

# **New Perspectives on Socialism and Human Rights in East Central Europe since 1945:**

## **Introduction to the Thematic Issue**

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### **Abstract:**

In recent years, the study of human rights history has expanded beyond Western-centered narratives, though the role of Eastern European state socialism and socialists both on human rights concepts and politics is still underrated. This introductory essay synthesizes recent research of the role of Eastern Bloc socialist states in shaping the emergence of the post-war human rights system and the implications of this new research on the history of the Helsinki Accords as well as the collapse of state socialism in 1989/91. Ultimately, state socialist actors were not merely human rights antagonists, but contributed to shaping the international arena and human rights politics, motivated both strategically as well as ideologically. And the Eastern Bloc was not merely a region that passively absorbed the idea of human rights from the West, but a site where human rights ideas were articulated and internationalized as well as contested.

**Keywords:** Human Rights, Eastern Bloc, Socialism, Globalization, Third World

Over the last decades, the role ascribed to state socialist actors in the history of human rights has been one of the antagonist, if they are included at all, since most often they are ignored, marginalized, or dismissed as unworthy competitors of the liberal democratic West. The currently most widespread narrative on human rights and communism assumed its shape as the Cold War was ending—and a decade after the collapse of the Soviet Union it had become self-evident that there were two distinct cultures of human rights in the postwar era: in the West human rights meant political and civil rights, while the Communist Bloc championed the primacy of social and economic rights. According to a thesis promoted by Daniel Thomas in *The Helsinki Effect* (2001), the 1975 Helsinki Accords – an agreement meant to engender a more secure Europe signed by countries on both sides of the Iron Curtain - enabled western rights norms to worm their way

into late Cold War socialist states, which, according to this argument, eventually resulted in the triumph of “one global human rights culture” (Ignatieff 2001: 19). Political scientists argued that this was evidence of a “boomerang effect,” wherein elites ratified treaties for international gain and were subsequently compelled to actually conform to international norms through a combination of diplomatic and dissident pressure (Risse and Sikkink 1999). More recent scholarship on Helsinki has aimed to complicate this picture of Western-imposed human rights norms setting off an unstoppable wave of dissent leading to the collapse of the state socialist system in 1989/91, by highlighting the role of transnational political actors and not just the overwhelming power of norms; however, scholarship has continued to privilege the perspective of Western diplomats and activist networks, while eliding socialist human rights claims or downplaying their relevance (Bange and Niedhart 2011; Snyder 2011; Peter and Wentker 2012).

By contrast, in the late 1970s, contemporary academics were less convinced that the world had already achieved a universal global consensus on rights. In a highly influential essay, Karel Vasek (1977) divided the world into three cultures of rights: In the modern West, rights were rooted in the principle of freedom and liberty (political and civil rights), in the “economically immature” East rights centered on egalitarianism (social and economic rights), and in the undeveloped Global South they were grounded in the primacy of solidarity (self-determination). State socialist countries were fixated on social and economic rights as part of their effort to modernize and overcome their backwardness but did not yet have the capacity to offer the liberal freedoms of the West. As Cold War tensions began to rise once again over the problems of the nuclear arms race and the Soviet invasion of Afghanistan in the early 1980s, Vasek’s theory of regional and ideological differences stemming from structural dynamics of historical and economic development gained further plausibility (Jensen 2017).

State socialist elites in the Eastern Bloc, however, would have rejected both of these narratives. While initially tentative about embracing this rhetoric in the immediate post-war, by the 1960s it had become orthodoxy that state socialism realized a qualitatively superior form of human rights, including political and civil freedoms, and that the Soviet Union represented the most modern form of human rights as a result of the socialist revolution. The Eastern Bloc thus also claimed to be a leading force in the fight for racial and gender equality and, in conjunction with the Global South, for self-determination. For state socialists, the rights in the West were a

pale bourgeois imitation of what could be achieved if states progressed towards their inevitable communist future wherein lay the historical endpoint in the evolution of human rights.

In the 2000s, Cold War triumphalism has faded and the human rights movement itself has faced new challenges to its moral authority due to the failure of humanitarian military interventions, proliferating economic inequality, and the rise of the new far-right. As the sense of inevitable human rights has receded, academics have begun to contest narratives that presented the concept as the self-evident, natural end point of the universal values of the Enlightenment. This recent critical scholarship is based on the idea, as Jean Quataert has argued, that “rights are not self-evident, self-policing, or ethically monolithic; they are historical constructs rooted in struggle and are even at odds with one another” (2011: 4). Rather than assuming continuity and modernist progress (Hunt 2008), academics began to conceptualize the history of human rights, particularly in the postwar era, as one of rupture and radical change (Moyn 2010; Hoffmann 2010; Eckel and Moyn 2014). Rather than focusing on the triumphant march of Western norms, academics started to explore human rights politics and activism as a globally entangled history (Eckel 2015) and demonstrated the central role of post-colonial states in challenging the post-war order that sought to preserve the colonial status quo by excluding self-determination from the Universal Declaration of 1948 (Burke 2010; Simpson 2013; Jensen 2016).

Until recently, however, those attempts to question the conceptual foundations of the older narratives stopped short of revising the role of the Eastern Bloc with most academics still focusing on the role of human rights dissidents or Soviet antagonism to Western visions of progress on the international stage. Socialist objections to liberal human rights ideals continue to be framed as a wholesale rejection of human rights and Eastern European support of the struggles against colonial racism are portrayed as little more than a ploy in a *Realpolitik* struggle with the West. Historical accounts continue to draw a straight line from Karl Marx’s critique of human rights as bourgeois categories to the Eastern Bloc abstention on the Universal Declaration of Human Rights in 1948, and then to strategic concessions beginning with the Helsinki Accords in 1975, and finally to the eventual collapse of state socialism in the face of mass protests and Western pressure in 1989/91. Although dissident activism sparked debates about the potential of civil society activism for Western countries too beginning in the late eighties (Arato 1981; Cohen and Arato 1992), interest in potentially genuine appropriations of human rights and dignity, of (civil) society versus the

state, abated soon after Jürgen Habermas's verdict (1990) that the events of 1989/90 represented only "catching-up revolutions" with nothing to teach established liberal democracies.

As this special issue makes clear,<sup>1</sup> state socialist countries did not simply reject or merely instrumentalize human rights, but instead created their own discourses and ideological frameworks at home. Ideas developed in various socialist settings were both internationalized and in turn re-domesticated by citizens seeking to challenge the state on its own terms through a complex interplay of the global and the local. And even if they imported concepts and ideas from the West, concretizing them to state socialist realities and translating them into local vernaculars imbued them with new meanings. The articles in this issue show that although the socialist world may have failed to establish its alternative understanding of human rights internationally—or to cope with the implications of these claims domestically—these attempts nevertheless tangibly influenced the conception, understanding, and political implementation of human rights both globally and in East-Central Europe. If the concept of human rights was a cornerstone of the revolutions of 1989, it was not through a simple direct transfer of values from West to East, but instead the end of a multi-decade engagement with human rights by Eastern Bloc elites as well as dissidents. The use of the idea of human rights to demand reform and democratization was in part inspired by Western liberal notions of rights, but was also the product of hybrid visions of rights, reflecting the lived experiences and realities in state socialist societies, and rooted in local re-appropriation of socialist narratives and rhetorics of human rights.

### **State Socialism and the Rise of Global Human Rights**

Until 1945, there was little in the socialist canon on how to engage with human rights aside from dismissing it as a defense of bourgeois class interests, disguised as a form of universal morality, as first argued by Karl Marx and Friedrich Engels (Brenkert 2008; Lacroix, Pranchère, and Raillard 2012). The Soviet Revolution produced no programmatic list of rights and not once in the works of Lenin did he mention the concept of human rights or the rights of man (Kuczynski 1978: 20). The first Soviet Constitution structured rights around class identity rather than national

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citizenship let alone universal humanity (Alexopoulos 2006). By 1936, however, most of the class and identity aspects were rolled back when Joseph Stalin introduced a new Soviet Constitution, supposedly “the most democratic in the world,” in which political rights were officially granted to all citizens “regardless of racial or national membership, faith, educational level, residence, social origin, property status, and past activities.” Rights to be exercised in “the interests of toilers and the strengthening of the socialist system” were matched with duties to the state and to the cause of socialism. Although the Constitution now promised Soviet citizens an extensive catalogue of political and economic rights, its passage was a prelude to the Great Terror of 1937, not liberalization.

During the Second World War, the idea of human rights gained traction internationally with social democrats and conservatives as the antithesis to the horrors of the Third Reich and it was inscribed into the core values of the United Nations Charter in 1945, the Universal Declaration of Human Rights (UDHR) in 1948, and the European Convention of Human Rights in 1950 (Burgers 1992; Duranti 2017). But state socialist elites in Eastern Europe also gradually appropriated the language of human rights. Although the emerging socialist Bloc was not yet able to present a clear and distinctive socialist conception of human rights when the United Nations debated the creation of the UDHR, the terms of subsequent debates became already clear during its drafting: the socialist Bloc strived—albeit in part surely motivated by strategic considerations in the context of early Cold War—for an alternative that rejected liberal individualism and viewed self-determination, the indivisibility of political and social rights, gender and racial equality, and peace as primary focal points. Ultimately, state socialist criticism of the initial draft of the UDHR did result in the inclusion of sections on non-discrimination, social rights, and gender equality, and the USSR worked with the United States and Great Britain to ensure that it would not be legally binding for all involved (Morsink 1999: 31; Mazower 2004). The Soviets did not however succeed in preventing the UDHR from focusing on the rights of individuals over the collective, nor could they force the inclusion of the right to self-determination. They therefore chose to abstain on the final vote alongside Ukraine, Belarus, Poland, Czechoslovakia, and Yugoslavia (as well as South Africa and Saudi Arabia) (Normand and Zaidi 2007: 152–154). This final vote was thus not an outright rejection of the concept of human rights, but a critique of specific aspects of the UDHR as written (Amos 2010; Lukina 2017).

During the late 1940s and 1950s, some socialist legal theorists in Eastern Europe began to attack the problem of how to systematically present a socialist alternative, seeking to expand upon Marx's critique of bourgeois rights and to explain how such claims to universal morality were actually truly fulfilled by way of a socialist revolution, rather than liberal democracy. Early theorists, such as Imre Szabó in Hungary, Bernhard Graefrath in the GDR, and Anatoly Movchan in the Soviet Union, sought to reconcile the theory and practice of Eastern European state socialism with the international rhetoric and legal texts emerging from the United Nations (Szabó 1948; Graefrath 1956; Movchan 1958). This intellectual endeavor was not coordinated, and these early theorists seemingly worked independently from each other across the Eastern Bloc. By the 1960s, however, legal theorists in Eastern Europe had rewritten the history of human rights to portray revolutionary socialism as its mainspring. By the end of the decade, official accounts elided the socialist Bloc's abstention on the UDHR as they began to portray socialist states at the forefront of its passage: "The imperialist powers consistently did everything they could to prevent the insertion of democratic clauses in the Pacts on Human Rights. With the passage of years, however, the proposals made by the representatives of the Soviet Union and other socialist countries, as well as the non-aligned Afro-Asian countries, gained increasing support" (Movchan 1969: 242–243). This reimagining of the recent past coincided with Eastern Bloc participation in the UN's International Year for Human Rights in 1968, which sparked a boom in socialist human rights theorization that carried on into the 1970s (Greenfield 1981; Richardson-Little 2019).

Central to this emerging theory of socialist human rights was the embrace of self-determination, not just as a revival of Lenin's use of the concept as opposition to imperialism from the 1920s, but as a fundamental human right based on the demands of anti-colonial activists from the emerging Afro-Asian Bloc. In the violent twilight of formal European empire, British officials feared that the socialist states were working with Latin American and Arab states to forge human rights into an "anti-colonial" weapon on the world stage (Klose 2009: 278). This was spurred on when the final document of the non-aligned Bandung Conference named the human right to self-determination as one of its seven principles (Burke 2006). In the GDR, the young legal academic Bernhard Graefrath was inspired by the emerging Afro-Asian bloc and declared that the self-determination of peoples was not just a human right, but the "most basic human right" (1956: 54). The 1960 "Declaration on the Granting of Independence to Colonial Countries and Peoples," which stated that "subjection of peoples to alien subjugation, domination and exploitation

constitutes a denial of fundamental human rights,” was also a source of inspiration on human rights in the Eastern Bloc. The Polish legal scholar Franciszek Przetacznik would later describe the Declaration as “one of the most important living documents that has come out of the United Nations in the entire course of its life,” because it affirmed “all peoples have the right to self-determination, by virtue of which they should determine their political status and freely pursue their economic, social and cultural advancement” (1971: 344). Eastern Bloc writers would try to claim the Declaration as a Soviet initiative, but in reality, it originated from the Third World nations, which rejected several efforts by the Eastern Bloc to amend its contents for the purposes of anti-Western propaganda (Burke 2010: 50).

Such rhetoric was more than just a means of embarrassing the West at the UN and it reflected a common concern for the right to self-determination which brought together the new, fragile decolonized states of the global South together with Eastern Europe—a region which was recently occupied by the Nazis and whose countries borders continued to be contested by the West even after WWII. In a pamphlet entitled *Self-Determination: Good Slogan in Bad Hands*, Antonín Snejdársek (1961) linked the cause of decolonization with the protection of post-war Eastern European borders from Western revanchism which he argued echoed Nazi-era efforts to conquer the East. Such comparisons were not completely baseless as some in post-war West Germany claimed a human right to a homeland, which entailed reclaiming the Sudetenland, Western Poland, and all other territories lost in 1945 (Wildenthal 2010).

In addition to advocating on behalf of self-determination, the Eastern Bloc also pushed for the recognition of racial discrimination as a violation of human rights and was a primary supporter of the 1965 UN Convention on the Elimination of Racial Discrimination (CERD) (Betts et al. 2019). The fight for civil rights in the United States also became entangled with the problem of how to react to supportive Soviet propaganda. Already by 1947, the Soviet Union was active at the UN in echoing the charges of systemic racism brought forward by African Americans, including W.E.B. DuBois who had petitioned the UN in the name of human rights to address discrimination and segregation in the United States. In the African American community, however, this caused a split between those who embraced the Soviet camp and those who feared linking their campaign to the cause of another country’s foreign policy (Anderson 2003: 22, 51, and 175). At the same time, Soviet pressure on the US in the context of the Cold War was instrumentalized by American elites who advocated for desegregation and who could now promote civil rights at

home in order to undermine socialist propaganda about the horrors of American capitalism (Dudziak 2000). In the 1970s, after the Civil Rights Movement went into decline, new African American radicals, in particular the Communist activist Angela Davis, became the focal point for Eastern Bloc human rights solidarity (Hagen 2015).

At the UN, the Eastern Bloc also fiercely defended the inclusion of social and economic rights in the canon of human rights, but did not abjure political and civil rights in doing so. The official socialist position, which would also become that of the United Nations, was that all forms of human rights are indivisible and there can be no hierarchy or primacy of any single category of rights (Whelan 2010). In the debates over the UDHR in 1948, the Soviets rejected efforts by the Chinese delegation to create a hierarchy of rights and instead demanded recognition that all types of rights were interconnected and could not exist without the other (Amos 2010: 150). Later, the Hungarian theorist Imre Szabó would explain that the socialist Bloc “placed greater emphasis on economic, social and cultural rights at international gatherings, but that was because of the backward state of those rights” (Przetacznik 1971: 351). In spite of this rhetorical emphasis, theorists from all parts of the Eastern Bloc were quick to claim the indivisibility of all rights and their interdependence as a prerequisite for realizing justice. Even when Soviet dissidents demanded greater freedom of assembly and democratization, few if any of them criticized the idea of generous social and economic rights as an integral part of the human rights canon (Smith 2012; Nathans 2014).

When the United Nations transformed the non-binding Universal Declaration of Human Rights into a legally binding international covenant beginning in the 1950s, a fragile alliance formed between the Socialist World and the Third World focused on the importance of preserving social and economic rights in addition to the inclusion of self-determination. When the delegations from Canada, Belgium, and the United States made a move to strip economic and social rights provisions from the UN’s human rights program, John Humphrey argued this would engender a backlash from the General Assembly from the East and South:

If the Covenant does not include articles on economic and social rights it will simply become a target for Soviet propaganda. Moreover, this issue now has symbolic value: the inclusion of economic and social rights in the Covenant is in



effect a promise to the under-developed countries that they will eventually share in all the benefits of modern civilization. Humphrey and Hobbins 1996: 251

Once the Covenants were split in two—one covering political and civil rights (ICCPR), the other economic, social, and cultural rights (ICESCR)—the Eastern Bloc was much faster to sign and ratify both compared to Western nations. Between 1970 and 1975 all of socialist Europe had ratified the Covenants, while the UK waited until 1976, France until 1980 and the United States until 1992, and even then it still refused to ratify the ICESCR (Bradley 2017: 157).

In the 1960s, the Eastern bloc, in alliance with states from the global South, had been at the forefront of the global promotion of rights, but in doing so, they themselves had helped create the norms and institutions that would eventually disrupt their own legitimacy and authority. In the context of *détente*, these ideas were now retooled through the Helsinki Accords of 1975—also known as the final act of the Conference on Security and Cooperation in Europe (CSCE)—to become an integral part of East-West security. The Eastern Bloc states had initially viewed this agreement as a victory: it had ensured western recognition for their previously contested borders and thus guaranteed their right to sovereignty in a politically divided Europe. The Accords' protection of other types of rights—notably to free assembly and expression—according to the norms of the UN Covenants did not initially appear to threaten states which claimed to be the true bearer of these ideals. Nevertheless, over the next decade, dissident groups, and the transnational networks of human rights advocates that supported them, would make effective appeals to these legal frameworks to eke out spaces that became crucial for the expression of opposition.

### **Rethinking Helsinki and the Rise of Dissent**

The rise and eventual success of human rights related dissent is much more complex than it appears in the all-too-simple story of dissidents adopting liberal human rights from the West. First, there were genuine processes of appropriating and creatively implementing ideas from different human rights traditions by reflecting upon specific experiences of state socialist everyday life, which began before the signing of the Helsinki Accords. Second, those local hybrid appropriations were still largely founded on and influenced by socialist rights thinking—as well as on the interaction with socialist elites. Dissidents thus did not merely implement an externally

provided weapon. Third, this alternative history of dissent is not just one of West versus East—a liberal political understanding of rights versus a socialist one—but a more complex history also involving East-South cooperation and engagement too. Fourth, socialist human rights were not merely subverted by a superior western concept: by the late 1960s, well before the CSCE was signed, rights claims by socialist state leaders and elites had already opened up spaces for (often threatening) forms of dissent from below. And fifth, their own socialist—at times with hindsight astonishingly self-confident—human rights discourse continued and culminated in Gorbachev’s (ultimately failed) linkage of rights and democratization as a means to rescue the socialist project.

The first dissidents to invoke human rights emerged in the Soviet Union in the late 1960s and they were followed by movements in Poland and Czechoslovakia in the 1970s, and then later East Germany and Bulgaria in the 1980s. Those groups were politically heterogeneous: Czechoslovak human rights dissidents, for instance, ranged from liberals, to anarchists, to Catholics and reform communists (Bolton 2012). While a dissident human rights movement did not emerge in the GDR until much later, the Church launched early human rights protests against the state in conjunction with participation in international anti-racism campaigning conducted by the ecumenical World Council of Churches which acted as a link between global south activists and Eastern Bloc Protestants (Kunter 2000; Richardson-Little 2014). The case of Poland is particularly illustrative: Human rights already played a vital role, albeit to date overlooked, in the rapprochement between two formerly antagonistic and at the time, politically marginalized groups: leftist Catholics and disillusioned reform communists (Dietz 2015: 32–150). After the students’ protests inspired by reform communism were violently crushed in 1968, leftist Catholic intellectuals offered help—and an “open dialogue” not about political programs but about underlying values, in search for a common ground. This new channel of communication led to the re-appropriation of a socio-liberal notion of human rights inspired by Catholic personalism, and grounded in the idea of human dignity (Cywiński 1971; Kuroń 1972). At the beginning of the seventies, this process remained an inner Polish process of self-reflection, but it forged closely knit contacts as well as an ethos from which the later opposition in the Committee for the Defense of Workers (KOR) would emerge (Thaa 1996; Dietz 2015: 118–135; 1972: 188).

From the beginning, Eastern Bloc actors developed local, hybrid visions of human rights, often grounded in protests and movements that predated the signing of the Helsinki Accords, and their influences and goals extended beyond just the fulfilment of this international agreement

(Brier 2016). It is also important to acknowledge the reluctance of many to engage in human rights politics—despite the signing of the Helsinki Accords. As Anna Delius shows in this issue, Polish intellectuals associated with KOR shied away from employing the language of human rights when they sought to bring workers into the world of dissent in 1976. Instead, they aimed to mobilize them against everyday problems in the workplace. Human rights did not emerge naturally from such milieus but were instead used as a language to appeal simultaneously to multiple audiences: the Western left, Polish workers, and the socialist elite. This initial focus on social demands rather than the notion of human rights indicates another factor: as Michal Kopeček shows in this issue, most research on protest in Poland, Czechoslovakia, and Hungary has focused on how civil rights activism undermined Marxist-Leninist doctrine that the rights of the individual and the state were the same. This research overlooked that the dissident and reformist appropriation of the language and logic of state socialist human rights theory played a much bigger—and potentially transformative—role in all three countries.

But again, the history is more complex than West against East. In addition to networks created with Western NGOs, Eastern Bloc human rights activists also saw their own political projects tied to global processes of democratization, namely in Southern Europe (particularly Spain) in the 1970s and the transition away from military dictatorships in Latin America in the 1980s (Brier 2013). Indeed, the largest opposition movement in the Eastern Bloc, the one-time ten million strong *Solidarność* (Solidarity) trade union, abandoned its use of official social and economic rights claims and discovered a civic anti-authoritarian rights tradition not only after reflecting on the political failure of the first Solidarity in 1981 (Dietz 2015: 281–290), but also at least partly through its international engagements with others fighting dictatorship in the South, particularly in Latin America (Christiaens and Goddeeris 2020).

Socialist conceptions of human rights were not only influential for articulating alternative hybrid visions, human rights policies also unintentionally opened new spaces for protest. Under state socialism, rights were qualitatively different from those in the West: as Inga Markovits argued “Socialist rights are not primarily entitlements, but policy declarations. Instead of protecting individual autonomy, they set public standards for desirable goals and behaviour. Socialist rights are thus not weapons (which would imply potential hostility between the individual and society)” (1978: 615). Domestically, this understanding was reinforced by pairing basic rights with basic duties in socialist constitutions: the right to work was always linked to the duty to work, the right

to education was a duty to be educated. But over time, citizens began to internalize their sense of rights and become more prone to invoking rights against fellow citizens, and then against the state itself. As Paul Betts has shown, in the GDR the boom in international human rights in the 1970s was paralleled by an explosion in domestic interest in the newly passed Civil Code which recognized a wide array of rights for citizens that could be asserted to defend a zone of privacy and private privileges against fellow citizens, if not the state itself: “Combining social and human rights assertions ultimately proved fatal for these regimes, as demands for a better world slowly moved on to a different and much more intractable plane” (2012: 421). In this issue, Todor Hristov shows how state promises of social rights acted as a catalyst for working Bulgarians to turn to human rights protest. Beginning in the 1960s, the Bulgarian Communist Party promised that greater productivity would result in increased social and economic rights—thus unintentionally transforming rights into weapons that could be deployed by workers against the state when such promises were not realized.

This idea that rights were always matched by duties also applied to Eastern Bloc understandings of women’s and minority rights. While in the post-war West, women’s welfare was framed around improved consumerism, socialist female emancipation in the east was rooted in the notion of substantive equality, extensive social provisions to encourage reproduction, and universal participation in the labor force (Laville 2013). When women’s rights and gender discrimination hit the UN agenda in the 1970s, the Eastern Bloc sought to ally with the Global South, not always successfully, in order to offer an alternative vision to that provided by Western feminists (DeHaan 2010; Donert 2010; 2014; 2016). When it came to minority rights, the socialist bloc claimed that groups could maintain their traditional languages and practices through the formula of “national in form, socialist in content,” thus rationalizing the need for ideological conformity with cultural pluralism. Although the case of the Jewish *Refuseniks* seeking to emigrate from the Soviet Union has gained the most attention in historical scholarship, other minorities such as the Sorbs of the GDR and in some cases the Roma were able to use rights claims within the socialist system to gain recognition and resources, if not cultural autonomy (Granata 2006; Donert 2017).

The established narrative thus misses the rich and complex history of human rights appropriations from within socialism, but it also omits the survival of the socialist human rights discourse at a time of rising dissent. The CSCE process and the creation of Helsinki Monitoring

Groups were part of a larger transnational engagement with human rights not only by dissidents but also by elites within the Eastern Bloc. As dissident movements spread in the 1970s, Eastern Bloc elites continued to employ the language of human rights as a means of legitimizing state socialism and democratic centralism. In the late 1970s, the Soviet Union introduced a new Constitution, the first since Stalin's in 1936, which the Politburo claimed as evidence of its full compliance with international human rights norms (Nathans 2010). The Soviet Union, along with Poland, did take actions however to subvert efforts of some dissidents to challenge party rule by an appeal to legalism and "abiding by the Constitution" (Lipski 1985: 25; Nathans 2007). The Polish government amended its constitution in 1976, declaring that rights must be linked to obligations, that Poland was a socialist country, and the PZPR the leading force in building socialism. Despite these reservations and the proliferation of human rights groups like Charter 77 and KOR, these states did not try to distance themselves from the concepts of human rights. Even in Romania, where elite engagement with human rights was minimal, Nicolae Ceausescu could declare in 1978: "One cannot speak of real democracy, of freedom, of secured fundamental human rights in a society which does not afford the masses of millions of people the primordial possibility to earn their living by work, to directly participate in running various compartments of activity, the society, in decision-making as it concerns their own existence, their own future" (Ceausescu 1985: 33). In the early 1980s, both Leonid Brezhnev and Konstantin Chernenko published books on the subject of human rights and the inherent superiority of the socialist system (Brezhnev 1980; Chernenko 1981).

While these signs of widespread adoption of human rights rhetoric could still be read as strategic concessions in order to strengthen the Bloc's position in the international arena, this commitment changed with the arrival of Mikhail Gorbachev (Thomas 2005). As Ned Richardson-Little elucidates in his article, a split emerged in the 1980s between hardliners who still saw human rights as an effective propaganda tool to reinforce the status quo, and reformist elites who saw democratization and human rights as synonymous and used them to challenge bureaucratic authoritarianism from within. Eastern Bloc leaders hoped to create their own international Socialist Declaration of Human Rights to solidify the ideological and propaganda position of the Eastern Bloc and socialist state worldwide, but this project actually turned into a vehicle for reformism. Key Soviet reformers saw human rights as a rallying cry for a new democratic form of socialism which could reform the sclerotic bureaucratism of the USSR through pressure from below, while

others viewed human rights as a tool of soft power that could be used to change the dynamics of late Cold War political competition with the United States (Kerley 2016). As revolution swept across Eastern Europe in 1989, Gorbachev made human rights a central plank for his proposals for a Common European Home that could succeed the division of the Cold War era and usher in a new era of pan-European human rights that would encompass both East and West as equal partners (Rey 2004).

### **1989 and the Collapse of Alternatives**

There has been little interest in examining the legacies of state socialist ideas on rights after 1989. This has partly been due to the fact that these were often assumed to be elite ideologies with little popular purchase, or conceptions that failed in the face of “superior” western civil and political conceptions of rights. Yet, as we have shown in this collection, these specifically socialist ideas of rights—collectivist, concerned with sovereignty, cultural expression, or social and economic justice—did shape the expectations and world views of socialist citizens. A few studies have attempted to address continuities or explore how these older value systems formed resistance against new neoliberal individualistic conceptions of rights. A recent study for instance demonstrated that many Bulgarians still assume that rights are not universal entitlements, but rather privileges that can be given or taken away by the state—as was the case during state socialism (Yakimova 2017: 66 and 72). Those studies have so far been marginal, although the articles in this special issue indicate that this is a promising field for further research.

As criticisms of the dominant individualistic rights paradigm increase in the present, we might expect growing interest in these themes. A renewed enthusiasm for social and economic rights has become apparent among leading human rights theorists (Sen 2011: 379–387) and even Marxist thought is also once again being used to rethink the meaning of rights in order to move beyond the limits of legalistic liberalism (Lacroix, Pranchère, and Raillard 2012; Fasenfest 2016; O’Connell 2018). Indeed, the United Nations showed a renewed interest in exploring revitalized social and economic rights in the context of global inequality with the appointment of Philip Alston as “Special Rapporteur on Extreme Poverty and Human Rights.” In a recent report, he argued for the dire need to give “substance to the right to equality; and putting questions of resource redistribution at the center of human rights debates” (Alston 2018). Politically, it is the Chinese

Academy of Social Sciences which promotes “socialist human rights concepts with Chinese characteristics,” as an alternative to the hegemony of Western individualism (Wenhua 2017). It is unlikely that Stalinist ideology will provide an alternative in this arena, but the hybrid activism of socialist East-Central Europe is also being rediscovered as a possible example to address the problems of today: Samuel Moyn’s recent work, *Not Enough: Human Rights in and Unequal World*, opens with Czechoslovakian dissident and Charter 77 member Zdena Tominová, who was a harsh critic of the repressive policies of the state, but believed that the promise of both socialism and human rights could be realized through dissent (Moyn 2018: 1). With renewed interest in these questions, the visions of a Third Way for human rights between state socialism and capitalism that emerged from East-Central Europe are no longer mere failed conceptions cast into the dustbin of history, but may instead become productive sources in the renewed search for alternatives.

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