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1

Don Quixote in the Land of Soviets

We must free ourselves from the influence of people with their deformed language and find a scientific expression for the concept of freedom. Only when we attain this will we be able to trust our own thoughts.

—ALEXANDER VOLPIN

In memoirs by participants in the Soviet dissident movement, an obscure name usually appears near the beginning of the story. No one claims that Alexander Volpin founded the movement. In good Soviet collectivist style, the movement had no founder, and, in any case, an eccentric mathematician known to walk the streets of Moscow in his house slippers would have been an unlikely candidate for that role. Volpin appears instead as the source of an idea that would come to serve as the movement's prime strategy as well as its central goal, an idea at once entirely consistent with the Soviet order and utterly foreign to many of those who grew up in it: that Soviet law should be taken seriously.

Andrei Amalrik described Volpin as “the first to understand that an effective method of opposition might be to demand that the authorities observe their own laws.”¹ Ludmilla Alexeyeva, an editor and reform-minded Party member who befriended Volpin in the early 1960s, was amazed to hear him praise the 1936 Soviet Constitution (popularly

known as the “Stalin Constitution”) and castigate Soviet citizens for acting as if they had no rights. He would hold forth, according to Alexeyeva, on the proposition that Soviet laws “ought to be understood in exactly the way they are written and not as they are interpreted by the government, and the government ought to fulfill those laws to the letter.” What would happen if Soviet citizens acted on the assumption that they have rights? “If one person did it, he would become a martyr; if two people did it, they would be labeled an enemy organization; if thousands of people did it, they would be a hostile movement; but if everyone did it, the state would have to become less oppressive.”² Vladimir Bukovsky, who met Volpin at an unauthorized poetry reading in Moscow’s Mayakovsky Square in 1961, described him as “the first person in our life who spoke seriously about Soviet laws. We laughed at him: ‘What kind of laws can there be in this country? Who cares?’” That, Volpin replied, was the problem. “‘Nobody cares. We ourselves are to blame for not demanding fulfillment of the laws.’”³

Demanding fulfillment of the laws required strictly abiding by the laws oneself. The Soviet dissident movement thus stands apart from one of the modern era’s most distinctive forms of resistance to state power, the civil disobedience campaigns inspired by Henry David Thoreau, Lev Tolstoy, Mahatma Gandhi, and Rosa Parks. Civil disobedience, to quote the *Dictionary of the History of Ideas*, presupposes a “formal structure of law” and consists of “publicly announced defiance of specific laws, policies, or commands.”⁴ It was Volpin who developed the less well known but, in the Soviet context, equally provocative technique of radical *civil obedience*: engaging in practices formally protected by Soviet law, such as freedom of assembly or transparency of judicial proceedings, but often subject to extra-judicial or even judicial punishment by the state.

The history of imperial Russia and the early Soviet Union includes more than a few uprisings and other forms of disobedience, whether at the local level or against supreme authorities in Moscow and St. Petersburg. The Soviet Union would not have been born without a series of revolts against Tsar Nicholas II’s regime and the Provisional Government that briefly took its place. Rarely, however, was resistance to perceived

tyranny in Russia articulated and legitimated as a right, let alone a sacred right. More common was the poet Alexander Pushkin's famous verdict (in 1836) on Russian revolts as "senseless and merciless," a view that has since hardened into cliché. Even Lenin was inclined to view rebellions by workers and peasants as prone to "spontaneity," by which he meant lacking a historically informed purpose, unless they were guided by the higher "consciousness" of the Bolsheviks. The concept of *civil* disobedience never found much traction in imperial Russia or the Soviet Union, where civility was tainted by association with the bourgeoisie, and quotidian acts of unannounced disobedience were often necessary simply to survive.⁵

The absence of a tradition of engaging in civil disobedience, or of a legitimizing right to resist tyranny, may have helped open a space for Volpin's counter-intuitive strategy of civil obedience. But it hardly explains how he got there, how he injected new meaning into terms such as "transparency" (*glasnost*) and "rule of law" (*zakonnost*) that eventually became watchwords of Mikhail Gorbachev's fatal attempt to reform the Soviet system. The literary critic Yuri Aikhenvald, author of *Don Quixote on Russian Soil*, referred to Volpin as "the solitary knight at the beginning of our liberation movement."⁶ This Don Quixote's Dulcinea, however, was not an ideal woman or even an ideal Russia, but an ideal language, a language free of ambiguity, capable not merely of flawlessly rendering thoughts but of making thought itself flawless.

The offspring of an affair between the translator Nadezhda Volpina and the immensely popular "village poet" Sergei Esenin, Alexander Volpin was a year and a half old when his father committed suicide in the Hotel Angleterre in Leningrad in 1925. Eight years later, he and his mother resettled in Moscow, where Volpin was to live for most of the next four decades. A bookish young Muscovite, Volpin constructed an inner life from the many available "leftovers of the past"—Pushkin, Tolstoy, Jeremy Bentham, Sigmund Freud—leavened by Bolshevik visions of a scientifically planned society of the future.⁷ His adolescent mind associated the ubiquitous Soviet red star with Bentham's panopticon: the all-powerful Soviet state at the center of the star systematically observing

and perfecting the character of the Soviet citizens gathered around it. He took pleasure in imagining a future of uninterrupted progress as the increasingly mechanized communist paradise expanded to the far reaches of the solar system.

At the same time, Volpin's adolescent preoccupations—as he recalled them a decade later, in diary entries from the 1940s—included suicide, immortality, Tolstoy's gospel of non-resistance to evil, and the search for a path to truth. To this list could be added, by the time of his fifteenth birthday, an obsession with dates, calendars, and odd word combinations. Rather than suffer the uncertainties of playing with other children in the courtyard of his apartment building, Volpin often sat at home and performed the elaborate calculations necessary to establish daily calendars far into the future.⁸ His awkward relations with schoolmates, meticulously recorded in his notebooks, often left him distraught. After one particularly traumatic falling-out with a high school friend on April 15, 1939—"a day worthy of a monument in my life"—a despairing Volpin decided that his frictions with peers stemmed from his own inner struggle between thought and feeling. "I swore to myself that I would overcome my lack of will," he noted. "To hell with my useless heart. Only mind, only logic! I will cease to have enemies. . . . The era of dual power is over—the dictatorship of reason has begun."⁹ His own psyche, Volpin concluded, was reenacting the revolutionary drama of October 1917, the replacement of uneasy power-sharing between the Provisional Government and the Councils (Soviets) of Workers' and Soldiers' Deputies by the Bolshevik "dictatorship of the proletariat."

As with many inhabitants of the Soviet Union in the 1930s, Volpin's awareness of the climate of repression was muted by the sense that life in the West—with its economic free-fall and rising fascist menace—was far worse.¹⁰ Although a half-brother, Georgy Sergeyevich Esenin, disappeared following his arrest in 1937, the wave of political terror that engulfed Soviet society in the late thirties appears to have left Volpin and his immediate family relatively unscathed.¹¹ He was also spared the danger of military service when the Red Army declined to draft him in the summer of 1941, during the desperate months following Hitler's invasion. An army doctor informed by her colleagues that Volpin was

“not of this world” warned Nadezhda Volpina that her son “would not last a minute” in the army. The two women agreed on a lifesaving diagnosis: “schizophrenic—unsuitable.”¹²

The diagnosis did not prevent Volpin from enrolling at Moscow State University in August 1941. As Nazi air raids against the Soviet capital intensified, those faculty and students who had not been drafted—among them a shy senior named Andrei Sakharov—were evacuated to Central Asia.¹³ In the transplanted department of mathematics, Volpin pursued his interest in the emancipation of reason from emotion and faith, a subject that led him to a number of key works on mathematical logic. These included Bertrand Russell and Alfred North Whitehead’s seminal *Principia Mathematica*, which argued that all of mathematics could be derived from a priori principles of logic alone, and therefore that mathematical proofs, or truth-statements, need not depend on unproven assumptions, or belief-statements. Much of Volpin’s work in the postwar years can be understood as an elaboration of the analytic philosophy championed by Russell, and in particular “ideal language” philosophy, whose mission was to create a formal system of communication free of the ambiguities of natural languages.

Friends and acquaintances from Volpin’s student years recalled his devotion to the dictatorship of reason in the form of strict logic and legalism. One account has him deciding during the war that since butter contained more calories than bread, he would exchange his bread ration for butter—a decision that briefly landed him in the hospital.¹⁴ Another describes an early run-in with the local branch of the Communist Youth League, which in 1943 adopted a resolution ordering the famously unkempt Volpin to take a bath. Since he was not a member, he considered himself outside the League’s jurisdiction and refused to comply.¹⁵ Yet another relates how Volpin once publicly challenged the head of the Communist Party bureau within the mathematics department at Moscow State University, Pyotr Ogibalov, after the latter demanded the expulsion of a group of students who had allegedly formed a secret organization. “What is it that makes you conclude the organization was secret?” asked Volpin, who was not in the group, at a meeting called to discuss the charges. “The fact,” Ogibalov answered, “that I was unaware of its existence.” “Forgive me,” came Volpin’s

reply, “but until today I was unaware of your existence, but that has not led me to conclude that you exist secretly.”¹⁶ By his own account, during his student years Volpin felt no particular hostility toward Stalin or the Communist Party. He was simply an instinctive contrarian and would have been one “even under the best regime.”¹⁷

If anything, Volpin’s occasionally antagonistic behavior in the immediate postwar years was rather conventional. He began to cross out the names of candidates or otherwise disfigure election ballots, which featured one candidate per office—a safe gesture for those wishing to register anonymous dissatisfaction with the USSR’s peculiar form of democracy. This was not “an expression of my relationship to the system,” Volpin noted, but rather a piece of youthful non-conformism, fueled by the same spirit that once led him to salute a Communist official with his right hand while secretly making the obscene “fig” sign (thumb inserted between the middle and index fingers) with his left. Under Stalin, to be sure, even symbolic gestures such as these could have terrible consequences if discovered. When asked years later whether he had given any thought to the “social significance” of such behavior, Volpin’s response was unequivocal: “That expression would probably have made me vomit. I simply didn’t think in terms of that category of struggle with the regime.”¹⁸

Circumstances, however, soon changed. After successfully defending his dissertation in the spring of 1949, Volpin was sent to the recently reincorporated city of Chernivtsi, in Soviet Ukraine, to teach mathematics at the local state university. Here he continued to write and, more significantly, to read aloud to acquaintances his non-conformist poems. Perhaps an eccentric mathematician from Moscow caught the eye of local authorities in a small provincial city. Or perhaps authorities in Moscow wished to arrest the non-conformist son of a famous poet in an out-of-the-way place in order to avoid attention.¹⁹ Whatever the case, within weeks of arriving in Chernivtsi, Volpin was seized, sent on a plane back to Moscow, and deposited in the KGB’s infamous Lubyanka prison. There he was re-arrested (possibly in order to transfer jurisdiction over the case from the Ukrainian to the Russian Republic) and charged with “systematically conducting anti-Soviet agitation, writing anti-Soviet poems and reading them to acquaintances.”²⁰

In a poem begun on the day of his arrest, Volpin struck a heroic pose, claiming that he feared “neither prison nor reprimands”:

What’s the use here of “why” and “could it really be,”
Everything is obvious without any “why’s”:
Since I’d dispensed with all belief in human aims,
Was it any wonder I was locked up in prison!

.

I’m a spider, proficient in webs,
Under interrogation I shall invent no lies at all. . . .
I shall penetrate their protocols and their minds.²¹

Inside the Lubyanka, reality was somewhat different. Volpin was sufficiently apprehensive about the prospect of prison or labor camp that he faked a suicide attempt in order to initiate a psychiatric evaluation. At the time, he considered mental institutions “a salvation from a more awful punishment.”²² At the Serbsky Institute of Forensic Psychiatry in Moscow, doctors declared Volpin mentally incompetent, and in October 1949 he was transferred to the Leningrad Psychiatric Prison Hospital for an indefinite stay. A year later, he was labeled a “socially dangerous element” and exiled for five years (without trial) to the town of Karaganda, nearly two thousand miles east of Moscow, in Soviet Kazakhstan, where he found employment as a math teacher for adults. Scarcely two weeks after Stalin’s death in March 1953, an amnesty was announced for over a million Soviet prisoners and exiles, Volpin among them. By April, he was back in Moscow.

Compared with the hundreds of thousands of other political prisoners, Volpin had suffered a relatively mild incarceration and exile. But they were enough to initiate a significant departure from his youthful posture as contrarian. In a poem called “Fronde” (French for “sling” or, figuratively, a group of hostile insurgents), he lamented the naiveté that had led to his arrest:

On sunny days, behind locked doors,
We indulged in careless chatter . . .
How foolish—a *fronde* without a sling!²³



FIGURE 1.1. Alexander Volpin

It was not only his naiveté that came under scrutiny. The romantic nihilism he had cultivated as an adolescent now appeared to offer not liberation from faith but another form of it, “a risky self-deception,” he wrote on New Year’s Eve 1953. And yet negation remained “the deepest value of my identity,” the axiom that made free thought possible.²⁴ The next eight years were a twilight zone of unemployment, during which Volpin survived on occasional translating and editing jobs. It was to be one of the most creative and fruitful periods of his life.

The Second World War cast a long shadow across the USSR.²⁵ Hitler’s invasion had brought nearly a million square miles of Soviet territory and 40 percent of the Soviet population under Nazi control. Roughly twenty-seven million Soviet citizens—one in seven—lost their lives during the war, more than half of them civilians.²⁶ A significant portion

of the USSR's infrastructure was destroyed: roads, railways, apartment buildings, factories, entire towns and cities. Desperate to rally the Soviet population against the Nazi onslaught, Stalin had loosened the Communist Party's grip over many arenas of military and civilian life, feeding hopes for an era of post-victory liberalization. Those hopes proved illusory. Or rather, they had to wait a decade until Khrushchev's momentous decision, in one of history's great Oedipal revolts, to denounce his predecessor (now safely dead) for executing thousands of innocent Bolsheviks, perverting the principles of Marxism-Leninism, and defiling the Party itself. Khrushchev's so-called Secret Speech to the Party's Central Committee in February 1956, which quickly became anything but secret, inaugurated the era of Soviet history known as the "Thaw."

As the metaphor implies, the Thaw set loose forces dormant or frozen beneath Stalin's dictatorship.²⁷ Millions of Gulag inmates returned to Soviet society, shrinking the USSR's prison and labor camp population to a fraction of its Stalin-era peak. In the USSR's cities—where by 1962 the majority of the Soviet population lived—tens of millions of individual family apartments went up, granting their inhabitants a novel experience: privacy. A youth subculture emerged that prized individual sincerity over the epic bombast of high Stalinism. The "living word" now took the form of lyric poetry, documentary prose, and films about the struggles of everyday life. The Soviet Union's extraordinary postwar scientific achievements—the design and testing of nuclear weapons and the launching into space of the first satellite (Sputnik, 1957), the first man (Yuri Gagarin, 1961), and the first woman (Valentina Tereshkova, 1963)—fostered a veritable cult of scientific knowledge and socialist progress.

The Thaw also opened the gates to select currents from outside the USSR, above all from the West. Not since Peter the Great carved a "window to Europe" at the beginning of the eighteenth century had so many Russians been exposed so suddenly to contemporary Western literature, art, music, and design. Translations of Ernest Hemingway, Erich Maria Remarque, and J. D. Salinger flooded Soviet bookstores; people waited for hours to view works by Pablo Picasso, to witness Glenn Gould's performances of Johann Sebastian Bach, or to walk through an (utterly

atypical) “American kitchen” at the American National Exhibition outside Moscow.²⁸ Foreign cultural objects were not the only things showing up in Soviet cities; actual foreigners did too. In the summer of 1957, Moscow hosted the World Festival of Youth and Students, drawing thirty-four thousand visitors from over a hundred countries to engage in mostly supervised mingling with their Soviet counterparts. For many Soviet participants, the two weeks of direct contact with foreigners came to be associated with a euphoric “loosening of inhibitions” after decades of Stalinist isolation.²⁹

One of the participants in the World Festival of Youth and Students was Volpin. Neither a student nor, at thirty-three, particularly youthful, Volpin found himself in a small crowd of people outside a hotel, where an enthusiastic visitor from France had just announced her desire to live in the Soviet Union. Volpin followed the woman into the hotel and, in an act of what he described as “Don Quixotism,” attempted to explain the negative consequences of Soviet citizenship. After exiting the hotel, he was seized by watchful agents, who announced that he was being detained on suspicion of theft. While under interrogation the following day, Volpin learned that the charges had been changed to anti-Soviet agitation and propaganda, under Article 58 of the Russian Criminal Code. Insisting that his interrogator’s interpretation was based not on the text of Article 58 but rather on “patriotic and ideological nonsense which might have its own independent value but had no juridical force,” he demanded to speak to a prosecutor. Instead, a psychiatrist appeared, and after a sharp exchange it was determined that Volpin would be transferred to a mental hospital. The interrogator announced that “the slightest anti-Soviet move” by Volpin would result in indefinite detention. “I said that I didn’t understand the meaning of the term ‘anti-Soviet,’” Volpin wrote to friends a month later, “that I was not a Marxist and that perhaps his words meant that I had to keep silent in general.” The interrogator, lumping Volpin with “philosophical idealists and other muddle-headed persons,” warned him against “undermining the prestige of our state.” Released after three weeks of confinement in a psychiatric hospital, Volpin described the incident as “nasty—but what a contrast to the bad old days.”³⁰

Like many of his fellow citizens during the Thaw, Volpin eagerly absorbed newly accessible works from the West, creatively adapting them to the Soviet world. In his case, those works tended to come from the fields of mathematics and philosophy. Some of them he translated himself, such as Stephen Kleene's *Introduction to Metamathematics*.³¹ Of particular interest was the emerging meta-discipline of cybernetics. As a purported "science of control" over dynamic processes, cybernetics—from the ancient Greek word meaning "steersman"—aimed to translate a wide variety of phenomena into the precise language of mathematics and computer modeling. It applied concepts of control and feedback, entropy and order, signal and noise, to the flow of information regarding everything from machines to living organisms to human societies.³²

Nowhere did the new approach to information elicit loftier hopes than in the USSR during the 1960s.³³ With its promise of rationalizing immense and complex processes, cybernetics appealed especially to those responsible for price setting, investments, production quotas, and consumption patterns across the Soviet Union's vast centrally planned economy. At the same time, a distinctive feature of Soviet cybernetics was its implicit rivalry with another would-be meta-discipline, namely, dialectical materialism, or *diamat*, as it was known to generations of Soviet college students. No discipline was beyond *diamat*'s reach. Mathematicians, linguists, historians, philosophers, biologists, jurists—all were vulnerable to charges of "formalism," "idealism," and other sins proscribed by the *diamat* catechism. Those who attempted to analyze human society via algorithms risked being charged with "detachment from life" and ignoring "the needs of the people."

Cyberneticists sought to isolate the methodological from the ideological. Whereas Alexander Voronsky, the editor of the literary journal *Red Virgin Soil*, had once praised the "life-giving spirit of the dialectic," by the postwar era that spirit had all but dried up.³⁴ "We were tired of the phraseology of official philosophy," recalled the linguist Vyacheslav Ivanov. "We wanted to deal with precisely described concepts and with notions defined through rigorously described operations." The mathematician Andrei Kolmogorov, a pioneer in the field of computer simulation, sought to make it impossible "to use vague phrases and present

them as ‘laws,’ something that unfortunately people working in the humanities tend to do.”³⁵

Volpin’s intellectual coming-of-age is inseparable from the rise of cybernetics and the cross-disciplinary goal of applying “exact methods” to the study of language, thought, and society. Many Soviet cyberneticists understood their approach, and the various modeling systems it spawned, as a form of insulation from official dogma. What distinguished Volpin’s thinking during the Thaw was his insistence on applying “exact methods” to official ideology itself, that is, to the language of Marxism-Leninism.

An American participant in the World Festival of Youth and Students, twenty-one-year-old Sally Belfrage, happened to meet Volpin and recorded her impressions of him. Born in Hollywood to British writers, Belfrage had watched her father be grilled before the House Un-American Activities Committee at the height of the McCarthy era and then deported to England on suspicion of spying for the Soviets. After the festival, she stayed on in Moscow, working as a translator and gradually shedding her illusions about the USSR. Volpin appears in her notebooks as “an absent-minded professor” whose apartment was “chaos—littered with ancient cigarette ends and trash, completely buried in books.” About his years in prison and exile, she reported, Volpin was “very philosophical and cheerful.” “He gloats over the fact that, as a mathematician, they could never take away what counts for him—during those years he worked out calculations that have since been incorporated into his books and teaching, quite important ones.” A self-described anarchist, he ridiculed the Soviet state’s failure to wither away as Marx had predicted. When Belfrage asked what economic system he favored, Volpin replied, “For Russia, the economic system is not essential; what is needed now are radical political changes,” while declining to specify what those might be.³⁶ He was especially bitter about the discrimination that resulted from his being officially identified as Jewish in his passport: “He couldn’t understand why he should be penalized for something he was so indifferent to.” “I am the enemy of any religion or nationalism,” Volpin told Belfrage, “or any kind of intellectual norms. Faith is evil; it makes men blind—faith in any kind of principle, I mean, not just

enthusiasm. [Enthusiasm] is a fine thing.’” His dream, according to Bel-frage, was to emigrate.³⁷

During the following years, Volpin continued to consume works by contemporary Western thinkers and repurpose them for his own circumstances. He gathered his thoughts in a treatise initially titled “Why I Am Not a Communist,” a nod to Bertrand Russell’s iconoclastic essay “Why I Am Not a Christian.”³⁸ By the time he arranged for a revised version of the treatise (together with some of his poems) to be smuggled abroad by a member of the visiting Yale Russian Chorus, he had dropped the allusion to Russell and renamed the work “A Free Philosophical Tractate,” shifting his nod to Ludwig Wittgenstein’s *Tractatus logico-philosophicus*, a Russian edition of which had been published in Moscow in 1958.³⁹ Volpin’s “Tractate,” published in New York in a bilingual edition in 1961, offers a first glimpse of the ideas from which the central dissident strategy of legalism would emerge.

The central concern of Wittgenstein’s *Tractatus* is the relationship between language and reality. “Most of the questions and propositions of philosophers,” it famously announced, “are based on our failure to understand the logic of our language.”⁴⁰ In pursuit of semantic clarity, Wittgenstein sought to separate the sphere of values from the sphere of facts, a distinction that resonated with Volpin’s own ambition to draw a firm line between emotion and reason or, in a later incarnation, between ideology and law. Equally important for Volpin was Wittgenstein’s notion that logic was the only reliable generator of universal ethical imperatives, the first of which was intellectual honesty.

Formally, however, the two treatises could hardly have been more different. Wittgenstein’s, like the field of logic it explores, was highly structured, with each statement numbered according to its rank within various thematic hierarchies.⁴¹ Volpin’s looked like his apartment. Explicitly repudiating the need for systematic presentation, he gave his “Free Philosophical Tractate” a telling subtitle: “An Instantaneous Exposition of My Philosophical Views,” reflecting his claim (notwithstanding the work’s gestation and revision) to have composed it in a single day.⁴² Another key difference: Volpin’s “Tractate” was not only published abroad but written with foreign readers explicitly in mind.⁴³

These circumstances inspired Volpin's repeated apologies for the work's alleged lack of novelty. "Much that is written here is not new," he explained, adding that "if all this is familiar to everyone . . . I shall be very pleased. In that case please deposit it in the museum of Russian nonsense." Even the text's final self-justification—"Every student in Russia who has arrived at philosophical skepticism by his own thinking can consider himself a new Columbus"—was full of irony, insofar as the Russian saying "He thinks he just discovered America" was a common means of puncturing inflated claims of originality.⁴⁴ Reviewing the work in 1961, the British Sovietologist (and poet) Robert Conquest praised Volpin's courageous dedication to freedom of thought, but accepted at face value the claim of non-originality. "Much of it," Conquest claimed, "*is reasonably familiar: it is its spontaneous rebirth from a barren soil that is so striking.*"⁴⁵

Conquest may have been duped by the work's subtitle, for Volpin's "Tractate" was anything but spontaneous. The soil from which it arose was not so much barren as an intricate and novel blend of Soviet and Western elements. Even when Soviet elements served as antipodes for Volpin's thought, they were hardly barren. In fact, they were highly productive.

"A Free Philosophical Tractate" is above all an essay on the nature of knowledge. Consistent with Volpin's interests in the foundations of mathematics, it explores not so much truth itself as the conditions under which truth can be ascertained. For Volpin, those conditions require first of all the freedom that comes from rejecting all forms of faith. Marx's and Engels's definition (via G.W.F. Hegel) of freedom as "the recognition of necessity," he noted, "implies that, if I find myself in prison, I am not free until I have realized that I cannot walk out; but, as soon as I become aware of this, I shall immediately discover 'freedom.' Need I explain that such terminology is very convenient for the 'liberators of mankind'?" Addressing the "liberators" directly, he continued: "Demagogues, you who are merely interested in attaining your ends at the price of confusion in people's minds! You can do nothing but grunt like pigs. We must free ourselves from the influence of people with their deformed language and find a scientific expression for the concept of

freedom. Only when we attain this will we be able to trust our own thoughts.”⁴⁶

Volpin’s search for a scientific language was explicitly directed against the sacred cow of “realism,” the notion that language and thought ought to orient themselves exclusively to “reality” and lived experience, or as Russians like to say, to “life itself.” The “Tractate” refers obliquely to Volpin’s own adolescent crisis, that fateful day in April 1939 when he pledged himself to reason over emotion, but tellingly recasts it as a “break with my belief in realism, [to which] I never returned again. Intuition usually makes us lean toward realism, but here we must not trust intuition until such time as it has been emancipated from language.”⁴⁷ The primacy of metaphysical truths (ideally formulated in the language of mathematical logic) over the “real” world of emotion and experience was encapsulated in a phrase that appears again and again, mantra-like, in Volpin’s writings: “Life is an old prostitute whom I refused to take as my governess.”⁴⁸ Like the repeated retelling (and reworking) of his adolescent crisis, this phrase, with its suggestion of heroic struggle for intellectual autonomy from the fickle lessons of experience, forms a leitmotif in Volpin’s fashioning of his life story.

The “Tractate” extrapolates, from mathematics to thought in general, the goal of self-emancipation from all forms of belief via the creation of an ideal, transparent language. It endorses anarchy as the system most likely to prevent beliefs of any kind from being imposed on individuals.⁴⁹ Having rejected Marx’s notion that legal and ethical norms are determined by material factors, Volpin cleared a space for alternative sources of such norms. As a prerequisite for productive thinking about those sources, the “Tractate” called for a reform of the Russian language so as to make it conform more closely to the requirements of modal logic—the branch of logic that classifies propositions according to whether they are true, false, possible, impossible, or necessary. Volpin ridiculed what logicians call *ignoratio elenchi*—offering proof irrelevant to the proposition at hand—especially in the form of conspicuous quotations from Marx or Lenin (“a child’s rattle”) as a substitute for reasoned argument. It was not only ideologues who engaged in such practices. “This defect in our thinking is a paradise for poetry,” Volpin noted,

“which likes nothing better than this obscurantism. For this reason precisely, I have reacted with scorn during the past eight years to this genre of art which had earlier so fascinated me. . . . Yet to this day I love poetry, simply because a wedge is the best means for knocking out another wedge; and the former illusions, engendered by poetry, can best be destroyed with the aid of new poetry.”⁵⁰ Volpin aimed to unsettle the rhetorical habits not just of the Communist Party, with its Bolshevik-speak, but of the Russian intelligentsia, with its faith in the transcendent value of the poetic Word.

To be sure, the call for a new, purified language, grounded in the idea that language structures consciousness and therefore thought, had a lengthy pedigree. For centuries, philologists (and, more recently, software engineers) have dreamed of constructing a language of perfect clarity built on principles of logical reasoning. Volpin no doubt drew on the impulses of the Russian avant-garde’s “Promethean linguistics,” as represented by the Futurist poet Velimir Khlebnikov and the ethnographer Nikolai Marr. Yet Volpin’s imagined scientifically reformed Russian had little in common with Khlebnikov’s anti-scientific “transrational language” (*zaum*) or Marr’s “unified language,” which claimed to restore the primordial proto-language from which all human tongues allegedly derived.⁵¹ The ideal language, according to Volpin, would liberate its users from the layers of semantic ambiguity baked into natural languages. It would enable them, for the first time, to trust their own thoughts.

Volpin’s singular contribution to the fertile cross-disciplinary debate taking shape during the Thaw involved a practical application of the utopian project of fashioning an ideal language. Instead of building such a language with the tools of logic (as Wittgenstein and, following his lead, analytical philosophers were attempting to do), or embarking on a wholesale reformation of the Russian language so as to rid it of ambiguity, Volpin sought to apply modal logic to two humanistic fields he considered most susceptible to “exact methods”: jurisprudence and ethics. Ironically, the Soviet government, with its relentless insistence that intellectuals produce useful knowledge for the laboring masses, inadvertently fostered

Volpin's interest in finding practical applications for his rather abstruse ideas about ideal languages.⁵² Many thinkers associated with cybernetics responded to such pressure by developing uncontroversial applications such as computer programs that could accurately translate one language into another, or simply by going through the motions of applied research. "I can't say that we intentionally deceived anyone," Vyacheslav Ivanov recalled, "but it is now impossible to overlook the fact that in those past discussions the practical utility of new methods was, if not strongly exaggerated, then at least strongly emphasized. . . . Everybody knew the rules of the game."⁵³

The practical utility of a perfectly transparent language first came to Volpin's mind in connection with a specific and usually very unpleasant game, namely, the cat-and-mouse dialogues that inevitably occurred during interrogations by KGB officials. Interrogations provided rich material for thinking about language and ethics: when to tell the truth and when to remain silent; how to refuse to answer a question, even under pressure; how to avoid lying or setting a trap for oneself. In his quest for a language free of ambiguity, Volpin had concluded that the fundamental task of ethics was the eradication of lying.⁵⁴

His interest in the language of face-to-face conversations between the individual and the personified state was, needless to say, more than academic. By 1963, Volpin had been incarcerated in mental hospitals four times (1949, 1957, 1959, 1963) and subject to numerous grillings by KGB officers and psychiatrists.⁵⁵ In his search for strategies to strengthen his own position vis-à-vis his interrogators, he stumbled upon a copy of the pre-revolutionary Russian Code of Criminal Procedure, published in 1903, among the books left to him by his maternal grandfather, a lawyer from the tsarist-era Pale of Jewish Settlement.⁵⁶ Volpin then acquired the current Soviet Code of Criminal Procedure, which had undergone major revisions in the late 1950s in response to the rampant abuse of procedural rules in the administration of justice under Stalin.⁵⁷ There he found a surprisingly dense web of protective measures designed to constrain the power of prosecutors and judicial investigators over defendants and witnesses. The revised Soviet code explicitly banned "leading questions"; it granted individuals under interrogation

the right to write down their own responses (rather than have an official transcribe their words), to request explanation of terms used by their interrogators, and, in certain cases, to refuse to answer questions. The cat-and-mouse game, in other words, had rules, a kind of formal grammar governing speech between state and citizen. They were imperfect rules, to be sure, and sometimes ignored in practice, but they were designed to regulate verbal exchanges and the meaning of specific words. One could learn and master them.

Volpin's interest in Soviet legal codes initially centered around his own case. Having immersed himself in the fine points of Soviet law, he launched a formal appeal in December 1961 regarding his arrest and imprisonment in 1949 on charges of "anti-Soviet activity," for which he had been amnestied in 1953 without the charges themselves being repudiated (perhaps because the charges had never been confirmed by a court or judge). "I never considered as lawful the decision taken against me by the Ministry of State Security," Volpin's appeal announced. "With the present declaration I request that it be reviewed. The basis for this review lies in the violation of a series of regulations outlined in Soviet legislation," which he proceeded to lay out in great detail.⁵⁸ Volpin's claim, it should be noted, consisted not of a denial that he had committed a crime (an issue he declined to engage), but of the charge that in arresting and exiling him, the Soviet government had violated its own rules.

Volpin's appeal was probably not helped by the publication in New York earlier that year, under his own name, of "A Free Philosophical Tractate" together with a selection of his poems under the title *A Leaf of Spring*. To appreciate the audacity of this move, one should recall the ferocious Soviet campaign against Boris Pasternak following the 1957 publication in Italy of his novel *Doctor Zhivago* and the awarding to him of the Nobel Prize in Literature later that year. So enormous was the pressure brought to bear on Pasternak—public vilification as an "enemy of the people," expulsion from the Union of Soviet Writers, threats of criminal prosecution and exile—that he decided to formally decline the prize and withdraw from public life. He died a broken man two years later.⁵⁹

The publication abroad of Volpin's explicitly anti-Marxist writings triggered a slew of public attacks on its author. At a 1962 meeting with representatives of the intelligentsia, Khrushchev pronounced Volpin "insane," noting that "our enemies" published his work and passed it off as emblematic of Soviet youth. Volpin's mental illness, Khrushchev added, was inherited from his father, since only an insane person would commit suicide.⁶⁰ The chair of the Central Committee's Ideological Commission, Leonid Ilichev, denounced *A Leaf of Spring* as "pretentious and illiterate" and its author as "mentally ill." Volpin's work was full of what Ilichev called "poisonous skepticism" and "hatred toward Soviet society and the Soviet people."⁶¹ At a similar meeting a week later, the poet Yevgeny Yevtushenko described Volpin as "scum" and *A Leaf of Spring* as a "disgusting, dirty little book."⁶² An article in the newspaper *Pravda* (Truth) and letters to the editor from two of Volpin's aunts—Sergei Esenin's sisters—characterized both Volpin and his work as "sick."⁶³ The campaign climaxed with the publication in the popular journal *Ogonek* (Spark) of a vitriolic essay titled "From the Biography of a Scoundrel." Its author, Ilya Shatunovsky, a prominent journalist who headed *Pravda's* culture department, denounced Volpin as a slanderer of Soviet power, "which gave him everything in life," as an accomplice to treason (for having attempted to enter the grounds of the American embassy), and a speculator in foreign currency.⁶⁴

Volpin's response to this assault was unusual. When his employers at the Institute of Scientific and Technical Information demanded that he perform the obligatory Soviet ritual of "self-criticism" by publicly repudiating the views expressed in *A Leaf of Spring*, he refused. When it was then suggested that he apply for permission to leave the country, he insisted that the government first formally acknowledge his right to emigrate.⁶⁵ In a letter to Khrushchev, he affirmed his "moral responsibility" for the contents of *A Leaf of Spring*, noting that nothing prevented even an anarchist like Volpin from being "a loyal citizen of the Soviet state, that is, abiding by its laws." "You have done more than anyone," he told Khrushchev, "to expose the lawlessness permitted under Stalin. That lawlessness was the basic cause of the viewpoints expressed in my book."⁶⁶

The response to Volpin's letter was three months of forced confinement—without formal charges or a trial—in Moscow's Gan-nushkin Psychiatric Hospital. Following his release, Volpin proceeded to sue *Ogonek* for libel, in effect reversing the charges of slander leveled at him not only by the journal but by the Soviet government in 1949. In pretrial depositions, Volpin insisted that the court evaluate the truthfulness of Shatunovsky's assertion that *A Leaf of Spring* was "anti-Soviet." The juridical meaning of "Soviet power," he argued, referred exclusively to those institutions sanctioned by the Soviet Constitution—not to Marxism, not to the Communist Party, not to individual leaders.⁶⁷ His work had made no mention of Soviet institutions, and only a willful misreading by Shatunovsky, Volpin argued, could have produced the charge of "anti-Soviet" slander. To this Shatunovsky offered the following response: "From my Party-minded point of view, the conventional definition of 'slander' as a deliberate falsehood is irrelevant." Volpin noted that if this astonishingly frank statement had been made public, he would have dropped his lawsuit.⁶⁸

In the end it was the court, not Volpin, that dropped the charges against Shatunovsky and *Ogonek*. The case nonetheless served as an important stimulus to Volpin's thinking about the value of Soviet law as a language in which dissenting positions could be articulated and defended. The distinction between "Soviet" and "Communist" was more than mere wordplay. It tapped into the historical fact that the October 1917 revolution had been carried out in the name of Soviet, not Bolshevik (that is, communist), power, and into the abiding distinction, in theory at least, between the institutions of the Soviet state and those of the Communist Party. By the 1960s, the adjective "Soviet" had come to signify not just a political agenda but an entire country and its population of some 250 million people. In an essay titled "What Is 'Soviet'?" Volpin noted: "We are all citizens of the USSR by virtue of having been born on its territory. But there is no law obliging all the citizens of the USSR to believe in communism or to build it, or to collaborate with the security organs, or to conform to some mythical ethos. The citizens of the USSR are obliged to observe the written laws, not ideological directives."⁶⁹

Law as a transparent, formal language of specific behavioral obligations and prohibitions; ideological directives as a form of coerced belief: these were the categories, derived from modal logic and Wittgenstein's distinction between fact and value, that shaped Volpin's emerging concept of law-based dissent. His uncommon reaction to Khrushchev's forced resignation in October 1964 (due to "actions divorced from reality," as *Pravda* put it) and the Communist Party Central Committee's election of Alexei Kosygin as chairman of the Council of Ministers (in effect, head of state) illustrates this new way of thinking.⁷⁰ It was not, Volpin insisted, a matter of whether one approved of Khrushchev's policies or his erratic personality. His removal from power—Khrushchev was the first Soviet leader not to die in office—was illegal on procedural grounds. According to the Soviet Constitution, the chairman of the Council of Ministers was elected by the Supreme Soviet, not by the Communist Party, and therefore only the Supreme Soviet had the authority to replace him.⁷¹ Volpin's view of the war in Vietnam, in the context of fervent Soviet denunciations of American imperialism, was similarly grounded in a stark proceduralism: what troubled Volpin most of all was that the American Congress, the only body authorized by the U.S. Constitution to declare war on a foreign state, had not done so.⁷²

"The greatest paradox in the fate of Russia and the Russian Revolution," the philosopher Nikolai Berdyaev wrote, in exile from Stalin's Soviet Union, "is that liberal ideas, ideas of rights as well as of social reformism, appeared in Russia to be utopian."⁷³ There is indeed something paradoxical about Volpin's proceduralist utopia, built less on a vision of human dignity or human empathy (as with most rights-invoking movements) than on the ideal of semantic transparency. Volpin approached rights and the rule of law not through classic liberal ideas of contract and self-interest, with the right to private property at their core, but through ideal language philosophy and the "exact methods" of cybernetics. The dictatorship of reason he imagined as an adolescent, and repeatedly refashioned thereafter, never found expression in a perfectly unambiguous language. Instead, he settled for an imperfect but more pragmatic alternative: the already existing and (in theory) binding language of

Soviet law. Traces of the original utopian impulse, however, survived this compromise. One was Volpin's emphatically literal reading of Soviet law, as if it were already transparent rather than in need of interpretation. Another was his version of the Russian intelligentsia's belief in the transcendent power of the Word, a peculiar variant in which the Word resided in the Soviet Constitution and the Code of Criminal Procedure rather than in poetry and other works of artistic imagination. A third utopian impulse, perhaps the most ambitious of all, was his conviction that what Russia needed, after decades of violent revolutionary upheaval, was a "meta-revolution"—a revolution in the way revolutions are accomplished, a revolution in the minds of Soviet citizens, transforming their relationship to the language of law.

For much of Soviet history, those who sought to cultivate islands of personal freedom did so by publicly acting and speaking in accordance with official norms. Conformism in this sense was a protective shield under which Soviet citizens could privately think and behave in ways that, while not necessarily at odds with the Soviet order, were not aligned with it either. Volpin's philosophy of civil obedience recast both the content and purpose of conformism. It emphasized strict conformity to Soviet law rather than to exhortations by the Communist Party. Conformism was no longer a veil for contrarian practices, but a device for openly pressuring the Soviet government to similarly conform to the letter of its own law. This conformism required no compromises and no shame.

The Soviet Union, like every other complex, modern, variegated society, required at least the appearance of the rule of law in order to function. Volpin was groping his way toward a novel technique: to act as if the veneer were more than just a veneer, as if the language of law were transparent and binding on both the state and individual citizens. In his diary entry for New Year's Eve 1963, shortly after the dismissal of his lawsuit against Shatunovsky, Volpin wrote: "Let's wait and see. We will be patient and think things over. But we will make no concessions whatsoever, and when the time comes, we will issue a public manifesto of our rights."⁷⁴ Less than two years later, the time came.

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