

National Research University  
Higher School of Economics

*As a manuscript*

Bystrov Andrey Sergeevich

**POLITICAL AND LEGAL VIEWS OF ALEXEI BOROVOY**

PH.D. DISSERTATION SUMMARY  
for the purpose of obtaining an academic degree  
PhD in Law

Academic Supervisor:

Rodion Belkovich,

PhD in Law

Moscow 2021

The dissertation was written at the Department of Theory of Law and Interdisciplinary Legal Studies of the Faculty of Law, National Research University Higher School of Economics (HSE University).

The full text of the dissertation is available at the official web site of HSE University: <https://www.hse.ru/sci/diss/>

Discipline: 12.00.01 – History and Theory of Law and State; History of Doctrines of Law and State

## GENERAL OVERVIEW OF THE DISSERTATION

**Relevance of the research topic.** Research papers on the history of political and legal doctrines mostly focus on three major schools of social and political thought: liberalism, conservatism and socialism<sup>1</sup>. This tendency is explained by the availability of a well-established framework of categories and concepts and the successful practical implementation of the above concepts. However, the political and legal thought is not limited to the above tripartite model of political coordinates that incorporates well-established views on conceivable forms of state structure. Moreover, the state actually did not emerge as the dominant paradigm (Ordnungsbegriff) of political unity until the second half of the 14<sup>th</sup> century<sup>2</sup> (and, in practice, did not supplant all other forms of political order until the 19<sup>th</sup> century<sup>3</sup>). While the use of the conservative, liberal and socialist terminology to describe social orders and political systems from earlier historical periods would clearly be anachronistic, the state-centered approach remains virtually universal when it comes to modern political and legal realities that do not fit the above tripartite model. However, the mounting number of international conflicts, local hotbeds of political tension and unrecognized states, as well as the transformation of state sovereignty and the growing influence of international associations and transnational companies have been boosting demand for anti-state approach to power. The political processes in the late 2010s and early 2020s clearly demonstrated that only the “real politics” have been able to reveal a number of unacceptable gaps in the modern legal and political analysis. These gaps could be closed with a more detailed study of nonconventional schools of social thought – the schools, which, so far, have had little chance to turn their postulates into common social practice. For example, the attention could be refocused on various

---

<sup>1</sup> Goryun Y.I., Denisenko N.A., Hohlov N.A. *Politologiya*. Novosibirsk, 2005. P. 15.

<sup>2</sup> Shmitt K. *Gosudarstvo kak konkretnoe ponyatie, svyazannoe s opredelennoj istoricheskoy epohoj* // *Logos*. No. 5 (89). 2012. P. 213.

<sup>3</sup> See, for example: *Van Kreveld M. Rascvet i upadok gosudarstva*. M., 2006.; *Nazmutdinov B. V. Kriticheskie koncepcii gosudarstva i ih znachenie dlya rossijskoj jurisprudencii: vvedenie v problematiku* // *Lex Russica*. No. 6 (163). 2020. P. 122–138.

concepts of anarchism, which advocates the liquidation of any coercive control and the power of one man over another<sup>4</sup>.

Moreover, certain researchers, including distinguished lawyers, reasonably argue that anarchism should not be considered as a mere continuation of the above triad, just another “-ism” overshadowed by more traditional political doctrines. Instead, they regard it as the opposite pole, an alternative type of political and legal consciousness that opposes statism per se<sup>5</sup>.

The relevance of this political and legal doctrine is demonstrated by numerous debates<sup>6</sup> sparked by the works of globally recognized modern theoreticians from various schools of anarchism, from the ecologist Murray Bookchin and anarcho-syndicalist Noam Chomsky to anarcho-capitalists Murray Rothbard and Hans-Hermann Hoppe and the philosopher Bob Black, the main representative of anarchist self-criticism.

Another vital reason to study anarchism is the fact that the ideologists of anarchism were the only representatives of the constellation of Russian social thinkers to make a palpable contribution to the development of global political and legal thought. A very specific, power-centric<sup>7</sup> nature of the Russian state system has been provoking various forms of reaction, from practical resistance (Pugachev’s rebellion, Stepan Razin’s uprising, the October Revolution, etc.) to deep reflections on freedom, self-government and anti-statism, which gave rise to

---

<sup>4</sup> *Kropotkin P.A.* Chto takoe anarhiya? // P.A. Kropotkin. 27 noyabrya 1842 – 9 dekabrya 1922: K 80-letiyu so dnya rozhdeniya: Sbornik statej. M., 1922. P. 5.

<sup>5</sup> See, for example: *Udartcev S.F.* Politicheskaya i pravovaya teoriya anarhizma v Rossii: istoriya i sovremennost': dis. ... d-ra jurid. nauk. M., 1992.; *Mamut L.S.* Etatizm i anarhizm kak tipy politicheskogo soznaniya. Domarksistskij period. M., 1989.

<sup>6</sup> See, for example: *Samuels W.J.* Murray Rothbard's Austrian perspective on the history of economic thought // *Critical Review*. 1998. Vol. 12. No. 1–2. P. 71–76.; *Murphy R.P., Callahan G.* Hans-Hermann Hoppe's Argumentation Ethic: A Critique // *Journal of Libertarian Studies*. 2006. Vol. 20. No. 2. P. 53.; *Hartwich O.* The errors of Hans-Hermann Hoppe // *Open Republic Magazine*. 2005. No. 1 (2). P. 5–10.; *Price A.* Recovering Bookchin. Porsgrunn, 2012.; *Bandyopadhyay D.* Chomsky and Habermas Via Nyaya Theory of Debating // *A Journal of Language and Literature*. 1997. No. 23. P. 115–123.; *Papastephanou M.* Exploring Habermas’s Critical Engagement with Chomsky // *Human Studies*. 2012. No. 35 (1). P. 10.

<sup>7</sup> *Fursov A.I., Pivovarov Y.S.* Russkaya Sistema: genezis, struktura, funkcionirovanie: (Tezisy i rabochie gipotezy) // *Russkij istoricheskij zhurnal*. 1998. Vol. 1. No. 3. P. 10.; *Fursov A.I., Pivovarov Y.S.* Russkaya Sistema i reformy // *Pro et Contra*. 1999. Vol. 4. No. 4. P. 5–15.

unique political theories of anarchism<sup>8</sup>. Neither Russian Marxists, no conservatives (not to mention liberals) were able to demonstrate the same level of originality and novelty, which transformed the Russian anarchism into a global trend. “Anarchism has been largely invented by the Russians,”<sup>9</sup> summarized Nikolai Berdyaev in the early 20<sup>th</sup> century.

However, for most researchers, Russian anarchism is usually associated with three names at best: Michael Bakunin, Peter Kropotkin, and Leo Tolstoy<sup>10</sup>. Yet, the intellectual history of Russian anarchism is hardly limited to the views of these philosophers. The list must be expanded to include the thinkers who have long remained eclipsed by recognized classics despite their impressive theoretical contribution and civic courage, such as Alexei Solonovich, Vasily Nalimov, Abba Gordin, etc. They were the ones to further develop the ideological heritage of the classics.

One of the most significant among those unfairly forgotten names in the history of the 20<sup>th</sup> century Russian anarchism was Alexei Borovoy (1875–1935), who critically revised the theoretical legacy of the classics and successfully blended the Russian philosophical thought with the European political tradition in his teachings. His work and interests were amazingly diverse: a philosopher, professor, gifted musician, historian, and literary critic, he also had a strong influence on the development of legal, economic and social sciences in Russia. But Borovoy’s lifework was the advancement of anarchism, and the product thereof was a new anarchist doctrine. The issues addressed by Borovoy in his comprehensive political and legal concept (individual freedom, the nature of power, the antinomy between the individual and society, etc.) have become particularly relevant (both from the academic perspective and for the real political

---

<sup>8</sup> *Ryabov P.V.* Filosofiya postklassicheskogo rossijskogo anarhizma – terra incognita // *Prepodavatel' XXI Vek.* 2009. No. 3. P. 290.; *Udartcev S.F.* Vlast' i gosudarstvo v teorii anarhizma v Rossii (XIX – nachalo XX v.) // *Anarhiya i vlast'.* M., 1992. P. 50–51.

<sup>9</sup> *Berdyaev N.* Russkaya ideya. SPb., 2008. P. 182.

<sup>10</sup> *Ryabov P.V.* Filosofiya klassicheskogo anarhizma (problema lichnosti). M., 2007.

process) today, in the world characterized by growing state invasion, strict regulation and control of social relations by the state.

Borovoy was hardly a common anarchist theoretician who routinely repeated the standard criticism of government institutions and legal positivism. He radically revised the very anarchist doctrine: “Having systematically criticized the anarchism of Kropotkin and the “bohemian” anarcho-individualism, Borovoy updated libertarian theories with new ideas and realities of the 20<sup>th</sup> century and threw away many classical anarchist axioms.”<sup>11</sup> His unique and intellectually outstanding theory of anarcho-humanism was a fundamental response to the sudden collapse of political and philosophic premises that looked immutable in the 19<sup>th</sup> century, and this obviously made him the frontline figure of all post-classical anarchism. Borovoy daringly challenged “classical” presumptions with no regard for the prominence of their authors: he made no attempt to construct a social ideal, interpreted anarchism as endless motion, consistently blended syndicalism with individualism, upheld the primacy of life over doctrines, and so on.

Borovoy was caught by political disasters of the early 20<sup>th</sup> century at the height of his intellectual maturity: he witnessed the birth of totalitarian trends, the triumph of dictatorship, the widespread suppression of human rights and the fight against freedom in all of its forms. The anarchist thinker had time to thoroughly analyse the experience of the first decade after the victory of the Soviet regime, when all fundamental contradictions typical of dictatorships had already revealed themselves, and predicted the catastrophic consequences of such political experiments in his critical theory. The study of ideas, in which law is inseparable from morality and ethics and the bottom-up social regulation is opposed to top-down state directives, would be useful to avoid the fateful errors of the 20<sup>th</sup> century in the process of building national social and political systems. It would also be helpful to study Borovoy’s concept of anarcho-humanism with its critical analysis of statism. His concept reveals the socio-psychological nature of political power

---

<sup>11</sup> *Ryabov P.V. Kratkij ocherk istorii russkogo anarhizma. Ot Feodosiya Kosogo do Alekseya Borovogo. M., 2020. P. 267.*

and shifts the focus of research from the state to society. This paper is the first comprehensive study of the political and legal views of Alexei Borovoy in the history of Russian legal science.

**The object of research** is the theoretical legacy of Alexei Borovoy and the concept of anarcho-humanism as a school of Russian political thought in the late 19<sup>th</sup> – early 20<sup>th</sup> centuries.

**The subject of research** is the political and legal views of Alexei Borovoy and their social and philosophical foundations.

**The goal of research** is to identify and systemize the key political and legal ideas of Alexei Borovoy and the process of their development and evolution, and determine whether they are of relevance today. The above goal is realized by addressing the following **objectives**:

- 1) Identify the distinctive features of anarcho-humanism and its development at the turn of the 20<sup>th</sup> century and compare them with the preceding “classical” tradition of Russian anarchism and other parallel schools of “post-classical” anarchist thought;
- 2) Study the underlying factors that shaped Borovoy’s specific worldview and the philosophical basis of his doctrine;
- 3) Analyze the correlation between the key social ideals of liberal and socialist thought at the turn of the 20<sup>th</sup> century and the corresponding anarcho-humanist ideas of Alexei Borovoy;
- 4) Define the key theoretical provisions of anarcho-humanism on the state and law and study the essence and content thereof;
- 5) Determine the relevance of Borovoy’s intellectual legacy for the development of modern theories of the state and law.

**The theoretical and methodological framework of the research.** A study of political and legal aspects would be incomplete were its methodological framework limited to legal tools and categories. The study of this kind should inevitably be interdisciplinary. Apart from legal sciences (i.e., the history of

political and legal doctrines and the theory of the state and law), political and legal ideas and social concepts are an object of active studies by philosophers, political scientists, sociologists, historians, cultural scientists, psychologists, etc. The borderline nature of the research subject that is typical of research into state and law doctrines, normativity and duty does require an extended methodological framework.

The author of the dissertation relies on the following research methods traditionally used in the study of political and legal doctrines: formal logical analysis, dialectic and system analysis, comparative analysis, and theoretical and legal interpretation. In Chapter I.§1, the biographical method is used to study different aspects of Borovoy's political views and the basis of his philosophy. Chapter II is characterized by the combination of the comparative historical method, the problem-based theoretical method, and the structural method to ensure that different provisions of the anarcho-humanist concept are analyzed in their integrity as a system. The subject of research is studied using the historical method, i.e., all events are analyzed in their historical order with due regard to their interdependence and relevant historical context.

The choice of the most heuristically productive methodology depends on the research subject. Accordingly, the analysis of the political aspects of Borovoy's concept was based on the natural law approach and the sociological approach to the understanding of law: Borovoy assumed that there was an indispensable link between ethics and law, that positivistic appeals to consensus as the basis for legitimate norms was insufficient, and that law could not, in principal, be reduced to government directives supported by violence. An adequate conceptualization of Borovoy's political ideas and the study of his humanistic theory, which provides an important ethical framework for the real political and legal process, would be impossible without the above methodological premises. Another important methodological restriction is his rejection of the approach to the state as the central institution of political life and an autonomous actor of legal relations, which generally prevails in the Russian theory and history of law. The use of the critical



concept of state that rejects the representation of states as autonomous entities and considers them instead as the combination of individual practices of separate people is supported by heuristic effectiveness of this approach for the purposes of this study, since an adequate analysis of anarchist criticism would be impracticable outside the above assumptions. This methodological approach to the study of the state is particularly important when it comes to analyzing the ideas of Alexei Borovoy, who shared the view of the state as the combination of psychological attitudes of separate individuals expressed in their social practices.

**The sources used in the dissertation research.** The main sources of the dissertation research include the social and political writings of Alexei Borovoy and his works on the state and law, as well as his dissertation paper, memoirs, published articles and their drafts. These materials can be conveniently classified into two groups.

The first group includes Borovoy's writings from the early, so-called individualistic, period of **1906–1907**. These works expressed the scientist's individualistic worldview, where the individual was definitely opposed to the society. The most important of them are *The Social Ideals of the Modern Humanity. Liberalism. Socialism. Anarchism*<sup>12</sup> (1906) and *Revolutionary Worldview*<sup>13</sup> (1907). These two works, initially presented as lectures (Borovoy's lecture on social ideals was the first legal public event to popularize anarchist ideas in Russia), later became the "pillars" supporting the system of his political and legal views. His works written in this period are characterized by revolutionism, the criticism of "reformers", and the denouncement of "collective truth" that suggest a significant influence of German philosopher Max Stirner and other anarcho-individualists on Borovoy's worldview. In his last work of the period, *Revolutionary Creativity and Parliament (Revolutionary Syndicalism)*<sup>14</sup> (1907),

---

<sup>12</sup> Borovoy A.A. Obshchestvenny'ye idealy' sovremennogo chelovechestva. Liberalizm. Sotsializm. Anarhizm. M., 1906.

<sup>13</sup> *Idem.* Revoljutsionnoye mirosozertsaniye. M., 1907.

<sup>14</sup> *Idem.* Revoljutsionnoye tvorchestvo i parlament (Revoljutsionny'j sindikalizm). 2-ye izd. M., 1917.

he radically proclaims individual freedom and simultaneously develops another essential theme: the criticism of representative democracy in the context of individual rights, the tyranny of the masses and the compulsory nature of state power. The second group of works was written in **1907–1935**. In these works, Borovoy moved away from extreme individualist positions and adopted certain elements of syndicalism. They are characterized by a strong critique of rationalism and scientism, and deep reflections on the antinomy between the individual and society. Borovoy's legal views were finally formed in the above period. In those years, he wrote a dissertation for master's degree, *The History of Personal Freedom in France*<sup>15</sup> (1910), which focused on legal regulation of personal freedom in France and covered the period from 1670 to 1792. Borovoy's substantiated response to reviewers<sup>16</sup>, who denied him the permission to defend his dissertation for political motives, also deserves special attention. Another historical work by Borovoy worth noting is the article on *Modern Freemasonry in the West*<sup>17</sup> (1914). The article was written for the third volume of *Freemasonry: Past and Present. Collected Works*. It was finished by 1914 but published only in 1922. Borovoy's detailed research into contemporary masonic organizations in France, Germany, the USA and other countries is an important source shedding light on Borovoy's perception of the difference between nationalism and patriotism and his views on the issues of horizontal political self-organization. His book *Anarchism*<sup>18</sup> (1918) has a special place in his legacy. It was Borovoy's first attempt to systemize his own views expressed in his writings from the previous period and develop new themes of particular interest for him (the critique of rationalism, a dynamic concept of anarchism, interdependence of the individual and society, self-criticism of anarchism, etc.). Unfortunately, according to Borovoy's own confession in his

---

<sup>15</sup> Borovoy A.A. *Istoriya lichnoj svobody` vo Frantsii*. M., 1910.

<sup>16</sup> *Idem*. *Istoriya lichnoj svobody` vo Frantsii: Otvet retsenzentam Mosk. un-ta prof. Tarasovu i prof. Yelistratovu*. M., 1911.

<sup>17</sup> *Idem*. *Sovremennoye masonstvo na Zapade / Masonstvo v yego proshlom i nastoyashchem t. III – v. I*. M.: Zadruga, 1922.

<sup>18</sup> *Idem*. *Anarhizm*. M., 2011.

memoirs<sup>19</sup>, the book was written in great haste, in a state of revolutionary fever. As a result, many of these themes were discussed sketchily.

In general, his works written in the second period are characterized by stronger criticism of rationalism. They problematize the position of an individual and an individual's freedom in the context of the antinomy between the individual and society and demonstrate a growing tendency towards syndicalist interpretation of anarcho-humanism (*The Class, the Party, and Intellectual Proletariat*<sup>20</sup> (1918)). They also reflect the increasing criticism of socialism, in particular, the experience of the first decade of the Soviet regime (*Bolshevist Dictatorship in the Light of Anarchism*<sup>21</sup> (1928)), and actualize the ideas of Bakunin (*Bakunin*<sup>22</sup> (1926)). Borovoy's self-criticism of anarchism is mainly directed at Kropotkin (*The Individual and Society in the Anarchist Worldview*<sup>23</sup> (1921) and *The Problem of the Individual in the Teachings of Peter Kropotkin*<sup>24</sup> (1922)). This period also saw the strengthening of the existential aspect of Borovoy's doctrine with a significant emphasis on the issue of defeating both rationalism and positivism. In the context of the above reflections, Borovoy concentrated on the psychology and genesis of power (*The Power*<sup>25</sup> (1935)) and shifted the focus of anarchist criticism from the state to the very nature of coercive relations.

To address the objectives of this research, the author relies on both published works and archive materials that have been previously unknown to the scientific community.

First of all, there are Borovoy's unfinished **memoirs**, *My Life*<sup>26</sup>, written by the scientist in his last years (1929–1934), which comprise the part of the thinker's

<sup>19</sup> RGALI. F. 1023. Op. 1. Yed. hr. 167.

<sup>20</sup> RGALI. F. 1023. Op. 1. Yed. hr. 113. L. 112–113.

<sup>21</sup> *Borovoy A.A. Bol'shevistskaya diktatura v svete anarhizma. Desyat' let sovetskoj vlasti (kollektivnoye issledovaniye)*. Parizh, 1928.

<sup>22</sup> *Idem. Bakunin // Mikhailu Bakuninu (1876–1926). Ocherki istorii anarhicheskogo dvizheniya v Rossii: sb. statej*. M., 1926. P. 131–169.

<sup>23</sup> *Idem. Lichnost' i obshchestvo v anarhistском mirovovzrenii*. Pg.; M., 1920.

<sup>24</sup> *Idem. Problemy' lichnosti v uchenii Kropotkina // Petr Kropotkin: sb. st. / pod red. A.A. Borovogo, P.N. Lebedeva*. Pg.; M., 1922. P. 30–51.

<sup>25</sup> *Idem. Vlast' // Anarhiya i Vlast'*. M., 1992. P. 151–167.

<sup>26</sup> RGALI. F. 1023. Op. 1. Yed. hr. 162–172.

personal archives in the Russian State Archive of Literature and Arts (RGALI) and consist of 1,993 pages. The memoirs explain what influenced him as anarchist (Borovoy reconstructs the complete timeline of his own political and legal evolution from the first-person perspective). Moreover, they highlight key points, give a clue to understanding the historic period, and are absolutely essential to fit Borovoy's anarcho-humanism in the political and cultural context. The memoirs and the scientist's epistolary legacy give every reason to say that Borovoy is quite literally a landmark figure of the Russian Silver Age.

Other important archive materials providing valuable information about Borovoy's philosophical views on the individual and society include **a number of unpublished and unfinished works dating to 1920s**. These are, firstly, his articles (*The Role of the Individual in History*<sup>27</sup> and *Determinism and Fatalism*<sup>28</sup>) with reference materials, in which Borovoy discusses in great detail the interdependence of the individual and society. Secondly, one should mention the following articles: **Reflections on Pessimism**<sup>29</sup>, **Reflections on Religion**<sup>30</sup> and **On Evil (Fragments)**<sup>31</sup>, in which Borovoy reflects on the formation of social norms in the endless historical process of the humanity's quest for moral and legal development.

Of particular note among archive materials is **the unfinished book on Dostoevsky**<sup>32</sup>. Borovoy worked on the book in 1920–1931. This unpublished work reveals a number of important romantic and humanistic aspects of the anarchist's views.

---

<sup>27</sup> RGALI. F. 1023. Op. 1. Yed. hr. 131.

<sup>28</sup> RGALI. F. 1023. Op. 1. Yed. hr. 136.

<sup>29</sup> RGALI. F. 1023. Op. 1. Yed. hr. 131.

<sup>30</sup> RGALI. F. 1023. Op. 1. Yed. hr. 137.

<sup>31</sup> RGALI. F. 1023. Op. 1. Yed. hr. 139.

<sup>32</sup> RGALI. F. 1023. Op. 1. Yed. hr. 111–114.

The archive legacy of Borovoy also includes numerous **publications in a variety of newspapers**<sup>33</sup> covering the broadest range of topics. Of special importance among them is a series of articles on the World War I<sup>34</sup>.

**The degree to which the research topic has been previously developed.** Despite the existence of sizable archive materials related to Borovoy (the thinker's personal archives in the RGALI consist of more than 50,000 pages) Russian researchers have never studied his creative legacy in sufficient detail. Moreover, there has been virtually no legal research on Borovoy. There are several reasons for this lack of attention. During the Soviet era, anarchism was mainly viewed as something that Bolsheviks had to struggle against. Accordingly, the unsuccessful (from a practical point of view) post-classical anarchist tradition, including Borovoy's anarcho-humanism, failed to generate widespread interest in the scientific community<sup>35</sup>.

While the situation in the Russian academic environment has been gradually changing, a systematic overview of the thinker's political and legal ideas is lacking still. The only study with a historical and legal analysis of Russian anarchism in the post-classical period that examines, among others, the teachings of Alexei Borovoy, is the doctoral thesis by professor Sergei Udartsev (1992)<sup>36</sup>. The paper presents the most complete classification of anarchist theories in Russia to date, identifies the key features of the Russian anarchist doctrine and discusses the evolution of the anarchist tradition in the 19<sup>th</sup> and 20<sup>th</sup> centuries in sufficient detail. In addition to classical anarchism, Udartsev's study covers the post-classical period of anarchist thought: the last chapter thereof provides a general overview of political and legal ideas of post-Kropotkin anarchists, including a brief analysis of

---

<sup>33</sup> See, for example: RGALI. F. 1023. Op. 1. Yed. hr. 4.; RGALI. F. 1023. Op. 1. Yed. hr. 54.; RGALI. F. 1023. Op. 1. Yed. hr. 61.; RGALI. F. 1023. Op. 1. Yed. hr. 67–69.; RGALI. F. 1023. Op. 1. Yed. hr. 74–76.; RGALI. F. 1023. Op. 1. Yed. hr. 78–80. and etc.

<sup>34</sup> RGALI. F. 1023. Op. 1. Yed. hr. 69. and RGALI. F. 1023. Op. 1. Yed. hr. 81.

<sup>35</sup> *Avrich P.* The Russian Anarchists. Stirling, 2006. P. 56; *Aladyshkin I.V.* Anarho-individualizm v srede otechestvennoj intelligentsii vtoroj poloviny` XIX – pervoj dekady` XX veka (na materialah gg. Moskva i Sankt-Peterburg): dis. ... kand. ist. nauk. Ivanovo, 2006. P. 95.

<sup>36</sup> *Udartcev S.F.* Politicheskaya i pravovaya teoriya anarhizma v Rossii: istoriya i sovremennost': dis. ... d-ra jurid. nauk. M., 1992.

Alexei Borovoy's political and legal positions. However, in his paper Udartsev discusses Borovoy's views only to the extent they illustrate general trends in the extremely diverse post-classical anarchist tradition. The paper's objectives do not include the analysis of aspects which demonstrate the intellectual independence of Borovoy's anarcho-humanist doctrine and its importance for the modern political and legal thought.

The theoretical basis of our research is mainly represented by works of Peter Ryabov, who made a significant contribution to the study of anarcho-humanism<sup>37</sup>. His publications are characterized by original interpretations of the fundamentals of Borovoy's doctrine, as well as by a dedicated study of archive materials and the anarchist's biography. Some of Ryabov's articles draw broad parallels between the anarcho-humanism of Borovoy and the major schools of social and political thought at the turn of the 20<sup>th</sup> century, such as Neo-Kantianism<sup>38</sup>,

---

<sup>37</sup> *Ryabov P.V.* Filosofiya klassicheskogo anarhizma (problema lichnosti). M., 2007. *Idem.* Filosofiya postklassicheskogo rossijskogo anarhizma – terra incognita dlya istoriko-filosofskih issledovanij (k postanovke problemy) // *Prepodavatel` XXI vek.* 2009. No. 3. P. 289–297; *Rublev D.I., Ryabov P.V.* Aleksej Alekseyevich Borovoy. Chelovek, my`slitel`, anarhist // *Rossiya i sovremenny`j mir.* 2011. No. 2. P. 221–239.; *Ryabov P.V.* Mihail Bakunin i Aleksej Borovoy: Sozvuchiye i rezonans // *Pryamuhinskiye chteniya 2007 goda.* Tver`, 2008; *Idem.* «By`loye i Dumy`» Alekseya Borovogo // *Chelovek.* 2010. No. 3. P.126–136.; *Idem.* Aleksej Alekseyevich Borovoy i yego kniga «Anarhizm» // *Borovoy A.A.* Anarhizm. M., 2009.; *Idem.* Romanticheskij anarhizm Alekseya Borovogo (iz istorii russkoj filosofii zhizni) // *Istoriko-filosofskij yezhegodnik* 2011. M., 2012. P. 221–239.; *Idem.* Aleksej Alekseyevich Borovoy i Aleksandr Ivanovich Gertsen. Pryamuhinskiye chteniya 2012. M., 2013. P. 170–191.; *Idem.* Sotsial`no-psihologicheskiye karakteristiki nemtsev i frantsuzov v sochineniyah Mihaila Bakunina i v memuarah Alekseya Borovogo: opy`t sopostavitel`nogo analiza // *Pryamuhinskiye chteniya 2009 goda.* M., 2011.; *Idem.* Petr Alekseyevich Kropotkin i Aleksej Alekseyevich Borovoy: dva vzglyada rossijskih anarhistov na Velikuju Frantsuzskuju Revoljutsiju (k postanovke problemy) // *Sbornik IV Mezhdunarodny`h Kropotkinskih chtenij.* Dmitrov, 2012.; *Ryabov P.V.* Muzy`ka v mirosozertsanii Borovogo. Pryamuhinskiye chteniya 2010. M., 2012. P. 40–64.; *Idem.* «Chelovek bez kavy`chek» i «dzhentl`men s nasmeshlivoj fizionomijej» v «hrustal`nom dvortse» (o neopublikovannoj knige A.A. Borovogo «Dostoyevskij»). Chast` I // *Filosofskije nauki.* 2015. No. 6. P. 121–132.; *Idem.* Fevral`skaya Revoljutsiya 1917 Goda v Moskve i Aleksej Borovoy (Po neopublikovanny`m memuarom) // *Acta Eruditorum.* 2018. No. 26. P. 106–109.; *Idem.* Ideya Universiteta v tvorchestve Alekseya Alekseyevicha Borovogo // *Anarhizm: ot Prudona do novejshego rossijskogo anarhizma.* M., 2020. P. 261–292.; *Idem.* Revoljutsionnoye mirosozertsaniye. Obschestvenny`ye idealy` sovremennogo chelovechestva: Liberalizm. Sotsializm. Anarhizm. S predisloviyem Ryabova P.V. «“Revoljutsionnoye mirosozertsaniye” Alekseya Alekseyevicha Borovogo». 2-ye, dop. izd. M., 2019.

<sup>38</sup> *Idem.* Rossijskoye kantianstvo i neokantianstvo nachala XX veka v neopublikovanny`h memuarah A.A. Borovogo // *Kantovskij sbornik.* 2010. No. 4. P. 97–103.



Nietzscheanism<sup>39</sup>, Bergsonism<sup>40</sup>, and Freudianism<sup>41</sup>, and give an overview of the key sources of information about the life and thoughts of Borovoy from the anarchist's personal archives in the RGALI<sup>42</sup>. In his recent major work, *A Brief History of Russian Anarchism* (2020)<sup>43</sup>, Ryabov devoted a separate chapter to Alexei Borovoy and other post-classical anarchist thinkers. The chapter provided a chronological summary of notable facts from the thinker's biography and an overview of key Western schools of social and political thought that influenced Borovoy's concept (from Marx and Engels to Nietzsche, Stirner and Bergson) and analysed the most important points of the anarchist's criticism of his classical predecessor, Peter Kropotkin.

Finally, the list of key studies of Borovoy's teaching would be incomplete without the works of Dmitry Rublev<sup>44</sup>, in particular, his PhD dissertation, in which he studied the problem of intelligentsia and revolution as seen by the representatives of the anarchist wing of the Russian revolutionary intelligentsia in the early 20<sup>th</sup> century<sup>45</sup>. Rublev examined the political essays and articles of period anarchists and, in particular, the works of Alexei Borovoy. He analyzed Borovoy's concept of "intellectual proletariat", studied the connection between his syndicalist views and Henry Bergson's "philosophy of life", and discussed the attitude of

---

<sup>39</sup> *Ryabov P.V.* Aleksej Borovoy i filosofiya Fridriha Nitsche (iz istorii russkogo nitssheanstva v nachale XX veka) // *Prepodavatel' XXI vek*. 2010. № 2. P. 217–225.

<sup>40</sup> *Idem.* Anarhicheskaya filosofiya Alekseya Borovogo (iz istorii russkogo bergsonianstva) // *Vestnik Rossijskogo gosudarstvennogo universiteta im. I. Kanta*. Vy`p. 6. Ser. Gumanitarny`ye nauki. 2010. P. 112–126.

<sup>41</sup> *Idem.* Aleksej Borovoy i frejdizm (po arhivny`m istochnikam) // *Razvitiye lichnosti*. 2015. No. 4. P. 213–214.

<sup>42</sup> *Idem.* Horosho zaby`toye staroye. Obzor arhivnogo fonda A.A. Borovogo v RGALI // *Kul'turologiya: Dajdzhest*. 2009. No. 1 (48). P. 112–126.

<sup>43</sup> *Idem.* *Kratkij ocherk istorii russkogo anarhizma. Ot Feodosiya Kosogo do Alekseya Borovogo*. M., 2020.

<sup>44</sup> *Rublev D.I.* Problema «intelligentsiya i revoljutsiya» v anarhicheskoy publitsistike nachala XX veka // *Otechestvennaya istoriya*. No. 3. 2006.; *Idem.* Moskovskiye anarhisty` v seredine 1920 – 1930-h gg. (Politicheskaya bor`ba v usloviyah repressij) // *Pryamuhinskiye chteniya 2008 goda*. Tver`, 2010. P. 157–165.; *Idem.* *Rossijskij anarhizm v XX veke*. M, 2019.

<sup>45</sup> *Idem.* Problema "intelligentsiya i revoljutsiya" v rossijskoj anarhistskoj publitsistike kontsa XIX - nachala XX veka.: dis. ... d-ra ist. nauk. M., 2007.

other representatives of Russian anarchist thought towards Borovoy's concept to put it in a meaningful historical context.

The above works provided the necessary basis for a more systematic and profound study of Borovoy's ideas by the author hereof. Proceeding from the works of Udartsev, Ryabov, and Rublev, we can focus on analysing the issues that are most important to us, i.e., Borovoy's views on the state and law.

Certain aspects of Borovoy's teachings or a brief overview of his legacy can be found in the works of Tsovma<sup>46</sup>, Talerov<sup>47</sup>, and Oleinikov<sup>48</sup>. Borovoy's ideas are also referred to in the works of Arefyev<sup>49</sup>, Krivenky<sup>50</sup> and Aladyshkin<sup>51</sup> on the history and evolution of Russian anarchism and the classification of different anarchist schools.

Separate mention should be made of publications on Borovoy's biography and his archives of unpublished works, such as the book by Andrei Nikitin<sup>52</sup>, which analyzes Borovoy's relations with anarcho-mystics (the conflict of 1920s and his withdrawal from the Peter Kropotkin Memorial Committee); the work of Sergei Shumikhin<sup>53</sup>, who published extracts from Borovoy's memoirs with a biographical note; and the article of Julia Guseva on the personal archive of Alexei Borovoy<sup>54</sup>. Of particular note are the activities of Alexei Borovoy Group established in Moscow in 1991 (its key members included Tsovma and Ryabov)

---

<sup>46</sup> *Tsovma M.A.* Aleksej Borovoy i Petr Kropotkin // Trudy` Mezhdunarodnoj nauchnoj konferentsii, posvyashchennoj 150-letiju so dnya rozhdeniya P.A. Kropotkina. Vy`pusk 3. P.A. Kropotkin i revoljusionnoye dvizheniye. M., 2001.

<sup>47</sup> *Talerov P.I.* O zhizni i tvorchestve Alekseya Borovogo – anarhista-gumanista // Vestnik Moskovskogo universiteta. Ser. 12. Politicheskiye nauki. 2008. No. 3. P. 61–63.

<sup>48</sup> *Olejnikov D.I.* Anarho-gumanizm Alekseya Borovogo // Obshchina. 1991. No. 49. P. 4–6.

<sup>49</sup> *Arefyev M.A.* Filosofiya anarhizma: Ocherki istorii. SPb., 1992.

<sup>50</sup> *Kriven`kij V.V.* Anarhisty // Politicheskiye partii Rossii. Konets XIX – pervaya tret` XX veka: Entsiklopediya. M., 1996. P. 209–225.

<sup>51</sup> *Alady`shkin I.V.* Anarho-individualizm v srede otechestvennoj intelligentsii vtoroj poloviny` XIX – pervoj dekady` XX veka (na materialah gg. Moskva i Sankt-Peterburg): dis. ... kand. ist. nauk. Ivanovo, 2006.

<sup>52</sup> *Nikitin A.L.* Mistiki, rozenkrejtsery` i tampliyery` v Sovetskoj Rossii. M., 2000.

<sup>53</sup> *Borovoy A.A.* «Parizh by`l i ostayetsya znachitel`nejshim faktorom moyej biografii...» / Publ. S. V. Shumihina // Diaspora: novy`ye materialy`. Parizh; SPb., 2004. Vol. 6. P. 7-85.

<sup>54</sup> *Guseva Y.V.* Iz tvorcheskogo naslediya anarhista A. A. Borovogo // Otechestvenny`ye arhivy`. 1992. No. 4.



The Group delivered several presentations on Borovoy, reprinted a number of his works as separate booklets and even published a small collection of articles, *The Tribute to Alexei Borovoy*<sup>55</sup>.

The anarcho-humanist theory and Alexei Borovoy himself are still virtually unknown outside Russia. Relevant English publications are limited to several works<sup>56</sup> with episodic references to Borovoy's biography and views. One of these books is *Confronting Dostoevsky's Demons: Anarchism and the Specter of Bakunin in Twentieth-century Russia* (2010)<sup>57</sup> by James Goodwin with a separate chapter on Borovoy. However, the book covers only one aspect of Borovoy's philosophy: it uses his interpretation of the doctrine of Michail Bakunin as an example for analyzing the attitude of anarchists to Dostoevsky's *Demons*. Still, the discussion of Borovoy's talent as literary critic in the above book provides a deeper insight into his views on the ideas of Bakunin.

As for his own writings, Borovoy's only work translated into English is *Anarchism and Law*, a single chapter from his opus magnum, *Anarchism* (1918)<sup>58</sup>, which is but a tiny part of his rich theoretical legacy. The same chapter also appeared in French in the journal *Noir et Rouge*, the mouthpiece of French anarchists published in the 1960s<sup>59</sup>. Besides, Borovoy's public lecture on

---

<sup>55</sup> *Gruppa imeni Alekseya Borovogo*. Venok Alekseju Borovomu. M., 2012. For further information about the activities of the group and the maintenance of the memory of Alexei Borovoy by modern anarchists, see: *Ryabov P.V.* Vozvrashcheniye Alekseya Borovogo (lichnost' i tvorcheskoye naslediyе A.A. Borovogo v vospriyatii sovremenny'h anarhistov Rossii i SNG) // *Acta Eruditorum*. 2016. No. 21. P. 81–84.

<sup>56</sup> *Avrich P.* The Russian Anarchists. Stirling, 2006.; *Dubrovnik A.* Alexei Borovoy (from individualism to the Platform) // *KSL: Bulletin of the Kate Sharpley Library*. 2008. P. 55–56.; *Guryanova N.* The Aesthetics of Anarchy: Art and Ideology in the Early Russian Avant-Garde First Edition. Berkley, 2012.; *Randall A.* Anarchism Today. Westport, 2012.; *Randall A.* Breaking the Law: Anti-Authoritarian Visions of Crime and Justice // *The New Formulation*. 2004. Vol. 2. No. 2. P. 12–17.; *Sullivan D., Tift L.* Restorative justice: Healing the foundations of our everyday lives. Monsey, NY, 2001.; *Tift L., Sullivan D.* The struggle to be human: Crime, criminology, and anarchism. Sanday, 1980.

<sup>57</sup> *Goodwin J.* Confronting Dostoevsky's "Demons": Anarchism and the Specter of Bakunin in Twentieth-Century Russia. Bern, 2010.

<sup>58</sup> *Borovoy A.A.* Anarchism & law. Buffalo, 1970.

<sup>59</sup> *Idem.* L'anarchisme et le droit // *Noir et rouge*. 1963. No. 24. Two years later, French anarchists also published a preface to "Anarchism". (*Borovoi A.* L'anarchisme et le droit // *Noir*

*The Social Ideals of the Modern Humanity. Liberalism. Socialism. Anarchism*<sup>60</sup> (1906) was published as a separate book in Germany in the early 20<sup>th</sup> century, while in Spain his followers from among Spanish anarchists formed a group named after Alexei Borovoy and published a small journal of their own during the revolutionary period of 1936–1939<sup>61</sup>.

Thus, our historiographical analysis suggests that the political and legal views of Alexei Borovoy have been insufficiently studied so far. While some attempts to systemize available scientific materials have been made, the research on anarcho-humanism remains sparse and is mainly focused on the historical or philosophical interpretation of Borovoy's doctrine. To date, the scientific community has failed to do justice to the ideas of Borovoy that are of greatest relevance for our study, namely, his views on the state and law, social order, and other political and legal categories. Moreover, a lack of systemic analysis of Borovoy's ideas prevents the understanding of the Russian post-classical anarchism as a unique phenomenon in the intellectual history of anarchism reflected in the writings of a distinctive group of theoreticians. Post-classical anarchists challenged the prevailing classical interpretation of anarchism; their ideas were born as a natural response to unsatisfactory answers to challenges and crises of the early 20<sup>th</sup> century provided by traditional doctrines<sup>62</sup>. Borovoy is, unquestionably, the central figure of this tradition. He was keenly aware of the crisis faced by classical anarchism in those challenging years and suggested a complete revision of the established approaches and dogmas. His ideas influenced a number of prominent representatives of post-classical anarchism, such as Jacob Novomirsky and Juda Grossman-Roschin. His followers and disciples included

---

et rouge. 1963. No. 30.) and expressed their hope that they could continue to translate and publish the entire work.

<sup>60</sup> *Ryabov P.V.* Romanticheskij anarhizm Alekseya Borovogo (iz istorii russoj filosofii zhizni) // *Istoriko-filosofskij yezhegodnik*. 2011. M.: IF RAN, 2012. No. 1. P. 419.

<sup>61</sup> *Rublev D.I.* Gruppy "Borovoy": russkiye anarhisty` v Ispanskoj grazhdanskoj vojne 1936–1939 gg. // *Anarhizm – ucheniye radosti: Pryamuhinskiye chteniya* 2015. M., 2016.; *Ryabov P.V.* Vozvrashcheniye Alekseya Borovogo (lichnost` i tvorcheskoye naslediyeye A.A. Borovogo v vospriyatii sovremenny`h anarhistov Rossii i SNG) // *Acta Eruditorum*. 2016. No. 21. P. 86.

<sup>62</sup> *Ryabov P.V.* Aleksej Alekseyevich Borovoy i Aleksandr Ivanovich Gertsen. Pryamuhinskiye chteniya 2012. M., 2013. P. 170–191.

Nikolai Bulychev (Otverzheny)<sup>63</sup>, Nikolai Rusov and Vladimir Khudolei. A systematic approach to post-classical ideas of the above thinkers would be impossible without a thorough study of Borovoy's doctrine.

**The scientific novelty** of this research lies in its being the first comprehensive study of Borovoy's political and legal views as an integral part of his all-encompassing social doctrine.

This analysis has put together the systemized view on the political and legal ideas of Alexei Borovoy, which are deep-rooted in philosophical principles of individualism, anti-rationalism and dynamism. These principles of his anarcho-humanism have been inspected as the fundamental prerequisites of Borovoy's views on the state and law. The dissertation also contains a comparative analysis of anarcho-humanism and other schools of anarchism. The following topics have been covered: the specific theory of power presented in Borovoy's doctrine of the state; its influence on the formation of the legal concept of the thinker; the main features of his understanding of law. Also, Borovoy's criticism of representative democracy, in particular, the parliamentary system has been evaluated. As well as the problem of antinomy between the individual and society in anarcho-humanism. Finally, the relevance of Borovoy's views on the state and law has been demonstrated in the context of the current stage of the evolution of political and legal social forms.

**Key research findings and conclusions submitted for defense:**

- 1) Anarcho-humanism of Alexei Borovoy is an original and distinctive doctrine. Therefore, it would be heuristically unproductive to consider it in terms of the established classification of anti-state doctrines. An attempt to classify his school of post-classical anarchism as either individualism or syndicalism would fail to reflect the synthesis of these two traditions in Borovoy's doctrine. It is more productive to conceptualize the evolution of Borovoy's comprehensive political and legal ideas as a dialectic triad: the Marxist thesis, the individualist post-

---

<sup>63</sup> *Otverzheny`j N. Shtirner i Dostoyevskij. S predisloviyem A.A. Borovogo.* M., 1925.

Stierner antithesis, and the subsequent blending of personalistic ideas with syndicalist practice as the synthesis.

- 2) Borovoy's political and legal views were determined by his unique philosophical paradigm founded on presuppositions of anti-rationalism, individualism, and dynamism. His anarcho-humanist perception of an individual as the owner of a dynamic worldview and the recognition of the fact that the antinomy between the individual and the society is insoluble make Borovoy abandon utopian projects of building an ideal model of political and legal order for future society and reject coercive positive regulation in favour of self-government based on conventional "living law".
- 3) In his theory Borovoy appeals to compatibilism in an attempt to reconcile the views on casual determinism of the world and an individual's free will on the basis of the Bergsonian theory of time and causation. This approach explains the anarchist thinker's criticism of the severity of positive criminal law and the state penitentiary system. At the same time, his legal theory leaves place for the regulation of human behaviour on the basis of free contract and the norms of intuitive law determined by the human psyche.
- 4) The anti-state critique of parliamentarism and legal institutions of representative democracy in the doctrine of Borovoy is a direct product of his philosophical worldview that follows general intellectual trends typical of the early 20th century. It is based on the following arguments: the class nature of parliaments and the fictitious power of popular will; the tyranny of the masses; the hypocrisy of election procedures; the parliament's subordination to the government; the opportunism of political parties; and non-professionalism of parliamentarians.
- 5) One of the central places in Borovoy's concept is given to self-criticism of anarchism focused on both collectivistic and individualistic anarchist schools and triggered by the propensity of anarchist thinkers for outdated

philosophic categories and rhetoric. Contrary to the majority of anarchist theoreticians and notwithstanding his criticism of the state, Borovoy recognized that the state was historically necessary and its genesis was determined by a comprehensive range of factors. Thus, his approach represents a significant progress of anarchist thought that has outgrown a sweeping negation of state legal institutions.

- 6) If we classify Borovoy's theory in accordance with the criteria commonly applied to legal concepts, we can say that his "anarcho-humanism" is close to a psychosocial concept. Borovoy postulates that society cannot exist without public order at its current stage; however, coercive authority is a historical phenomenon that can be eradicated in the future. He criticizes the identification of legislation with law and puts forward a concept of anarchist legal regulation through the conventional "living law" and the intuitive law shared by individuals on a psychological level.

**The theoretical and practical significance of the dissertation** lies in the scientific novelty of its conclusions. It is the first comprehensive study of the political and legal views of Alexei Borovoy, which introduces a large body of documental sources, including the materials from the thinker's personal archive in the RGALI, to the scientific community. This dissertation can be used for further and more narrowly focused inquiries about A. Borovoy's views on particular political and legal issues, as well as for comparative research of intellectual links between anarcho-humanism and other branches of social and political thought of XX century. Its results can be used in academic courses on subjects related to the phenomena of the state, law and society (i.e., the history of doctrines of the state and law, the history of the state and law, theory of state and law, philosophy of law, etc.), as well as in specialized courses on anarchist thought and the intellectual history of anarchism. Its conclusions can be useful for developing modern political and legal concepts based on the ideological values of self-government, bills on local self-government, federalism, the protection of personal rights, and the promotion of the rule of law. Some of the paper's findings have already found their

application in the curricula of HSE University's Faculty of Law, namely, in its academic courses on the theory of the state and law and the history of political and legal doctrines, and in the online course on the theory of the state and law.

**Authenticity and validity of the dissertation results** have been assured by the use of highly representative sources of information, a careful selection of the research methodology best suited to the purpose of the study and a consistent line of reasoning, as well as by the logical consistency of scientific conclusions that have been approved by the academic community.

**Approbation of the dissertation results.** The most important findings and conclusions of the dissertation study have been presented at a number of scientific conferences and other events, in particular:

1) Days of Law 2018 International Scientific Conference (Masaryk University, Brno, Czech Republic. November 2018). Presentation title: *Alexey Borovoy - the Forgotten Hero of Anarchism*;

2) International Research-to-Practice Conference On Moral Dimension and Human Potential of Law (Kutafin Moscow State Law University (MSAL), Moscow, April 2018). Presentation title: *The Role of Technical Progress in Anarcho-Humanism*;

3) International Research-to-Practice Conference On Moral Dimension and Human Potential of Law (Kutafin Moscow State Law University (MSAL), Moscow, April 2017). Presentation title: *The Problem of Legal Understanding in Anarcho-Humanism*;

4) IV Moscow Legal Forum on Law And Economics: Interdisciplinary Approaches in Science and Education (Kutafin Moscow State Law University (MSAL), Moscow, April 2017). Presentation title: *Relevance of Alexei Borovoy's Theory of Anarchism*;

5) Lomonosov-2017 International Scientific Conference of Students, Postgraduates and Young Scientists (Moscow State University, Moscow, April 2017). Presentation title: *The Political and Legal Views of Alexey Borovoy (the*

presentation won the top award in The History of Political and Legal Doctrines section);

6) International Scientific Conference on Development of Russian Law-IX: Russian Law and Globalization (University of Helsinki, Helsinki, November 2016) Presentation title: *The Political and Legal Ideas of Alexey Borovoy*;

7) Methodological Workshop (Chair of the Theory and History of Law, HSE University, Moscow, September 2016) Presentation title: *The Problem of the State and Law in the Doctrine of Alexei Borovoy*.

The author has eight scientific publications on the research topic with a total volume of 7.0 printer's sheets. They include an article in a Scopus-indexed journal, two articles in journals recommended by HSE University, an article in a journal from the additional list of journals approved by HSE University's Dissertation Council in Law for the purposes of dissertation defense, two articles in journals recommended by the State Commission for Academic Degrees and Titles, a chapter in a book, and an article in a collection of scientific papers.

## **THE STRUCTURE AND CONTENTS OF THE DISSERTATION**

**The structure of the dissertation** is determined by the subject, goal and objectives of the study. The dissertation consists of the introduction, two chapters structured into five paragraphs, the conclusion, and the bibliography.

The **introduction** begins with the rationale explaining the relevance of the selected topic, an overview of the object and the subject of the research, and the logic behind the selection of the most heuristically productive methodological framework for the purposes of the research. It analyses the degree to which the research topic has been previously developed, identifies significant gaps in the existing scientific literature on Russian post-classical anarchism in the late 19<sup>th</sup> – early 20<sup>th</sup> century and, in particular, on the doctrine of Alexei Borovoy, and lists key sources of the research that are necessary to close the above gaps. The

introduction states the key ideas to be defended and demonstrates the scientific novelty of the research and its theoretical and practical significance.

**Chapter 1 Social and Philosophical Foundations of Alexei Borovoy's Doctrine** analyzes the intellectual context that has influenced the development of Borovoy's political and legal concept: his doctrine is compared to various schools of anarchist thought prevailing at the time; an overview of the historical environment in which Borovoy's views evolved is provided; and the key philosophical assumptions of his theory are identified.

*Paragraph 1.1 Historical and theoretical preconditions of anarcho-humanism* seeks to determine the place of Borovoy's philosophical doctrine in the general intellectual tradition of anarchism and analyzes the gradual evolution of his ideas at different stages of his life.

*Sub-paragraph 1.1.1 The concept of anarcho-humanism in the context of other anarchist doctrines* provides a historiographical review of approaches to classifying Borovoy's views as anarcho-syndicalist or anarcho-individualist and lists arguments proving that his concept should be seen as a unique and distinctive attempt at synthesizing these two schools of thought into a single worldview paradigm. It is suggested to apply the term "anarcho-humanism", coined by Borovoy as self-designation, to the thinker's theories and views.

*Sub-paragraph 1.1.2. The development of Borovoy's ideas: preconditions and evolution* analyzes the scientist's biography, identifies the philosophical doctrines with the strongest influence on his views and describes the key stages in the development of his political and legal ideas. It follows the evolution of Borovoy's thought from steadfast Marxism to Stirnerism and syndicalism and, finally, to Bergson's "philosophy of life" and analyzes the influence of major historical upheavals of the early 20<sup>th</sup> century, i.e., the World War I and the Revolution of 2017, on his philosophical views. The process of the thinker's creative and socio-political development is considered in a systematic manner, including the analysis of his key works and the context in which they were written,



as well as Borovoy's promotion of anarcho-syndicalism and his practical anarcho-syndicalist activity.

*Paragraph 1.2 The philosophical basis of Borovoy's political and legal views (anarcho-humanism)* analyzes the key foundations of Borovoy's concept and the basic philosophical premises of anarcho-humanism. The author identifies three interconnected philosophical concepts shared by Borovoy, which have a strong influence on the anarchist's political and legal ideas. The first foundation of the anarcho-humanist philosophy is "anti-rationalism" inspired by the Bergsonian "philosophy of life". It is demonstrated that Borovoy sees creative evolution, intuitionism and a metaphoric vital force (*élan vital*) as an opposite of the construction of logical systems and the belief in positive science. Secondly, it is determined that philosophical foundations of anarcho-humanism also include individualism based on the humanistic message in the Marxist idea of personal liberation, as well as on Stierner's anarchist apology of the individual and the Nietzschean denial of supra-individual substances. And finally, the third fundamental pillar of Borovoy's philosophy is dynamism, i.e., the dialectic perception of the historical process as the movement towards freedom from a lack thereof; refusal to develop social ideals, and the recognition that anarchism is a path towards liberation rather than the final point of the historical process. These three pillars are linked by the fundamental (insoluble) antinomy between the individual and society perceived by Borovoy as the main idea of anarcho-humanism.

**Chapter 2 The State, Law and Power in the System of Borovoy's Views** analyzes and systematizes the scientist's political and legal ideas. Borovoy's theory of social development and the role of the state as a stage in this process is analyzed in the context of his specific dialectical historiosophy. The chapter considers the anarchist's critical analysis of contemporary bourgeois social and political institutions with a special focus on the critique of representative democracy and parliamentarism. The type of the thinker's legal understanding is analyzed and his

arguments on the legal regulation of society, the genesis and nature of social norms and the causes of illegal behavior are systematized.

*Paragraph 2.1 “Social ideals” and the problem of the state* provides a structured overview of the anti-state criticism focused on the state and its institutional system. The analysis is based on Borovoy’s theory of the evolution of socio-political development from liberalism to socialism and anarchism.

*Sub-paragraph 2.1.1 Liberalism and capitalism* analyzes liberalism as the stage in the development of the state order (as defined by Borovoy) witnessed by the thinker. It is observed that Borovoy’s attitude to liberalism is dual: while recognizing the historic role of the liberal doctrine in the victory over the preceding monarchist autocracies, he, at the same time, believes that the liberal understanding of freedom and human rights is insufficient for a truly humanistic idea of personal liberation. Borovoy’s criticism of the liberal state is characterized by several essential features. Firstly, it is based on the Marxist denunciation of capitalism and the bourgeois nature of liberal power. Secondly, it continues the anarchist tradition of criticizing government institutions established to protect an individual but relying on the legitimate use of violence (the parliament, democratic elections, etc.). Thirdly, it is closely linked to the romantic critique of rationalism and the belief in technological progress – the two pillars of liberal thought since the age of Enlightenment. Thus, we can conclude that Borovoy’s concept of anarcho-humanism does not reject liberal achievements as far as personal freedom and human rights are concerned. Instead, it strives to surpass them and continue the logical progress towards the ultimate liberation of an individual.

*Sub-paragraph 2.1.2 Socialism and Marxism* analyzes socialism as the next stage in the development of the state order according to Borovoy. It is observed that, similarly to Borovoy’s critique of liberalism, his assessment of socialism is equally dual: it combines the recognition of socialism as a necessary theoretical stage in the liberation of an individual and anarchist criticism of the socialist society with its totalitarian degradation and collectivism leading to centralization, statism, and the bureaucratization of social life. Having considered Borovoy’s

criticism of the rationalistic (and, at the same time quasi-religious) Marxist theory that the social development is strictly predetermined and strongly depends on the technological and economic progress, the author discusses Borovoy's alternative methodological project based on the "philosophy of life" and the anti-finalist concept of social evolution.

*Sub-paragraph 2.1.3 The state and power* analyzes anarchism as the last stage of social development envisaged by Borovoy. It includes a systematic analysis of Borovoy's general critique of statism typical of other political ideologies and his revision of classic anarchism, namely, the thinker's theoretical debate with Kropotkin and Bakunin. The analysis indicates that, while recognizing that the state is historically necessary at a certain stage in the dialectical process of personal liberation, Borovoy postulates that its disappearance at the following stages is requisite from both an ethical and historical perspective. It is noted that Borovoy's criticism of politics in the form of states is founded on the individualist rejection of the abstract nature of supra-individual "phantoms" of government institutions born from the hypostatization of the relations of power in the human psyche. It is further demonstrated that Borovoy refocuses his criticism from the state as such to institutions of power in general and to various social practices reproducing the rule. Borovoy's theory of power is shown to combine the criticism of power based on violence and coercion with the simultaneous recognition of the need for power based on the authority and voluntary acceptance by people who submit to it. The antinomy between the individual and society that, according to the anarcho-humanist, can only be resolved within the anarchist worldview is identified as the core of Borovoy's political and legal ideas.

*Paragraph 2.2 The critique of parliamentarism* includes the discussion of Borovoy's views on democratic institutions of the state. It is demonstrated that Borovoy criticizes the institutions whose purpose is to protect individual freedom and human rights as full of essential contradictions in terms of the principles underlying the structure of these institutions. Borovoy's key objections against the ideal of representative democracy and the parliament as a state institution are

identified. Among them, the dissertation considers the class nature of parliaments and the fictitious power of the people's will; the tyranny of the masses; the hypocrisy of democratic election procedures; the parliament's subordination to the government; the opportunism of political parties; and the non-professionalism of parliamentarians. The above critical arguments lead Borovoy to postulate the need to logically "get over" the parliament, which has played a historical role in the process of personal liberation. The key aspects of Borovoy's views on a potential alternative to parliament include a focus on horizontal cooperation and the primacy of an individual over classes and ideologies. Borovoy's resort to syndicalist practices is interpreted as the attempt to look at social life in search of relations that would correspond, albeit partially, to the anarchist ideals of organization and governance.

*Paragraph 2.3 Legal understanding* includes the analysis of the legal views of Borovoy and his perception of the nature of law and the essence of legal norms, as well as the causes and nature of illegal behavior. Borovoy tends to a socio-psychological interpretation of legal consciousness and suggests that the state should be absolutely opposed to law as an alternative to a positivist position, which identifies the state with law. The dissertation analyzes the thoughts of Borovoy on contemporary theoretical and historical legal research and examines his legal concept to determine the role of "living law" created through social cooperation of individuals versus the positive state law that replaces the objectivity of legal norms with coercion. The author considers Borovoy's ideas on the development of legal norms in early, pre-state societies and demonstrates the inseparable connection between Borovoy's legal understanding and his ethical views; a connection that inevitably leads him to reflections on the need to move from violence to consensus, from the power of coercion to the power of authority.

The **conclusion** sums up the results of the dissertation research.

### **Main publications on the research topic**

***Publications in journals indexed by international academic citation databases (Scopus/Web of Science):***

*Bystrov A.S.* The Forgotten Anarchist: Political and Legal Aspects of Alexei Borovoy's Anarcho-Humanism // Journal on European History of Law. 2019. No. 2. P. 86–100. 2 printer's sheets.

***Publications in journals recommended by HSE University:***

*Bystrov A.S.* The Criticism of Parliamentarism in Alexei Borovoy's Doctrine // Bulletin of Voronezh State University. Series: Law. 2019. No. 2. P. 108–121. 1 printer's sheet.

*Bystrov A. S.* Political and Legal Views of Alexei Borovoy (Anarcho-Humanism) // Journals of Higher Educational Institutions. Journal of Legal Studies. 2016. No. 6. P. 184–211. 2 printer's sheets.

***Publications in journals from the additional list of journals approved by HSE University's Dissertation Council in Law for the purposes of dissertation defense:***

*Bystrov A.S.* Law and State in Alexei Borovoy's Anarcho-Humanism // Actual Problems of Russian Law. 2018. No. 1. P. 17–25. 0.5 of a printer's sheet.

***Publications in other journals:***

*Bystrov A.S.* The Problem of Legal Understanding in Anarcho-Humanism // Law and Modern States. 2017. No. 6. P. 24–31. 0.5 of a printer's sheet.

*Bystrov A.S.* Relevance of Alexei Borovoy's Theory of Anarchism: Political and Legal Aspects // Law and Politics. 2017. No. 3. P. 37–45. 0.5 of a printer's sheet.

***Chapters in books / articles in collections of scientific papers:***

*Bystrov A.S.* The Role of Technical Progress in Anarcho-Humanism // In: Scientific and Technological Transformations in Modern Society: Ethical and Philosophical Understanding and Aspects of Legal Regulation: Collection of Scientific Papers. M.: RG-Press, 2019. P. 287–297. 0.5 of a printer's sheet.

*Bystrov A.S.* Anarcho-Humanism of Alexei Borovoy // In: Moral Dimension and Human Potential of Law: Collection of Scientific Papers. M.: Prospect Publishing House, 2017. P. 284–287. 0.5 of a printer's sheet.