



Discreet Signs of the Supreme Idea: On Certain Transcendent Categories in Russian and Soviet Constitutional Law

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Abstract

The purpose of this article is to analyse world-view and mythological expressions in Russian and Soviet Constitutional acts that implicitly or explicitly refer to any kind of idea legitimising the shape of the state, its political system or the nature of political power. The object of the argument will be exclusively such provisions of fundamental laws which: (1) having neither a purely regulatory nor a purely programmatic character, model mental representations of the world of the legal text by reference to ‘situationally transcendent’ ideas in Mannheim’s sense (i.e. ideas which refer to a reality different from the perceived one; those that sketch visions alternative to it); (2) justify the content of the legal provision by means of such imagery, without being part of the preamble or any different integral part of the Constitution, characterised by a different ontology of the text; (3) justify the content of provisions linked to political power and/or the nature of the state. The materials of the analysis are: Fundamental Laws of the Russian Empire of 1906, the Constitutional texts of the Union of Soviet Socialist Republics of 1924, 1936 and 1977, and the current Constitution of the Russian Federation. Consecutive Constitutions of the Russian Soviet Federative Socialist Republic are also referred to. The analysed formulations, legally irrelevant in a conventional reading of a legal text, participate in the semiosis of both the provisions that contain them and the entire texts of the fundamental laws. In this way, the Constitutions incorporate into their complex of meanings either religious expressions, mythologised ideological figures or figures of historical memory associated with collective identity.

Keywords Russia · USSR · Constitution · Law · Ideology · Culture

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In 2020, the notion of ‘God’ was included in the text of the Russian Constitution. Article 67.1 was introduced into the text of the Fundamental Law, paragraph 2 of which speaks of ‘memory of ancestors who handed us ideals and faith in God’.¹ In a sense, history has come full circle, and after a break of more than a century (since the founding of the Russian Republic in September 1917), the name of God has returned to the supreme legal text regulating the life of the country. Before that, also for almost a century, the name legitimised the construction of the Russian political system. Both the Digest of Laws of the Russian Empire of 1832 and the Fundamental Laws of the Russian Empire of 1906 (often called the first Russian Constitution), in describing the function of the Emperor, stated that ‘to obey His power, not only out of fear but also for conscience, is ordained by God Himself’ [1: I; 2: 457].

1 God as an institution. Fundamental Laws of the Russian Empire

To do something ‘not out of fear but for conscience’ (*‘ne za strakh, a za sovest’*) is a Russian idiomatic phrase meaning simply ‘to do something conscientiously, with a sense of responsibility’ [11: 665]. The set of meanings associated with the individual components of this phrase seems to fit perfectly in describing a subject’s duty to the monarch, although it definitely goes beyond the logic of secular law. The description of the tsar’s political role as ‘sovereign and unlimited Monarch’ [1: I] or as ‘possessor of the Supreme Sovereign Power’ [2: 457] certainly does not need to be supplemented with the statement that his orders should be executed ‘conscientiously’. The reference to God placed the Russian system of power in the perspective of the construction of the world, and in this religious way legitimised the legal order. The function of the reference to a deity, however, was certainly not to instruct the subjects of Nicholas I (in 1832) and Nicholas II (in 1906) that the tsar’s orders should be obeyed conscientiously. The semantics of the sentence in which the described idiom was used triggers ideas not so much about the way the tsar’s orders are carried out, and not even so much about the attitude to their execution, as about the understanding of the nature of these orders. For the phrase ‘to obey [the tsar’s] power, not only out of fear but also for conscience, is ordained by God Himself’ suggests directly that the monarch is an exponent of God’s will. As such, this formulation constitutes one of the testimonies to the well-known phenomenon of the sacralisation of the ruler [29]. However, it is also a testimony to the functioning of the historiosophical doctrine of Moscow, the Third Rome—the conviction that the Russian state is the heir to the Roman Empire, the Byzantine Empire and is the only country of righteous Christianity [16]. The nineteenth-century political incarnation of this idea, known as the triadic doctrine of ‘Orthodoxy, Autocracy, and Nationality’ formulated by Sergei Uvarov, the Russian Minister of National Enlightenment, was promulgated in 1833, the year in which the Digest of Laws of the Russian Empire, adopted a year earlier, appeared in print.

¹ Unless otherwise indicated, quotations from legislative acts and other source texts are given as my translations.

The three parts of Uvarov's famous formulation are fundamental elements of the concept of power, which in its final form took shape in Russian culture in the eighteenth century. The component 'Autocracy' links the idea of power with the figure of an absolute ruler; 'Orthodoxy' testifies to the presence of an exclusivist Christian supreme idea, while 'Nationality' (in Russian: 'Narodnost'), often wrongly interpreted as an expression of Russian nationalism, refers to the readiness of the community to perceive in the decisions of the sovereign the manifestations of the realisation of the supreme idea [20: 187–211]. The mutual relations of these three components received an excellent illustration in 1847, in Nikolai Gogol's *Selected Passages from Correspondence with Friends*. The famous Russian writer used the metaphor of a concert for this purpose, in which he compared citizens to the performers of their parts of the score, and the monarch to a conductor who, perfectly feeling the spirit of the piece, is the only one able to ensure its proper sound. The ruler thus becomes 'the animator of the whole, the supreme head of this supreme harmony' [14: 54]. Whereas 'a state without an all-powerful monarch is an automation, it is already much, it achieves what the United States has achieved' [14: 53]. One can only guess that, seeing American achievements as a general outcome of individualistic actions, Gogol might have suspected Americans of performing their civic duties 'out of fear' rather than 'for conscience'.

Thus, in the legal acts describing the system of the Russian Empire, reference to God is not only a means of religious legitimisation of the sovereign's power, but also a sign of the presence of a supreme idea permanently inscribed in the concept of state power functioning in Russian culture. These are in fact the two main functions of such an appeal. Let us quote the full wording of its version contained in Article 4 of the 1906 Constitution: 'The Emperor of All the Russias possesses the Supreme Sovereign Power. To obey His power, not only out of fear but also for conscience, is ordained by God Himself' [2: 457]. In the above formulation, the regulatory relevance of the provision ends with the first sentence. The second one is neither of a regulatory nor of a programmatic nature—it is a pure world-view and mythological expression. The hypotheses of both a legal inertia behind the preservation of the wording of the provision defining the role of the monarch, and a conscious strategy of symbolically emphasising his status at the very moment when he limits the scope of his (hitherto absolute) power, might seem justified. However, neither of these hypotheses overrules the essence of the function of the second part of the provision in question.

We began this discussion by noting the return of the notion of 'God' to the supreme Russian legal text. Besides its return itself, we should also conclude the comeback of its world-view transmission function, which is atypical for the basic text of the Fundamental Law and goes beyond its normative logic. As we shall see, also in the latest version of the Constitution of the Russian Federation, the concept of God is an echo of the supreme idea as a component of the concept of political power and a constituent of the imaginary essence of the state. The purpose of this article, however, is not only to analyse the function of the proper name 'God', but all world-view and mythological expressions in Russian constitutional acts that implicitly or explicitly referred (or refer) to any kind of supreme idea. If the content of Uvarov's triad became obsolete with the advent of the atheistic Soviet state, the

structure of the concept of power in Russian culture, of which this triad was only an emanation, did not change. Nor did the set of ideas about the state that objectivised itself at various levels of culture (including at the level of statutory law) undergo long-term and profound structural modifications. We will see this by analysing—in addition to those already quoted—the constitutional texts of the Union of Soviet Socialist Republics of 1924, 1936 and 1977, sometimes referring to the consecutive Constitutions of the Russian Soviet Federative Socialist Republic (RSFSR).

However, some important caveats must be made. Treating the constitutional acts of the Russian Empire, the USSR, the RSFSR and the Russian Federation as elements of the same legal continuum may raise methodological objections due to the fact that just before the creation of the Soviet Union and just after its collapse, the constitutions of the RSFSR regulated the political system of a sovereign state, while during the functioning of the USSR, the system of a union republic. In this paper, however, these acts will be treated as elements of one cultural continuum (including the continuum of one legal culture). Such an approach is justified by, firstly, the high degree of metonymy of the relation in which the USSR and the RSFSR remained (including, in particular, Moscow as the capital of the USSR and the RSFSR) both in the public perception and in the official discourse (although in this case—starting from the Stalinist model of culture, i.e. from the turn of the 1930s) [23: 105–148; 20: 107–109, 220–221]. Secondly, by the fact that in its political and legal discourses, Russia is identified as the heir and continuator of USSR statehood. Such a status quo was declared in 1999 in the Federal Law ‘On the State Policy of the Russian Federation towards Compatriots Abroad’; recently it acquired an additional legal dimension in Article 67.1, para. 1 of the Fundamental Law. One more premise of the approach adopted here is that Russia built its post-Soviet statehood based on the repeatedly modified RSFSR Constitution of 1978, which was in force until the adoption of the current Constitution in 1993.

Finally, it should be said that the search proposed here for signs of the presence of what we have identified as the supreme idea will not be the same as the search for all traces of ideology. I assume after Mannheim that ‘ideologies are the situationally transcendent ideas which never succeed de facto in the realisation of their projected contents’ [17: 175]. ‘Situationally transcendent’, that is, those the content of which refers to a reality different from the perceived one; those that sketch visions alternative to it. At the same time, I assume, following Matczak, that the legislator:

Through the legal text creates a certain world of the text, and through the expression of the illocutionary intention in the act of adoption of this text, he expresses his modal relation to this world of the possible—his intention to realise it in the real world [19: 147].

Such a methodological perspective allows one to see in the text of each constitution a projection of a widely (in the spirit of Mannheim) understood ideology. At the same time, it allows for the construction and analysis of a model of the world postulated by the constitution (or, in Matczak’s terms, of the world of the possible immanently contained within it). This means, however, that—in the case of Soviet texts—the temptation to consider communist ideology as the supreme idea and to read constitutional acts as a comprehensive representation of this idea would lead

nowhere. For then the ‘supreme idea’ would become semantically equal to the postulated world. Therefore, the object of our analysis will not be all manifestations of the complex of ideas of which the constitutions are projections. Instead, the object of the argument will be such provisions of fundamental laws which, having neither a purely regulatory nor a purely programmatic character, model mental representations of the world of the legal text by reference to ideas that Mannheim would consider ‘situationally transcendent’. And which at the same time—as in the Digest of Laws and Fundamental Laws of the Russian Empire—justify the content of the legal provision by means of such imagery, without being part of the preamble, i.e. an integral part of the law, characterised by a different ontology of the text. And finally, those which in this way justify the content of provisions linked to political power and/or the nature of the state.

2 ‘World Divided into Two Camps’. Early Soviet Constitutions

It is not possible to find elements meeting all of the above criteria in the first Soviet constitutions. Moreover, these are documents the individual components of which have a diverse ontology. The Constitution of the Russian Soviet Federative Socialist Republic of 1918 opens with an introduction, which is in fact the resolution (adopted by the Fifth All-Russian Congress of Soviets) under which the Constitution itself came into force. The first part of the Fundamental Law is the Declaration of the Rights of the Toiling and Exploited People, adopted earlier by the Third All-Russian Congress of Soviets. The individual points of its internal structure became the first articles of the Constitution—and as such they represent the poetics not of legislation but of a performative act. Thus, the first article states that ‘Russia is proclaimed a Republic of Soviets of Workers’, Soldiers’, and Peasants’ Deputies. All power at the centre and in the localities shall be vested in these soviets.’² In Article 7, which is in turn a declaration and a political directive, we can read:

The Third All-Russian Congress of Soviets [...] believes that at the present moment of the decisive struggle of the proletariat against its exploiters, there can be no place for the exploiters in any organ of power. Power must belong wholly and exclusively to the toiling masses and their authorised representatives—the soviets of workers’, soldiers’, and peasants’ deputies.

The subsequent parts of the Fundamental Law (General Provisions of the Constitution of the Russian Socialist Federated Soviet Republic, The Structure of Soviet Power, Active and Passive Electoral Rights, Budgetary Law) already represent the poetics of legal regulations. Their content, in particular the electoral discrimination against those groups of citizens who, in the Bolshevik optics, fulfilled the criterion of belonging to the class of ‘exploiters’ (including members of the former ruling dynasty of Russia, employees and agents of the former police, monks and clergymen, private traders), seems to directly implement the guidelines of Article 7. Thus,

² The English translation of the text of the 1918 RSFSR Constitution is quoted after: [28].

we are dealing with political solutions ideologically justified in a separate article and related to the shape of the Soviets, which—according to the spirit of Article 2—were supposed to be the source of political power in the country. However, this is not a case that we could consider as a legal incarnation of an idea that would be ‘situationally transcendent’ in relation to the experienced reality, but only as the co-occurrence within a single legal act of both an explicit political directive and specific rules implementing it. The political formulations justifying specific detailed solutions cannot be seen in terms of transcendence in relation to reality, since the new constitutional definition of the legal order makes them immanent rules of the social world.

The situation is analogous with the first Constitution of the USSR of 1924, consisting of two documents adopted in 1922 by the Congress of Soviets of the founding republics of the USSR (known as the First All-Union Congress of Soviets). It opens with the Declaration on the Formation of the Union of Soviet Socialist Republics, which is a purely political document, while the legal provisions are contained in the second part, the Treaty on the Formation of the Union of Soviet Socialist Republics. The relationship between the two parts of the Constitution thus resembles the way in which the political and legal components of the Constitution of the RSFSR are related.

The declaration starts with words that testify to the beginning of the growth of mythological structures in Soviet political discourse:

Since the formation of the Soviet republics, the states of the world have become divided into two camps—the camp of capitalism and the camp of socialism.

There, in the camp of capitalism, national hatred and inequality, colonial slavery and chauvinism, national oppression and massacres, imperialist brutalities and wars prevail.

Here, in the camp of socialism, mutual trust and peace, national freedom and equality, peaceful coexistence and fraternal cooperation of peoples are to be found.³

The above formulations describe the structure of the world in a tribal (or rather: neo-tribal) way, giving it a clearly binary character. The Soviet pole of this structure—the ‘camp of socialism’—acquires unquestionably positive characteristics, while absolutely negative ones are associated with the ‘camp of capitalism’. However, the description of the world in such terms is not yet identical with the ‘situationally transcendent’ idea justifying the shape of the legal order. For the Declaration was proclaimed in a political culture in which the unchallenged dogma remained the constant expansion of the geographical reach of the revolution, while the first Soviet republics and the USSR itself were seen as the infrastructure of such expansion. Therefore, when the last words of the Declaration stated that ‘the new Union state is [...] a decisive step towards the union of the toilers of all countries into one World Soviet Socialist Republic’, the document acquired the features of a statement

³ The English translation of the text of the 1924 USSR Constitution is quoted after: [28].

of reality perceived through the prism of the revolution in progress, of a witness to its particular stage. A witness given by the participants in the revolutionary process themselves, and therefore—immanent to the perceived reality.

3 'Communist Consciousness' Stalin Constitution

The Constitutions of 1918 and 1924 remain a legal testimony to the revolutionary cultural model, a testimony to the utopian consciousness present in the Russian political and legal discourse of the time, to radicalism in the modelling of social change, to attitudes of revolutionary intransigence and clear rejection of the heritage of the past. An entirely different cultural background accompanied the creation of the text of the 1936 Fundamental Law of the USSR, often termed in historiography as the Stalin Constitution. This law is a perfect example of textual structures characteristic of the totalitarian type of culture with its political mythologisation, axiological polarisation and specific neo-tribal language [23: 45–104, 235–254]. Some of these features are revealed as early as in Article 2 of the Constitution, which states:

The soviets of toilers' deputies, which arose and grew strong as a result of the overthrow of the power of the landlords and capitalists and the victory of the dictatorship of the proletariat, shall constitute the political foundation of the USSR.⁴

Let us note that the above provision contains an element which is irrelevant to the shape of the legal norm. This is because the norm identifies the soviets of toilers' deputies as the 'political foundation' of the country—and as such does not seem to require completion as long as the terms 'soviets' and 'political foundation' remain unambiguous. The above sentence does, however, contain a subordinate clause, having the nature of an appositive to the noun 'soviets'. It is a non-restrictive appositive—it does not make the phrase 'soviets of toilers' deputies' more precise, but equips it with additional information, which has the nature of a compact historical narrative.

The presence of such a narrative attests to the functions of the Fundamental Law other than purely legal ones. Analysing the numerous references to the Stalin Constitution in the discourse of Soviet official culture, Schmid concludes that this piece of legislation, widely exposed on many propaganda communication platforms, from feature films to political posters, 'was considered to be a text for illustration rather than for legal interpretation and application' [26: 439]. Using slightly different optics and treating totalitarian culture as a complex system of political mythology transmission [23: 100–101], we can state that the 1936 Constitution became part of the Soviet corpus of content of such mythology [26: 436–443]. In the famous *History of the Communist Party of the Soviet Union (Bolsheviks). Short Course*—the official Stalinist interpretation of Soviet history first published in 1938—the adoption of the Fundamental Law even takes on the

⁴ The English translation of the text of the 1936 USSR Constitution is quoted after: [28].

characteristics of a teleological point of arrival of Soviet history [24: 303–320]. However, the Constitution is not only the object of historical narratives, it is also their transmitter, as evidenced by the case of its Article 2, analysed above. This is also testified by the words of Stalin himself, spoken at the Eighth All-Union Congress of Soviets, at which the Fundamental Law was adopted:

It will be a historical document, treating simply and concisely, almost in protocol style, the facts of the victory of socialism in the USSR, the facts of the liberation of the workers of the USSR from capitalist slavery, the facts of the victory of an extensive, fully consistent democracy in the USSR [27: 69].

In a number of official editions of the Constitution between 1936 and 1953, the speech *On the draft Constitution of the Union of SSR*, from which the above words are taken, was placed before the legal text. It was thus a kind of introduction, an official guide, or an official interpretation of the Fundamental Law. And as such it was an invitation to read the Constitution as a narrative text—all the more so because it offered the reader, as a justification for the adoption of the legal act, an extensive historical narrative (chapter *Changes in the life of the USSR in the period from 1924 to 1936*; [27: 10–24]). At the same time, it assigned an interpretative framework to the Constitution, according to which the content of the legal provisions would testify to the realisation of such constructs of political mythology as ‘the victory of socialism’ or ‘liberation of the workers from capitalist slavery’. However, while the genre of the text of the Constitution and its formal function imply its reading as a legal text, the mode of reading imposed by Stalin’s words assumes its reception as a mythological narrative. Moreover, it assumes an emic perspective, i.e., a point of view of a follower of the same world-view system which was transmitted by the text. In such a ‘hybrid’ (simultaneously legal and mythological) mode of reception, the legally irrelevant components of the Constitution may turn out to be justified, moreover—desirable, each time constituting an additional bond between the world of the legal text and the universe of political mythology.

It is this mode of reception that justifies textual structures such as the following—Article 126:

In conformity with the interests of the toilers, and in order to develop the organisational initiative and political activity of the masses of the people, citizens of the USSR shall be ensured the right to unite in social organisations—trade unions, cooperative associations, youth organisations, sport and defence organisations, cultural, technical and scientific societies; and the most active and conscious citizens from the ranks of the working class and other strata of the toilers shall unite in the All-Union Communist Party (Bolsheviks), which is the vanguard of the toilers in their struggle to strengthen and develop the socialist system and the leading core of all organisations of the toilers, both social and state.

This article gives the impression of being a programmatic provision. Such provisions usually impose an obligation on public authorities or institutions to

take measures aimed at a certain goal, while understanding the goal itself and the assessment of the legitimacy and effectiveness of the steps taken to achieve it are each time not possible on the basis of the internal world of the legal text and require reference to extra-legal reality [12: 127–128]. The first part of the quoted text indeed meets the criterion of a programmatic provision, although it is worth noting that conditioning the realisation of a universal civil right by the interests of any privileged group is a specific feature of non-democratic legislation. Moreover, in a legal text created in the realities of Stalinist culture, the phrase ‘interests of the toilers’ deviates from its meaning in general language. Formed on the basis of the semiosis characteristic of totalitarian culture, it refers not to what the public opinion of the workers would indicate as their interests, but to how the image of these interests is constructed by authoritative participants in the official discourse and with the use of a set of images of political mythology.

The clarity of the function of Article 126 is, however, complicated by the section relating to the role of the communist party. It contains, firstly, an evaluative formulation, implying the idea of varying degrees of ‘activity’ and ‘consciousness’ of individual citizens, while at the same time failing to indicate the relevant evaluation criteria. Secondly, in its reference to the latter category, it clearly appeals to the specific meaning of that word: it is not ‘consciousness of something’ but ‘consciousness in general’, which is certainly outside the semiotic field of legal language. Thirdly, it contains a non-restrictive appositive containing characteristics of the party. Fourthly, it smuggles in this appositive a systemic norm showing the party as the ‘leading core’ of social and state organisations.

It is therefore time to make an attempt to read the text of the provision in the ‘hybrid’ mode recommended to readers of the Fundamental Law in Stalin’s quasi-preface to its many editions. It is worth quoting one more passage from the Soviet leader’s speech:

While for the peoples of capitalist countries, the USSR Constitution will have significance as a programme of action, for the peoples of the USSR, it will have significance as the result of their struggle, the result of their victories on the front line of the liberation of mankind. As a result of the path of struggle and hardship, it is nice and joyful to have a Constitution that speaks of the fruits of our victories [27: 71].

Let us note: the sender assumes that the external (foreign) and internal (Soviet) recipients of the text of the Constitution can (or even should) find different functions in it. Following the above instructions and receiving the Constitution as a narrative text, as a story about ‘the fruits of our victories’, basically precludes treating an article with the formal characteristics of a programmatic provision as one that actually sets a programme of action. The ‘hybrid’, emic mode of reception of the Fundamental Law causes provisions such as those contained in Article 126 to take on the characteristics of a mythological narrative about the existing order of things. In this mode, what from the point of view of an external recipient seems to express an intention or recommendation, becomes a story about how the structure of the world was shaped. As a result, the phrase ‘citizens of the USSR shall be ensured the right to unity in social organisations’ in the emic reception becomes similar to the

hypothetical ‘as a result of the path of struggle and hardship, citizens of the USSR are ensured the right to unite in social organisations’. It is also worth noting that the grammatical structures of the Russian language used in the text of the Constitution are a natural instrument strengthening the perception of the programmatic provision as a statement describing the social world. In order to formulate the intention contained in Article 126, a construction with a modal verb analogous to the English ‘shall’ was not used, but a description of the desired situation in the passive voice was applied (‘grazhdanam SSSR obespechivaetsya pravo ob’’edineniya v obschestvennye organizatsii’). Such a description, by the way, remains in line with the tradition of Russian legal language.

Let us now analyse the possible ways of reading that part of the passage under discussion which concerns members of the Communist Party: ‘the most active and conscious citizens from the ranks of the working class and other strata of the toilers shall unite in the All-Union Communist Party (Bolsheviks)’. The English translation of this sentence, formed with the verb ‘shall’, is evidence of a conventional reading of the legal text by the translator—one that notes the possibility of a citizen enrolling in the Communist Party. It should be noted, however, that, as in the earlier example, there is no modal verb in the original text; the reflexive verb ‘ob’’edinyat’sya’ (‘unite’) in the active voice occurs alone. The structure of this clause, read outside the legal context, is thus typical of a descriptive statement. When such a statement is perceived as part of a mythological message, its semantics is transformed and is closer to the following sentence: ‘the nature of the most active and conscious citizens of the USSR is to unite in the All-Union Communist Party (Bolsheviks)’. At the same time, the name of the communist party quoted in this sentence is not simply a proper name. It is a mythologem, a figure condensing a mythological narrative (Sadovskiy, 2018), moreover, one of the key mythologems in the system of Stalinist culture. Its importance is confirmed, for example, by the already mentioned *Short Course* of the party’s history—probably the most important ideological publication of the epoch, in which the history of the All-Union Communist Party acquires the status of an unquestionable, universal ideological interpretation of social life in the USSR [13, 18, 24], aspiring to be ‘a science capable of using the laws of social development for practical application’ [4: 109].

Since ‘All-Union Communist Party (Bolsheviks)’ is a condenser of meanings in the analysed sentence, it seems necessary to pay attention at least to those components which, during the period of Stalinist culture, were crucial for the complex of meanings of this name within the official discourse. In the party’s 1934 statute, a document belonging to its self-discourse and—due to the realities of the single-party system—holding an extremely high rank in the official state discourse, the definition of the party begins with formulations such as ‘an advanced, organised troop of the proletariat’ and ‘a united militant organisation’ [3: 232]. In the second edition of the *Great Soviet Encyclopedia*, admittedly postwar but edited in the realities of Stalinist culture and transmitting all of the contents exclusively in the poetics of Soviet official discourse, the relevant entry begins with a statement about ‘a voluntary militant alliance of same-minded communists organised from among the working class, peasant workers and labour intelligentsia, the guiding and governing force of Soviet society and the Soviet state’ [6: 209]. Let us now note that the Constitution itself in

Article 126 describes the party as ‘the vanguard of the toilers in their struggle to strengthen and develop the socialist system’. Thus, regardless of the actual associations activated in the minds of Russian language users at the moment of the perception of the party’s name, in its semantic field in the official discourse of Stalinist culture, such components remained important, which were associated with images maintained in the poetics of force, militarism and confrontation. Such pictures become narrativised easily and almost automatically—the reception of the image of a combat unit requires that it be placed in the context of a battle, fought with someone and for something, which has its own history. Let us add that not long after the Constitution of 1936 was passed, this history already had its written version, approved by the Central Committee of the party—in the form of the *Short Course*. It is in this that the Communist Party receives its fullest militaristic portrayal:

[...] it is not a simple troop, but an advanced troop, a conscious troop, a Marxist troop of the working class, armed with knowledge of social life, knowledge of the laws of the development of social life, knowledge of the laws of the class struggle and able, therefore, to lead the working class, to lead its struggles [4: 45].

We could apply the whole above passage to our attempt to reconstruct an emic reading of the fragment of Article 126, inserting the above phrase in the place of the party’s name and adding that its struggle is waged for ‘liberation of the toilers from capitalist slavery’, and for ‘victory of an extensive, fully consistent democracy in the USSR’. Let us note that in such a hypothetical reading of the sentence, the adjective ‘conscious’ could appear as many as twice—once with the constitutional evaluative characteristics of citizens (‘most active and conscious’) uniting in such a ‘troop’, and once as a feature of the ‘troop’ itself taken from the *Short Course*. So, what is behind the phrase ‘most active and conscious’?

In answering this question, it is worth considering an invaluable lexicographical source documenting the state of the Russian language in its shape characteristic of totalitarian culture—the *Explanatory Dictionary of the Russian Language* edited by Ushakov. Regarding the adjective ‘soznatel’nyy’ (‘conscious’) in the sense we are interested in, this dictionary refers to one of the meanings of the noun ‘soznatel’nost’ (‘consciousness’): ‘the ability [...] to be aware of the reality around us and how to act’ [5]. Although the segment of the definition referring to the knowledge of ‘how to act’ seems to have been influenced by changes in the Russian language during the Soviet era (the pre-revolutionary dictionary by Dal does not emphasise this semantic component), the definition of the lexeme ‘soznatel’nost’ itself is formulated in a neutral and general way. However, the term is illustrated with quotations from Lenin and Molotov:

‘There are not and cannot be any difficulties and obstacles that the consciousness, activity and interest of the working masses could not, in one way or another, overcome.’ Lenin. ‘Our congresses have always illuminated the far-reaching tasks of the party and have always been a major stage in the rise of the communist consciousness of the masses, in the communist education of the workers.’ Molotov [5].

In the illustrations of normative lexeme use contained in Ushakov's dictionary, Kupina—calling them, in keeping with the tradition of Russian cultural linguistics, precedent texts—sees the carriers of Soviet ideologemes, indicators of canonical and dogmatic use of lexical units [15: 4, 44]. Such precedent texts 'introduce into speech practice a mechanism for propagating dogmas in reliance on ideological authorities' [15: 44]. The juxtaposition of Lenin and Molotov as authors of the cited precedent texts testifies to the very high rank of the lexeme 'soznatel'nost' in the system of Stalinist totalitarian language—only terms illustrated by quotations simultaneously from Lenin and Stalin, or Lenin or Stalin and Marx or Engels have a higher rank. Of course, the illustration of a lexeme with statements from ideological discourse does not prove that the word would belong exclusively to the ideological sphere. However, in the realities of Stalinist culture, all of the official discourse transmits political mythology—its transmitters are therefore both official lexicography and law (in particular, constitutional law). Therefore, in Article 126 of the Constitution, the meaning of the adjective 'conscious' in the phrase 'most conscious citizens' should be sought not in the group of general meanings of the lexeme, but in those associated with the sub-semiosphere of Stalinist culture.

In the quotation from Lenin used in Ushakov's dictionary, the term 'consciousness' acquires an unambiguous shade of causative power in political activity, moreover, it turns out to be in close connection with the noun 'activity' (let us remember that in Article 126, the adjectives 'conscious' and 'active' are attributes of citizens joining the party). Molotov's words, on the other hand, point to the Party congresses as the source of 'the rise of the communist consciousness of the masses'. In this view, therefore, 'consciousness' takes on the nature of a certain property of the party conveyed to the 'masses'. The relationship between the two semantic components of the term 'consciousness' in the system of Stalinist political mythology can be seen by analysing the occurrences of this lexeme in the *Short Course*. The passage in which the subject of the historical narrative is Lenin's work entitled *What Is to Be Done? Burning Questions of Our Movement* is significant as a part of the struggle against the 'economist' faction in Russia's pre-revolutionary social democracy:

Lenin showed that to worship the spontaneity of the workers' movement and to denigrate the role of consciousness, to denigrate the role of socialist consciousness and socialist theory, means, first, to ridicule workers who reach for consciousness as for light, second, to devalue theory in the eyes of the party, that is, to devalue the weapon with which it understands the present and anticipates the future, and, third, to sink completely and totally into the swamp of opportunism [4: 36].

It should be noted that in the above passage, the noun 'consciousness' is identified with the phrase 'socialist consciousness' and linked to the concept of 'socialist theory'. In the *Short Course*, this theory is extensively discussed in the subsection entitled *Dialectical and Historical Materialism*, which, later signed with the name of Joseph Stalin, remained the central Soviet dogmatic text until the Khrushchev Thaw. This text authoritatively states that it presents 'the world view of the

Marxist-Leninist party', and furthermore justifies the validity of the political gnosis characteristic of totalitarian culture:

The strength of Marxist-Leninist theory lies in the fact that it enables the Party to find its bearings in the situation, to understand the inner connection of surrounding events, to foresee the course of events and to recognise not only how and where events are developing in the present, but also how and where they should develop in the future [4: 339].

From the above two passages, the certainty that the Marxist-Leninist world view is a tool which does not so much allow for a correct interpretation of the surrounding world as it guarantees objective knowledge of reality in its present and future shape shines through. In addition, as Dialectical and Historical Materialism and the entire Soviet official ideological discourse attested, this tool would have the attribute of scientificity. It is to the consciousness founded on such a world view that the workers were to 'reach as for light'; the Communist Party was to be the depositary of such consciousness, ensuring to 'the masses'—as in Molotov's words—'the rise of the communist consciousness'.

It should be added that in terms of Stalinist political mythology, the figures of Lenin and Stalin remain the specific 'midwives' of the 'objective laws' that constitute the content of 'communist consciousness'. The Short Course, which finds its way into official discourse under conditions of an already effectively established cult of Lenin as the founding father of the Soviet community, occupies a key place among texts legitimising Stalin as Lenin's successor [24: 312], and as the only legitimate interpreter of the 'objective laws' of history and nature. In 1943, the above mythological construction found its realisation in the text of the USSR anthem, the second stanza of which proclaimed: 'Skvoz' grozy siyalo nam solntse svobody / I Lenin velikiy nam put' ozaril; / Nas vyrastil Stalin—na vernost' narodu, / Na trud i na podvigi nas vdokhnovil!' ['The sun of liberty had shone upon us through the storms, and Lenin illuminated a great path for us. We were raised by Stalin—he inspired us for faithfulness to the people, for work and heroism!']. Let us note that the image of a 'great path illuminated by Lenin' coincides with the metaphor of 'workers who reach for consciousness as for light' constructed by the authors of the *Short Course* for the purpose of discussing the work of the leader of the Bolsheviks.

Following this line of thought, one can state that the socialist or communist 'consciousness' acquires the features not so much of an ideological intellectual formation, as of a world view modelling reality in Marxist-Leninist categories, and assuming that the depositary of the only possible current interpretation of the 'objective laws of nature' and the 'objective laws of history' is the leader of the party. The fact of prefacing a number of editions of the 1936 Constitution with Stalin's speech and making it the official interpretation of the document is a natural consequence of the functioning of such a world view. Stalin thus plays the role that the conductor—'the supreme head of this supreme harmony'—plays in Gogol's metaphor of the concert quoted earlier.

We can therefore conclude that Article 126 of the USSR Constitution smuggles in not only a systemic norm related to the role of the Communist Party in the state, but also a testimony to what we have defined as the supreme idea. In this testimony,

‘consciousness’ constitutes a new ideological version of the third segment of Uvarov’s triad, referring to the readiness of the collective (the party, or even, as in Molotov’s words quoted by Ushakov’s dictionary, the party congress) to listen to the voice of the leader, who is the ultimate authority on the reading of the prevailing doctrine. The place of ‘Orthodoxy, Autocracy, and Nationality’ is thus taken by ‘Communism, Autocracy and Consciousness’. Whereas a hypothetical, based on an emic perspective, reconstruction of the sentence ‘the most active and conscious citizens from the ranks of the working class and other strata of the toilers shall unite in the All-Union Communist Party (Bolsheviks)’ could read: ‘the nature of those who are best able to listen to the voice of Stalin, who alone fully understands the surrounding reality, knows its past and can foresee its future, is to unite in the troop armed with knowledge of social life, knowledge of the laws of the development of social life, knowledge of the laws of the class struggle and able, therefore, to lead the working class of which the USSR is the state’.

4 ‘The Leading and Guiding Force of Soviet Society’. The Constitution of 1977

The USSR lived to see another fundamental law in 1977. This Constitution, sometimes referred to as the Brezhnev one, accompanied the Soviet state until its collapse, although in 1990 or 1991 it no longer resembled the text adopted under Leonid Brezhnev in certain key aspects. This text was the product of a cultural model in which the communicative practices of the Stalinist era were already a thing of the past. Totalitarian language and totalitarian discourse, the tools of transmitting political mythology, had been slowly dissolving since Stalin’s death, and their final deconstruction took place as a result of the 20th Congress of the CPSU in 1956, or more precisely, as a result of Nikita Khrushchev’s famous secret speech, which undermined Stalin’s status as the faultless interpreter of Soviet doctrine.⁵ This discourse remained linked to the doctrine of Marxism-Leninism and continued to transmit it, but participation in the discourse no longer imposed on its participants an obligation to read all content emically, to understand it in a dogmatic way, based on a canonical interpretation founded on the highest, unquestionable authority. The condition of participation was purely formal engagement, while the condition of legitimisation of the new contents appearing in it was the retransmission of elements of the ideological canon. Yurchak [30: 108–116] emphasises that inherent in such a phenomenon was the constant expansion of the field of possible interpretations of this canon and the constant decoupling of the meanings of legitimised and legitimising content.

⁵ Yurchak [30: 103–108] sees the cause of the decomposition of Stalinist discourse in Stalin’s press statements on the nature of language, conducted with a conceptual apparatus beyond the hermetic field of ideological language. I do not share this point of view, which does not take into account the way in which these statements functioned in official discourse and the mechanism of transformation of any content within it into totalitarian language.

In the text of the Constitution, the above principles become apparent, among other things, in the way the systemic role of the CPSU is described. This role is no longer smuggled into the text of the law in one of the articles on civil rights—it is exposed as one of the main systemic principles of the state. Article 6 of the Fundamental Law states:

The leading and guiding force of Soviet society and the nucleus of its political system, of all state organisations and public organisations, is the Communist Party of the Soviet Union. The CPSU exists for the people and serves the people.

The Communist Party, armed with Marxism-Leninism, determines the general perspectives of the development of society and the course of the home and foreign policy of the USSR, directs the great constructive work of the Soviet people, and imparts a planned, systematic and theoretically substantiated character to their struggle for the victory of communism.⁶

The content of the above article actually transferred to the constitutional level provisions that had so far remained in party documents. ‘Leading and guiding force’ is a phrase taken from the CPSU programme adopted by the XXII Party Congress in 1961 [8]. In turn, the statements that the party ‘exists for the people and serves the people’, ‘directs the great constructive work of the Soviet people’ and ‘imparts a planned [...] character to their struggle’ were carried over from the party statute adopted by the same Congress [9]. Moreover, a similar path was followed by the ‘principle of democratic centralism’, which in the CPSU statutes of 1936 and 1961 was referred to as ‘the leading principle of the organisational structure of the party’. In the Brezhnev Constitution, ‘democratic centralism’ (‘namely the electiveness of all bodies of state authority from the lowest to the highest, their accountability to the people, and the obligation of lower bodies to observe the decisions of higher ones’) gained the rank of the leading principle of the organisation of the whole state, finding its legitimacy in Article 3.

At the same time, it must be stated that the appearance of new systemic norms in the Constitution of the USSR did not in any way change the role that the Soviet monopolistic party actually played in the life of the state. Neither did the conferment of constitutional status on ‘democratic centralism’ in any way modify the way the Soviet Union functioned. For the first time, however, the privileged role of the party was given explicit legitimacy in constitutional law. In a text of Fundamental Law created in the cultural realities of the 1970s, its legitimisation in the form of condensed mythological narratives alone would not be sufficient, because the dominant way of reading such narratives departed from the believer’s perspective, characteristic of the Stalinist model of culture. The role of the party, justified both ideologically and mythologically, also required a conventional legal legitimacy, i.e. one that could be read on the basis of the codes of general and legal language. Such was the function of Article 6 of the Constitution, stating unequivocally the leading role of

⁶ The translation of the text of the 1977 USSR Constitution is quoted after the official Soviet English edition [7].

the CPSU in ‘all state organisations and public organisations’. The legal legitimacy of the party’s status was further strengthened by the preamble’s passage indicating the growth of ‘the leading role of the Communist Party’ as a result of the historical process and at the same time equipping the CPSU with the nomination of ‘the vanguard of all of the people’. Incidentally, this formulation reflected the party’s self-definition in the 1961 statute (‘The Communist Party of the Soviet Union is the battle-tested vanguard of the Soviet people’ [9: 185]).

The legitimising function of preambles as introductions to adopted constitutions is the effect of building in them such textual structures which in the perception of addressees constitute representations of their collective identity. A helpful strategy for enhancing symbolic legitimacy is the use of the first-person plural for this purpose. This mode of narration ensures that in the act of reading the preamble, the projected legitimate (i.e. belonging to the community to which the text of the constitution refers) receiver subjectively also becomes the co-sender of its text, while the schemes of definition of the peoplehood acquire the features of self-definition. In the case of the introduction to the Brezhnev Constitution, however, we are dealing with a different strategy—‘the Soviet people’ are not the subject of a first-person narrative here, but the object of a third-person one. This fact also seems to be an effect of the prevailing cultural model. In its realities, the credible repetition of well-known ideological and mythological templates required the repetition of their form—and the form was based on texts constructed in a third-person mode. As a result, although the structures of description of the ‘Soviet people’ grammatically did not resemble self-definitions, in ideological, political and state discourse, they had the highest status of credibility. These structures were based mainly on communist ideology and political mythology, and the party—‘the vanguard of all of the people’—became a figure of description of ‘the Soviet people’ itself. Therefore, the image of the party in the preamble legitimised the systemic function of the party in the basic text of the Constitution.

In keeping with the tradition of its own self-discourse using militaristic attributes, the CPSU appears in Article 6 as a force ‘armed with Marxism-Leninism’. Such ideological ‘armament’ allows it to determine, among other things, ‘the general perspectives of the development of society’ and to direct ‘the great constructive work of the Soviet people’. It is not difficult to recognise in these formulations the shapes of the supreme idea that interests us in this study. The reference of Gogol’s metaphor of a concert becomes fully justified and legitimate if we take into account the passage in which the party ‘imparts a planned, systematic and theoretically substantiated character to their struggle for the victory of communism’. In this formulation lies, of course, the implicit assertion that the same struggle waged spontaneously or individually has no chance of success. This thesis, repeatedly emphasised in the *Short Course* of 1938, and in the Fundamental Law constituting a new redaction of myths perpetuated in Stalinist times, can be perfectly illustrated by the metaphor of a collective performance of a score without a conductor.

The representation of the supreme idea contained in the phrase ‘armed with Marxism-Leninism’ produces a similar effect to that of the passage from the Fundamental Laws of the Russian Empire about God commanding that the Emperor’s power be obeyed. Namely, it introduces a legally irrelevant passage into the basic

text of the Constitution—the systemic provision would be clear enough if the Communist Party were deprived of its non-restrictive apposition. However, in the logic of the cultural model of the Brezhnev era, its presence constructs—within the basic text of the Constitution—the legitimacy of the party to its systemic status. Just as the figure of God in the pre-revolutionary Fundamental Laws makes the Tsar the exponent of the will of the Almighty, so in the 1977 Constitution, thanks to the ‘armament with Marxism-Leninism’, the CPSU becomes the exponent of a transcendent doctrine.

Finally, it must be emphasised that it was only in the 1977 Fundamental Law, for the first and only time in the history of Soviet constitutionalism, that the supreme idea gained a definitely explicit representation.⁷ In addition, it obtained it both within the main text and the preamble. Among the justifications for the adoption of the law, the introduction to the Constitution first mentions the ‘ideas of scientific communism’ and then emphasises the immutability and continuity of the ideology attributed to the entire ‘Soviet people’.

These formulations in the preamble to the Soviet Constitution remained until the collapse of the USSR. A different fate befell the provisions of Article 6, from which, in 1990, in the final phase of Gorbachev’s perestroika, all mention of the leading role of the CPSU and its special charism was removed, equating its systemic function with that of other political parties in the life of the state (although still mentioning the communist party by name). A more radical change took place in the Constitution of the RSFSR, which, since its adoption in 1978, merely transferred to the republican level the all-Soviet provisions, including the content of Article 6 and the general outline of the preamble. In 1990, with the elimination of the clause on the leading role of the CPSU, its name disappeared from the Russian Fundamental Law altogether, and the content of the preamble was entirely changed.

5 God and the State Unity. Faces of the Russian Federation Fundamental Law

The Constitution of the RSFSR regulated Russia’s political system for almost two years after the Belovezha Accords and the final collapse of the Soviet Union. The country obtained a new Fundamental Law in 1993. With numerous amendments, this Constitution is still in force today. Regardless of the first clear manifestations of the new authoritarianism that had emerged a few months earlier during the constitutional crisis, the new Fundamental Law was the product of a pluralist cultural model, which was still established at the height of perestroika. Such a model involved

⁷ In 1977, a few months before the adoption of the Brezhnev Constitution, a clear representation of the communist supreme idea was also incorporated into the text of the national anthem. At that time, a new version of the song was adopted, devoid, among other things, of the passage about Stalin as the educator of the people. Instead, the text included a stanza beginning with the words: ‘V pobede bessmertnykh idey kommunizma / My vidim gryadushchee nashey strany’ [‘In the victory of the immortal ideas of communism / We see the future of our country’]. At the same time, the refrain was corrected to emphasise the role of the party as the force leading the collective lyrical subject to the ‘victory of communism’.

widespread practices of deconstruction of Soviet political mythology in public discourse. However, this deconstruction was not accompanied by the introduction of a single, clearly defined ideological alternative in its place. In the conditions of clashing, a number of views in the public space, in the situation of the presence of a number of centrifugal factors decomposing the hitherto social order, none of the many alternatives had a chance to gain a dominant position. The shape of the Constitution reflected this state of affairs. Its basic text, maintained in a democratic spirit, was devoid of any signs of being ideologised. The same applied to the preamble, which was as open, inclusive and general as possible. The political system defined in the Basic Law was not legitimised by anything other than the democratic procedure of its adoption by the all-Russian referendum.

This situation only changed in 2020, when a large package of amendments was introduced to the Constitution—again by referendum. It included, among others, those that symbolically legitimise the Russian state in its present form [25]. This was not, by the way, the first symbolic operation within identity texts (and the Constitution remains such [10]) permanently inscribed in the Russian legal order. The effect of Vladimir Putin's symbolic policy as early as in the first year of his first presidency was the replacement of Mikhail Glinka's *Patriotic Song*—which functioned as the official anthem of Russia throughout the Yeltsin period—with a hymn to the tune of the Soviet anthem by Alexander Alexandrov, with words by Sergei Mikhalkov, the author of the text of the main state song of the USSR of 1943 and 1977. The new anthem thus became part of the official system of state symbolism—along with the double-headed Roman eagle as the Russian emblem and the tricolour as the state flag. And with them, it pursued a symbolic strategy that appealed to the symbolic, mythological and identity structures present in social memory and linked to the image of the Soviet state, while at the same time emphasising the continuity of the Russian state tradition. The latest instalment of the Aleksandrov-Mikhalkov song itself implements this strategy in its structure, because some content, inscribed in its Soviet form, refers to the tradition of Russian Orthodoxy in its state dimension. Russia is simultaneously referred to as a 'svyashchennaya derzhava' ['sacred state', 'sacred empire'] and as 'khranimaya Bogom rodnaya zemlya' ['God-protected native land']. These elements, together with some other components of the anthem's text, perfectly fit into the semantic field of the historiosophical idea of 'Moscow, Third Rome' already invoked at the beginning of this argument. This idea, though in different versions, continuously since the sixteenth century, has influenced Russian politics, philosophy and social thought, as well as Russian identity, shaping the belief in Russia's special civilizational mission, assigned to it by God or history. In doing so, it always has two of its dimensions: political and spiritual [29: 21–59; 21: 63–68; 20: 99–101]. Both of these are appealed to by the cited words of the contemporary Russian anthem.

Thus, before God returned to the Constitution (as we stated in the introduction to this discussion), he again found his place in the Russian state song. The establishment of the Russian Republic in 1917 meant not only a change in constitutional law, but also in official state symbolism—including the anthem *God Save the Tsar*. Formally speaking, the concept of 'God' also functioned in the anthem of the RSFSR and the USSR until 1943, as the words of *The International* in the Russian

translation by Arkady Kots stated ‘Nikto ne dast nam izbavlen’ya: / Ni bog, ni tsar’ i ne geroy!’ [‘No one will give us deliverance: Neither God, nor a king, nor a hero’]. God, however, as the one to whom prayers are raised for the tsar and who blesses the fatherland, is the same being transcendent of social reality to whom the text of paragraph 2 of Article 67.1, introduced into the Russian Fundamental Law in 2020, appeals:

The Russian Federation, united by a thousand years of history, preserving the memory of ancestors who handed us ideals and faith in God, as well as succession in the development of the Russian state, recognises the historically established state unity.

Although we are dealing with the basic text of the constitution, the structure and content of the above sentence does not correspond to the possible functions or logic of a legal provision. The pronoun ‘us’ seems to imply the presence of a collective subject of a larger narrative—such as a constitutional preamble. At the same time, the entire above statement has a performative aspect—one that often accompanies declarations included in the introductions to fundamental laws. The search for the strictly legal function of the above provision, on the other hand, would have to lead to the reduction of the entire sentence to a much shorter one: ‘The Russian Federation recognises its state unity’. Such a clause, however, devoid of world-view emanations or references to historical memory, would have no justification in the text of the Fundamental Law, being redundant with respect to Article 4 para. 3, stating the ‘integrity and inviolability’ of the entire Russian territory.

It is therefore worth skipping the formal content of the provision and paying attention to the concepts that appear in it. These are: ‘Russian state’ (an umbrella term for ‘Russian Federation’), ‘history’ (in the context of a ‘thousand years of history’), ‘ideals’, ‘God’ (in the context of ‘faith in God’), ‘succession’, and ‘unity’ (in the context of ‘state unity’). The configuration of the above concepts is indicative of a whole complex of historical, political, axiological, world-view and identity narratives, traces of which we have just found in the contemporary Russian state anthem,⁸ as the idea of ‘Moscow, Third Rome’ is a narrative of the continuity of a state linked throughout its historical existence to the history of Christianity. It is also the story of the succession of the imperial status of the Roman Empire. It is a narrative about the sanctity of the state as the bearer and defender of the true, legitimate faith untainted by the heresy attributed to Rome (due to the doctrine of the Filioque) and Byzantium (due to the Union of 1439 with heretical Rome). Furthermore, it is a reportedly transformed mental response of sixteenth-century Ruthenian elites to the fall of Constantinople, shortly followed by the unification of Ruthenian lands around the Duchy of Moscow and the final independence of Rus from the Golden Horde [16, 29]. A response which, as we have already mentioned, in the history of Russian

⁸ It is noteworthy that the two paragraphs adjacent to the provision under review deal in turn with the successor status of the Russian Federation in relation to the Soviet Union (para. 1) and with the respect for the memory of the defenders of the Fatherland (para. 4), which further fits into the configuration of concepts associated with the idea of ‘Moscow, Third Rome’.

culture has acquired various faces and updates—from the ideology of Peter the Great, through the Official Nationality theory of Nicholas I's time, the nineteenth-century philosophical concept of the Russian Idea, defined by Vladimir Solovyov, to the contemporary doctrine of Russian Civilization. All of these complexes of ideas are united by the conviction about the special historical role of the country, about its universal mission connected with God's plan for the world. Their characteristic exclusivism and missionism was also manifested in the mythologised form of communist ideology, in which God's design gave way to historical necessity. The particular contents transmitted by communist ideology thus filled in the existing pattern of thinking about the country and of world-view justification of the meaning of its existence.

Let us also add that the statement appearing in paragraph 2 about the handing down of 'ideals and faith in God' from the ancestors to the present generations updates the Christian schema of the state idea, also constituting another figure of succession—the succession of the deposit of (Orthodox) faith and the historical, spiritual deposit of the whole community. In turn, the function of this paragraph definitely eludes legal schemes, transmitting identity and world-view narratives linked to the ontology of the Russian state and the Russian political community. The paragraph, therefore, also carries a potential symbolic legitimation of political actions, semantically linked to any of the components of the content it transmits.

6 Concluding Remarks. Discrete Signs of the Supreme Idea and Legal Semiosis

We have looked at several provisions of Russian and Soviet constitutional law that have a common denominator: the presence of formulations, some content components of which refer to a reality that is not only extra-legal, but also—in Mannheim's sense—'situationally transcendent' in relation to the experienced reality. These formulations, legally irrelevant in a conventional reading of a legal text, participate in the semiosis of both the provisions that contain them and the entire texts of the Fundamental Laws. In this way, the Constitutions incorporate into their complex of meanings either religious expressions, mythologised ideological figures or figures of historical memory associated with collective identity. Another common denominator of the analysed clauses is the fact that they participate in the symbolic legitimation of the shape of the state, its political system or the nature of political power, constituting references to ideological complexes functioning in Russian culture, which we have called the supreme ideas.

It is difficult to answer the question about the direct, identifiable effects of the fact that in Russian and Soviet constitutional law, there were or are norms formed with the use of concepts referring to contents transcendent of social reality. Matczak's conception of the world constructed by the legal text and immanently contained within it [19: 147], recalled in the initial part of this argument, in fact concerns the possible reality created by an aggregate of all legal texts in force at one time in one legal environment. This methodological perspective allows us to suppose that if a legal text aggregate forms a hierarchical system, and if at the very top of this

hierarchy, legal norms referring to transcendence operate, then this transcendence to some extent is a feature of the whole system. In this way, the law—as a semiotic system tending towards closedness—opens itself up to meanings external to itself. We may therefore hypothesise that the formulations we have analysed may affect the semiosis not only of the Constitution, but also of any lower-order legal acts. However, such a semiosis would require at least a mental (and sometimes world-view, ideological or religious) involvement of the recipient of the text.

Due to the complexity of social life, the vision of a possible world contained in an aggregate of legal texts cannot be fully realised. It seems reasonable to assume that the chance for the realisation of such a vision is increased by the unambiguity of norms (and one of the fundamental principles of law obliges the legislator to strive for this). The transcendent components of the provisions obviously do not increase their unambiguity, and their nature makes it impossible to determine criteria for the correctness of their interpretation. More precisely, it makes it impossible to determine them as long as the legal text is read in a conventional manner. Its reading in an emic mode offers such a possibility—although it requires the adoption of axiological points of reference not defined in the law itself.

Let us also add that the unambiguity of the law does not always have to be a value in itself, just as the realisation of the vision of the possible world contained in the law, and therefore also the enforcement of particular norms, does not have to be a value in itself. The value attributed to the realisation of the postulates transmitted in the legal system depends on the place of the statutory law in the culture of a particular community.

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