, an enormous* dose of freedom, i.e. spiritual self-determination and self-direction, lie at the foundation of any legal order."[48] And in an article titled, "About the Eradication of Liberals," he wrote:

> Life ... cannot grow and flourish other than *from itself*, according to the secret laws of its inner expediency. ... The same is true of social life. ... Politics that tries to *abolish* or *replace the free*, yes *free growth and flourishing* of economic and spiritual forces will be absurd, ruinous, and detestable.
>
> Prescribe forms of art and music and only talentless slaves will come forward to sell their hackneyed rubbish. Prescribe the method and deductions of science, and in the emptied universities all you will have will be dark adventurers hired as 'red (or black) professors.' ... Understand this: life is like a garden: it grows *itself*; and government is like a gardener: it can only and should only direct this *free process*.[49]

Our Tasks contains similar messages. Some passages in the book bear a striking resemblance to parts of *On the Essence of Legal Consciousness*, suggesting that he referred to the latter when writing the articles that make up the former.[50] There are some differences between the two works in that *Our Tasks* is somewhat more strident in its negative views of Western-style liberal democracy as well as in its denunciations of Western hostility towards Russia. But in general, Ilyin's position at the end of his life (when he wrote *Our Tasks*) was not substantially different from that at the beginning of his career (when he wrote *On the Essence of Legal Consciousness*).

In *Our Tasks*, Ilyin laid out an organicist rationale for the existence of freedoms and rights. He wrote:

> Freedom befits people for two reasons: 1) on account of the fact that they are living organisms; 2) on account of the fact that they are living souls. ... Every living organism (from a plant to a human) is *an independent being*. ... The organism lives according to its own internal laws. By studying these laws ... one can to some extent direct the organism's life, but one cannot extinguish its independence without killing it. The natural freedom of the human being consists in this, that he is *independent* by nature, he creates his own life—in sickness and in health, in his needs and dislikes, in filling his belly, in love and reproduction. ... This independence cannot be replaced: this cannot be achieved by hypnosis, by diktat, or by fear. All such attempts are doomed to fail. ... The communists tried to do this. ... In the future Russia ... the individual creative instincts of the person must be recognized, encouraged, spiritually disciplined, and built on freedom. ... But the human

48. Ibid., 153–54 (emphasis in the original).

49. Ivan Il'in, "Ob iskorenenii liberalov," in Il'in, *Novaia natsional'naia Rossiia*, 197–98 (emphasis in the original).

50. For an example see Paul Robinson, "Introduction," in Il'in, *On the Essence of Legal Consciousness*, 6–7.

> is not only a living organism: he is also a living spirit. The spirit needs freedom of faith and love, contemplation, conviction.[51]

Ilyin's focus here was primarily on inner freedom.

As he put it in *Our Tasks*: "The politics of the future must look at people soberly and take them as they are. They will think of freedom primarily as inner freedom. ... People need freedom and it is sacred to them. But this freedom is found through God, in the soul, conscience, feelings of spiritual worth, and in the service of the people whose blood one shares."[52] When it came to outer and especially political freedom, Ilyin retained the view that he had expressed continually over the previous decades, namely, that "freedom will always have its lawful limits; the measure of freedom among different peoples will be different and will depend on the legal consciousness implanted in the people."[53] Peoples with mature legal consciousness would be able to enjoy considerable political freedom, but those without it would not. He wrote: "Political freedom by itself does not ennoble people, but only unties their hands, frees them to be what they are, with all their inclinations, interests, passions, and vices. ... People are complicated. ... Freedom doesn't change them for the better but only reveals (in the photographic sense) all their features, inclinations, and passions."[54] In Ilyin's eyes, the Russian people's legal consciousness was far from being mature enough to enjoy full self-government. Giving them political freedom would simply allow their basest passions to come to the fore. Following the collapse of communism, he argued, Russia would face chaos. This would be no time for elections. Rather, a strong government would be needed. Democracy would not be possible until the moral decay of communism had been overcome, a process that would likely take many years.[55] As he wrote: "After its [communism's] fall, the long-standing moral debauchery will be overcome slowly. ... And until such time as the spiritual renewal is completed, we must foresee that any attempt to introduce a democratic order will lead either to mob rule ... or to a new right-wing totalitarian tyranny. Democrats who don't think about this and can't foresee it, don't understand the essence of either democracy or totalitarianism."[56]

This did not mean, however, that Ilyin supported unlimited government. On the contrary, he considered this very harmful. His envisaged dictatorship was to be a limited one that guaranteed considerable civil liberties to its citizens, even while not necessarily granting all of them political ones. Thus, he wrote in *Our Tasks*: "The strong power of the future Russia must not be outside the law and above the law, but formed according to law and serving the law. ... Russia needs a power that is not arbitrary, not tyrannical, not limitless. It must have legal limits, authority, obligations, and prohibitions."[57]

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51. I.A. Il'in, *Nashi Zadachi: stat'i 1948–1954 gg.* (Paris: Izdanie Russkogo Obshche-Voinskogo Soiuza, 1956), vol. 1: 147 (emphasis in the original).

52. Ibid., 68, 125.

53. Ibid., 130.

54. Ibid., 67.

55. Ibid., 20–25.

56. Ibid., 25.

57. Ibid., 309.

Ilyin said little about what this would mean in practice. One exception was a passage in *Our Tasks* which states: "The right to freedom of belief is a sacred and inviolable right. It belongs to all Russian citizens. ... All Russian citizens ... are equal before the law. ... Nobody can be prosecuted or punished by a court except on the basis of law. ... Nobody can be arrested, taken into custody, or otherwise deprived of freedom other than according to law. ... The homes of every Russian citizen are untouchable. ... Property is untouchable." Citizens, according to Ilyin, were to have the right to form associations for the pursuit of goals not contrary to the fundamental laws of the state, and the right to form political parties.[58]

Ilyin laid out these principles in more detail in a draft constitution for a future Russia drawn up near the end of his life. In this, he provided specifics of the freedoms and rights that he envisioned Russians enjoying. In a section of the constitution on "rights and obligations," the first right to be mentioned was that "The right to freedom of belief is a sacred and inviolable right."[59] The fact that this right came first and was said to be "inviolable" was no accident. It reflected the primacy that Ilyin gave to matters of the spirit.

Nevertheless, the draft constitution did list some outer and political freedoms and rights, though in many cases they were somewhat circumscribed in that exceptions were permitted in some circumstances. For instance, Ilyin wrote: "All Russian citizens whose rights have not been limited by law or the courts are equal before the law. ... Nobody can be subjected to prosecution, judgment, or punishment other than on the basis of a law published prior to the deed in question. ... The home of every Russian citizen is inviolable. Searches or seizures in their homes are permitted only in situations defined by law."[60] On the one hand, this gave citizens some clear rights, but on the other hand, had the constitution ever been enacted, much would have depended on the exact "situations defined by law." The same is true of other rights listed by Ilyin, as below:

> Property is inviolable. Forcible alienation of movable and immovable property is permitted only when it is necessary for some state benefit. It must be carried out in a legal manner and with just compensation, taking into consideration the interests of the person in question. ... Russian citizens have the right to hold meetings for goals that are not hostile to religion, morality, the fatherland, and the laws. ... Within the boundaries laid down by the Fundamental Laws (Part 1) and by special laws, everyone can express his opinions in words or writing, and distribute them in written or published form. ... Russian citizens have the right to form nonpolitical organizations and unions for goals that do not contradict the Fundamental or other laws of the state.[61]

58. Il'in, *Nashi Zadachi*, vol. 2. 415–16.

59. I. A. Il'in, *Osnovy gosudarstvennogo ustroistva: proekt osnovnogo zakona Rossii* (Moscow: Rarog, 1996), 70.

60. Ibid., 71–72.

61. Ibid., 73–74.

Ilyin thus envisioned a limited, law-based state in which citizens enjoyed clear rights and freedoms. He did not, however, imagine this to be a Western-style liberal democratic state. Rather, he had in mind a system in which executive power would be concentrated in the hands of a hereditary monarch who would be supported by an elected legislature. Citizens would have the right to form political parties, but members of those parties would not be permitted to hold public office. Instead, members of the legislature would be selected from those citizens whose record of public service indicated their suitability for politics.[62] This theoretically would guarantee that the government served the national interest as a whole, not the interest of any individual class or party. In this way, the system Ilyin imagined was a monarchical system with civil liberties for its citizens and some democratic trappings, not too far removed from what had existed in Russia between 1905 and 1917.

To conclude, Ilyin founded freedoms and rights on two claims that he considered to be natural law. The first was that humans are not machines subject to the whims of others but organisms that develop according to their own inner logic, and whose inner nature must therefore be respected if they are to survive and flourish. The second was that humans are autonomous spirits. Consequently, respect for their spiritual autonomy is essential for their dignity. To these, Ilyin added some consequentialist arguments for freedoms and rights. The first was that human creativity derives from free spirit, and that consequently suppression of freedom would destroy that creativity. The second was that the legal consciousness that was a necessary foundation for a stable political and legal order was impossible if the state abused people's natural rights and so led them to regard the state and the law as arbitrary rather than as something to be freely obeyed. The purpose of the state, in Ilyin's eyes, was precisely to nurture and protect inner freedom. A state that failed to do so was doomed.

This logic led Ilyin to conclude that freedom was necessary for human flourishing. His spiritual focus meant, however, that his focus was primarily on inner freedom, and only secondarily on outer freedom, with political freedom coming a distant third. This does not mean, however, that Ilyin considered outer and political freedom unimportant. As noted, Ilyin considered a large amount of outer freedom to be necessary for the preservation of inner freedom. Similarly, although Ilyin believed that political freedom could rightly be limited, this did not imply that the state had a right to do anything it wished. Thus, he wrote: "strong government is not at all the same as totalitarian government. ... For a strong state depends not on the bayonet, not on terror, but on the government's authority; not on threats and punishments, but on the free loyalty of the people."[63] "Totalitarianism is godless," he remarked.[64]

Where this places Ilyin on the political spectrum is not clear. On the one hand, his belief in individual freedom, the rule of law, and limited government is hardly fascist and might seem more obviously liberal. On the other hand, his sceptical view of political freedom and his call for a dictatorship in post-communist Russia appear to place himself somewhere else. Traditional political labels do not fit Ilyin well. Perhaps this is

62. Ibid., 74.

63. Il'in, *Nashi Zadachi*, vol. 1, 307–308.

64. Il'in, *Osnovy gosudarstvennogo ustroistva*, 143.

because labels such as liberal, conservative, socialist, and fascist tend to refer to a set of political, social, and economic institutions, whereas Ilyin's primary concern was less with these than with questions of the spirit. It is clear, though, that focusing entirely on the authoritarian strands of Ilyin's thought, as so many commentators do, provides a distorted picture of someone who repeatedly stressed the vital importance of freedom for the flourishing of the human person.

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