

# The Eastern Bloc, Human Rights, and the Global Fight against Apartheid<sup>1</sup>

Sebastian Gehrig, James Mark, Paul Betts, Kim Christiaens and Idesbald Goddeeris

## Abstract

Anti-apartheid advocacy allowed Eastern Bloc countries to reframe their ideological language of solidarity towards African countries into a legalist rhetoric during the 1960s and 70s. Support for international anti-racial discrimination law and self-determination from colonial rule reinforced their ties to Africa after the disenchantment of the Hungarian Uprising. Rights activism against apartheid showcased the socialist Bloc's active contribution to the international rise of human rights language and international law during the Cold War. By the mid-1970s, however, international rights engagement became problematic for most Eastern European states, and dissidents at home eventually appropriated the term apartheid based on decades of state-mandated international rights activism to criticize socialism.

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On 1 January 1977, a soon to be famous dissident group in Czechoslovakia circulated their manifesto titled the Declaration of Charter 77. The authors reminded their country's leaders that the ruling party had signed the United Nations(UN)'s two International Human Rights Covenants, which had taken effect in their country in March the year before, first in 1968 and again as part of the Helsinki Accords in 1975. After this short first introductory paragraph, the authors of Charter 77 went on the attack. They highlighted that the communist party prohibited tens of thousands of their citizens from working in their chosen professions simply because their views differed from the official party line. Human rights as affirmed in the UN conventions did not exist for these citizens. Their everyday lives instead saw constant harassment by the authorities and public organisations of the state. Instrumentalising a term that had global resonance to describe their own persecution and exclusion at the hands of a Communist state, Charter 77 charged that Czechoslovak dissidents had become "victims of a virtual apartheid" (Charter 77: 1).

When Charter 77 used this term, anti-apartheid rhetoric was already a firmly established part of socialist Bloc anti-imperialist rights language. Eastern European states had come a long way since 1914 when Lenin had first endorsed the right of self-determination in the name of Bolshevik revolution (Lenin 1972: 393-454; Quigley 2007: 133-147; Fisch 2015: 129-132). After Lenin's death, Stalin continued to pay lip service to the important link between anti-imperialism and self-determination while pursuing his national policies. When the UN was founded in 1945, the Soviet Union discovered the propaganda value of rights language to call out the US on race inequality at home. The Soviet delegation pressed for the formation of a Sub-commission on Prevention of Discrimination and Protection of Minorities within the Commission on Human Rights. When the sub-commission took up its work in 1947, Dean Rusk, who was a State Department officer at the time, warned of the Eastern Bloc's intention to use the new UN body to call for an investigation into race segregation in the US (Normand and Zaidi 2008: 243-288). While the US and the colonial powers could weather this first attempt to establish a petition procedure against human rights violations at the UN, minority

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rights as a form of human rights protection moved to the centre of attention. Underneath the new rhetoric of human rights, questions of ethnicity and minority rights remained a focus longer than often assumed in UN debates of the early 1950s in the context of anticolonial forces fending off attempts by imperial powers to reassert colonial power (Mazower 2004: 379-398). Anti-apartheid rights activism played a major role in sustaining this focus on ethnicity and race within the UN from the 1960s onwards.

International anti-apartheid activism has so far mostly attracted scholarly attention as a global social movement (Brock, Gosse, and Lichtenstein 2014; Konieczna and Skinner 2019). The role of socialist states in internationalising the apartheid issue, most visibly in their support for anti-racial discrimination norms at the UN, has not yet been fully investigated as an integral part in the rise of anti-apartheid protests. Nor have national perspectives been integrated into wider histories until very recently (Gehrig 2018; Dallywater, Saunders and Fonseca 2019). Indeed, official histories of the UN written after the end of the Cold War have almost completely erased the role of the Eastern Bloc in the passage of UN anti-apartheid initiatives (United Nations Department of Public Information, 1994). Yet socialist states discovered apartheid as a key issue to connect to the South African liberation movement and Third World liberationism long before the radical left in Western countries, NGOs, and Western governments raised awareness of apartheid (Normand and Zaidi 2008: 139-242). In this process, they transformed their rhetoric of ideological solidarity in support of African armed struggle into a legalist language of solidarity.

The international rights campaign against apartheid is one example that highlights that socialist states were not just roadblocks to a human rights revolution or mere bystanders in the rise of human rights language as they are often portrayed (Moyn 2010; Burke 2010; Jensen 2016; Bradley 2017; Donert 2017; Richardson-Little 2013; Betts 2011). Rather, Eastern Bloc countries promoted their own interpretation of human rights in the drafting of the UN human rights covenants. From the late 1950s onwards, they tied their interpretation of human rights and support for select international rights causes to a return of socialist legality at home. After the upheavals and violence of Stalinism, socialist legality became an integral part of socialist governance to stabilise regimes during de-Stalinisation (Betts forthcoming; Moyal 2010). With this return to legality at home, socialist Bloc anti-apartheid activism departed from the early days of Lenin's revolutionary concept of self-determination and turned to legalist concepts and rhetoric in support of Third World revolution in the 1960s and 70s.

When the Helsinki Accords firmly implemented legal norms of self-determination, territorial integrity, and human rights within the European collective security framework in 1975, socialist states had already unintentionally provided dissident groups with rights language against discrimination for a long time (for this effect of socialist law propaganda see: Altehenger 2018). The Eastern Bloc's long-standing commitment to the anti-apartheid struggle in the international arena in particular formed a crucial part in establishing human rights language within the Eastern Bloc (Szulecki 2011; Lal 2014). From the late 1970s onwards, the earlier use of rights talk in official forms of East-South solidarity provided dissident groups with human rights norms that they could turn against their governments. The fact that the activists of Charter 77 reverted to the accusation that living conditions under state socialism amounted to a "virtual apartheid" was thus no accident. Dissidents hoped to promote their agendas by drawing on one of the most prominent international cyphers of discrimination. Yet there was little actual solidarity between Eastern European oppositions and anti-apartheid movements. Not only was the anti-apartheid struggle monopolised by regimes—it also appeared to be an issue that had the capacity to fascinate a "global public" more than dissidents'

struggle against state socialism. It was thus only after the end of the Cold War that a history of a parallel struggle for rights and representation between Eastern European dissidents and South African campaigners could be invented.

### **From Revolutionary Ideology to Anti-Imperialist Rights Language**

Early East-South solidarity was still framed predominately in terms of revolutionary ideology in support of armed struggle. As part of this solidarity, governments across Eastern Europe first engaged with apartheid very much on national terms (Betts et al. 2019). They adopted rhetoric against racial discrimination from their foundation in the aftermath of the Second World War. Beyond this ideological solidarity, however, the Soviets, and later the smaller bloc countries, often found that they had little influence within Third World debates on international law in the 1940s and early 50s. The Soviets had had an ambiguous relationship with anti-colonial activists since the interwar period. On the one hand, their experts had long rallied against bourgeois international law as the handmaiden of colonialism that had upheld the unequal League of Nations treaty system in the 1920s and 30s. The Soviets had supported including the principle of self-determination into the drafting of the postwar UN Charter at San Francisco in 1945 and continued to see their country at the forefront of supporting decolonisation. On the other hand, the Soviet Union's fending off of mechanisms to implement human rights within their national borders after the Declaration of Human Rights had been proclaimed in 1948 also provoked suspicion. The long-term internal struggle within Soviet legal circles between revolutionary and more normative approaches to law added to the confusion among anti-colonial governments after the end of the Second World War. Above all, the Soviets' ambivalence about cultural self-determination within the Soviet Union (Fisch 2015: 191), and Stalin's imperialism in Eastern Europe alienated many in the Third World (Mark and Slobodian 2019: 361).

Although socialist states briefly embraced rhetoric of human rights after the end of the Second World War, regime change in Eastern Europe and the ensuing global Cold War confrontation kept the focus of the Soviet leadership firmly focused on revolutionary ideology and armed struggle. In the realm of international law, the Soviet Union's focus remained on outlawing military aggression and punishing war crimes. The horrors of the Third Reich's war of extermination on the soil of the Soviet Union and across Eastern Europe prompted this Soviet emphasis on establishing the crime of aggressive warfare under international law as the central crime against humanity (Hirsch 2008; von Lingen 2014). Across Eastern Europe, revolutionary justice and political show trials shaped the establishment of socialist states in the wake of the Red Army's advance and Soviet domination. In the consolidation of socialist rule in the late 1940s and early 1950s, party ideology and extra-judicial persecution of political enemies trumped legalist approaches. The "legalist moment" of 1945, that saw the foundation of the UN and a short-lived enthusiasm for universalist legal concepts peaking in the Declaration of Human Rights was quickly thwarted by the Cold War's ideological divide (Mazower 2004; Mazower 2011).

The long-term conflicts surrounding the drafting of a human rights convention after the Declaration of Human Rights had been proclaimed in 1948 allowed the Eastern Bloc to reframe its support for the anti-apartheid movement into legalist rhetoric. After initial attacks on race segregation in the US, socialist delegations at the UN quickly formed a united position against apartheid. Following the Polish condemnation of apartheid in 1949, socialist Bloc countries became vocal supporters of decolonisation. East German leader Walter Ulbricht, for example,

was in particular at pains to prove the German Democratic Republic's (GDR) anti-racist foundations by claiming already in 1950 that there existed no longer any racial hatred in his young state (Slobodian 2015: 26). South African dissidents such as Ahmad Kathrada already featured as invited special guests at the World Youth Festival in East Berlin in 1951. In support of African and Asian states, Eastern European governments now endorsed anti-racial discrimination legislation and calls for individual and collective self-determination as human rights issues.

During the 1950s, apartheid moved to the centre of international politics as it regarded anti-discrimination law. While the numbers of decolonized UN members grew towards the late 1950s, anti-racism garnered increasing attention in debates on human rights and international law. The work of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities was especially important in this regard. To a degree, it had embraced race as one of the prohibited grounds of discrimination and in its work on "Discrimination in Education" (from 1953 to 1957). The commission focussed on school segregation based on race in the US, the situation in colonial settings as well as the introduction of the Bantu Education Act in Apartheid South Africa in 1953. Yet the absence of African states before the late 1950s meant that such work was limited, and that other issues such as anti-Semitism, cultural rights of minorities, the position of women, the right to education, the right to leave and re-enter a country and religious discrimination dominated their work (UN 1961). With the acceleration of decolonisation, however, new African states increasingly made progress within the General Assembly and quickly put apartheid front and centre in voicing strong support for a UN anti-discrimination convention (Normand and Zaidi 2008: 247-260).

This support for rights in the name of the anti-apartheid struggle occurred at a moment when the Eastern Bloc was trying to regain its moral authority on the global stage. The Soviet invasion of Hungary in 1956 reinforced Western accusations of the imperialist nature of Soviet expansion after the Second World War and the images of Soviet tanks on the streets of Budapest undermined Soviet claims to be true supporters of anti-imperialism. This was also the case in South Africa, where groups started to collect funds in solidarity with the Hungarians in the streets of Cape Town and Johannesburg while students protested the invasion in Pretoria (Africa South 1957: 2). The conservative International Commission of Jurists meanwhile compared the Hungarian invasion to apartheid for Western publics (The Times 1962). While some Western activists criticised both the South African government and the Soviet invasion in pursuit of a universal rights struggle that transcended the ideological divide of the Cold War (Justice 2018), the British-French intervention at the Suez Canal diverted some attention back to European colonial ambitions. But dangerous cracks had emerged in emerging South-East solidarities in 1956 too. The equation of western colonialism with Soviet-style rule in Eastern Europe by anti-colonial leaders in Asia and Africa anticipated later Chinese accusations of the Soviet Union's social imperialism after the Sino-Soviet split (Chen 2013; Altehenger 2015).

Despite this equation, however, the events in some ways also strengthened the relationship between the Eastern Bloc and the South African left. After severe internal rifts, the leadership of the African National Congress (ANC) and the South African Communist Party (SACP) brought their members in line and publicly supported the Soviet suppression of the Hungarian revolt (Ellis and Sechaba 1992). The restored Hungarian Communist Party found itself isolated internationally and excluded from international bodies. It urgently needed to gain support from an ever-increasing Afro-Asian Bloc to ensure its return into the international arena (OSA 1957). Against this background, the Hungarian government began to rewrite the story of the 1956 Uprising—what they called a "counter-revolution"—in a global context. Foreign policy elites

deployed the idea that the defeat of “reactionary forces” on the streets of Budapest echoed the struggle for freedom in Africa during extensive tours of the Global South, and at the UN, from 1957 onwards. Propaganda materials used in this campaign also likened the “counter-revolution” of 1956 to the French and British colonial suppression in Cyprus and Algeria (White Books, 1958). For their own domestic audience, the Hungarian regime highlighted the case of the so-called *disszidálok*. They had deserted Hungary after their failed attempt to re-establish “Hitler’s new order” in 1956 and now tried to find a new home in the white racist South Africa. The Hungarian government’s campaign in the aftermath of the uprising showed that Eastern Bloc states increasingly used their own struggles as evidence of their natural affinity with fight against reactionary forces across Africa, prefiguring their employment of equivalence between their own experience of Fascism, and black Africans’ of imperialism, that would be deployed in their rights work at the UN in the 1960s.

In the late 1950s, the Soviet Union and Eastern European states redoubled their efforts in the legal sphere at home and abroad. In the aftermath of Khrushchev’s Secret Speech and the Hungarian Uprising, socialist legality turned into a means of regime stabilisation across the Eastern Bloc (Moyal 2010). Since the heyday of Soviet legalism that had culminated in the Stalin Constitution of 1936, the Soviet legal profession had been on the retreat. In the initial phase of regime consolidation after 1945, legal experts were often targeted politically during the phase of regime consolidation across Eastern Europe. The return of socialist legality after Stalin’s death in 1953 promoted by the Soviet Union first prompted fears within Eastern Bloc party leaderships that the primacy of the party was under attack. Yet, the end of Stalinism eventually gave new life to socialist law and legality as a means of regime stabilisation countering the uprising of East Germans in 1953 and Hungarians in 1956 next to intermittent bursts of protest in Poland. After Khrushchev’s denunciation of Stalin’s rule, the return of socialist legality at home ushered in a new focus on international rights languages (Nathans 2010).

Socialist ideologues, party leaderships, and legal experts now not only renewed the endorsement of the important role of law under socialism, but also re-evaluated their position towards international law. In the field of racial discrimination, this state socialist activism coincided with renewed fears over a return of fascism and a rise in anti-Semitism in Western countries. A wave of swastika drawings in the Federal Republic of Germany in 1959 and 1960 raised the specter of Nazism once more within the global public. Endorsing Third World human rights concerns centred on self-determination, anti-racial discrimination, and apartheid held many advantages for socialist Bloc countries. It enabled them to project a particular vision of rights internationally in reaction to (primarily) US attempts to advocate for civil and political rights over the collective social, racial and economic rights. When the western position became dominant in the early 1960s—as the International Covenant on Economic, Social and Cultural Rights seemed to be relegated to a secondary position—a renewed rights alliance between the Eastern Bloc and the Afro-Asian Bloc became politically useful for both sides (Normand and Zaidi 2008: 197-208).

At the turn of the 1960s, the Sino-Soviet split put additional pressure on the Eastern Bloc to intensify Second-Third World cooperation. Mao Zedong aspired to lead the Third World based on racial solidarity between Africa and Asia against white supremacy and a shared colonial experience (Chen 2013; Altehenger 2015). As Beijing expanded its reach into Africa, it hoped to exploit the issue of race and anti-apartheid to its advantage. Mao repeatedly insisted to African leaders that those from the Eastern Bloc were white Europeans who appeared—through Khrushchev’s policy of peaceful co-existence after 1956—to be cozying up to the

West, and hence could not be trusted. Against these Chinese attacks, support for anti-apartheid rights initiatives on the international stage offered many opportunities for Eastern European states to show that they were still capable of playing leading roles as anti-imperialists and in the anti-racist struggle on a global stage (Betts et al. 2019).

### **From Anti-Racial Discrimination to the Anti-Apartheid Convention**

The engagement with anti-apartheid activism massively expanded in the early 1960s. This was partly the consequence of the Sharpeville Massacre on 21 March 1960, when the South African police shot 59 civilian protesters, prompting an outcry across the world. But it also emerged from the subsequent crushing of the South African mass mobilisation against apartheid, and the resulting decision of the now-banned ANC to develop deeper connections with socialist Bloc countries (Onslow 2009). In response, many Bloc countries lent support to African and Asian UN delegation for the promotion of anti-discrimination and racial discrimination law. On 14 December 1960, in the resolution Granting Independence to Colonial Countries and People, the UN declared in a first step that self-determination and colonialism were incompatible (Quigley: 115-124; Normand and Zaidi 2008: 243-288). Apartheid now moved to the centre of international debates on racial discrimination and quickly turned into a symbol for the wider ills of colonialism and became a rallying cry of Third World anti-colonial movements. In 1962, the General Assembly adopted resolution 1780 (XVII), which tasked the Commission on Human Rights to prepare a draft declaration and convention on the elimination of all forms of racial discrimination (Normand and Zaidi 2008: 247-260). The Eastern Bloc made this Third World cause part of international attacks on the Western alliance using the arrival of new legalist rights norms emanating from the UN.

From the early 1960s, conflicts around apartheid marked a shift in international legal debates that placed anti-racism at the centre of anti-colonial rights work for sovereignty and self-determination. Decolonisation now outpaced older European-dominated interwar legal debates over the protection of ethnic and religious minorities, the rights of women, and class-related discrimination. The UN's call for economic sanctions against South Africa after the Sharpeville Massacre made Western countries vulnerable to new political accusations that they were aiding a racist regime. Yet, economic ties of socialist states and their arms sales to the apartheid regime soon tainted Eastern Bloc denunciations of Western neo-colonialism (Schleicher and Schleicher 2008: 12-24). Solidarity with the anti-apartheid struggle thus posed a delicate problem. While the Eastern European states supported the movement in public, the pressure to maintain trade relations with Africa's wealthiest region—especially given their region's exclusion from trade with Western European markets with the founding of the European Economic Community (EEC) (Betts et al. 2019: 153-4)—opened up the socialist Bloc to Chinese attacks of an insufficient commitment (Taylor 2000). It was in this context that eastern Bloc states intensified work with their counterparts from Africa at the UN to counter the effects of racial discrimination and apartheid in international law.

The anti-apartheid campaign represented an attractive new human rights battlefield during the 1960s, on which the Eastern Bloc could operate without having to watch its back all the time. The Afro-Asian battle for self-determination and racial discrimination targeted the old European colonial powers. Pushing for the criminalization of apartheid offered Eastern Bloc governments a human rights issue that allowed for aid and solidarity campaigns at home, continuous attacks on Western colonialism and racism, and the promotion of moral superiority of the socialist Bloc within the UN as long as Western states blocked effective international

measures against the South African government. Moreover, it appeared to help particular national causes. The East German government for instance hoped that this commitment to the anti-apartheid struggle would unite the Afro-Asian vote within the UN in favour of a recognition of GDR sovereignty against Western policies of diplomatic isolation (Gehrig 2018). The Hungarian regime continued its international anti-apartheid advocacy as a way out of its diplomatic isolation after the uprising in 1956, joining the first UN Special Committee against Apartheid with mainly African and Asian states—and no western countries—partly to achieve this end (Szegő, 1985). Hungarian UN delegates later coordinated support for the defendants in South Africa's Rivonia Trial, in which Nelson Mandela and others were sentenced to life imprisonment on 12 June 1964 (UN Archive Geneva 1965).

The accelerated speed of decolonization now began to manifest itself in UN politics. The accession of more and more Asian and African states to the UN and the support of the Eastern Bloc resulted in the proclamation of the Declaration on the Elimination of all Racial Discrimination on 20 November 1963. In the fight for a UN convention banning racial discrimination, Eastern Bloc media regularly publicized the votes against the declaration by the US, UK, Portugal, Australia, New Zealand, and South Africa front and centre in their coverage of the issue in the following years (e.g. Neues Deutschland 1965). Western dominance in the Security Council and political and economic pressure on newly independent states could only postpone the drafting of a convention for so long. With the Civil Rights Act and Voting Rights Act passing the US House of Representatives and the US Senate in 1964 and 1965, the US administration ended its opposition to parts of the UN convention that could have previously embarrassed the US internationally. Pressure mounted within the General Assembly and the International Convention on the Elimination of All Forms of Racial Discrimination passed on 21 December 1965 with 106 votes in favor, none against, and only one abstention. It entered into force on 4 January 1969.

The Eastern bloc's involvement in such rights work could also be rooted in their own experience of seeking justice for the crimes of Fascism. The significant responsibility that Poland's judicial apparatus had borne for the prosecution of Nazi war criminals would eventually lead the country to forge an important role in opening up questions about the criminality of apartheid at the UN. Warsaw sponsored a special study of racial discrimination, with the aim of making all countries comply with the Universal Declaration (Abraszewski 1975: 155). In 1965, it introduced a proposal to the UN Commission on Human Rights to end statutory limitations on international crimes committed by the Axis Powers during the Second World War (Grosescu 2019). This initiative in turn provoked the return of a wider international debate about the nature of "crimes against humanity". Unlike Western states who wished to keep the debate to those crimes defined at Nuremberg, the Eastern Bloc and states from the South advocated widening such definitions to include "crimes against peace" and "colonialism". The latter also supported the introduction of "inhumane acts resulting from the policy of apartheid" as part of this definition (Balicki 1980: 251; UN 1968). In 1968, the twenty-fifth UN General Assembly adopted a UNESCO resolution on Measures to be taken against Nazism and racial intolerance, that had been filed by Poland, along with Iraq and the Ukrainian SSR, and again explicitly mentioned apartheid (AAN 1627/88). Unable to build consensus, the resulting 1968 UN Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity had little impact during the Cold War. Nevertheless, it marked the first time that apartheid had been defined internationally as a crime, and acted as a spur to further legal activism.

While the human rights covenants took almost thirty years to take effect in 1976 after the signature of the Universal Declaration of Human Rights in 1948, the anti-racial discrimination declaration passed all UN hurdles from the first declaration to taking effect as a convention in less than a decade. Yet, the powers of implementation of the convention still remained extremely limited. As a Polish delegate highlighted in the debates around the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), “what was really missing was a legal tool for fighting racial discrimination, which would define precisely not only general aims but also means of implementation” (Normand and Zaidi 2008: 260). The Soviet Union had insisted alongside and on behalf of African countries that the preamble of the convention should outlaw all scientific theories of racial superiority. This broad approach allowed the Polish and Hungarian delegations to mount an attack on the US and point to the slow pace of desegregation in the American South (Hungarian National Archives 1965). Conflicts between member states over whether specific forms of racism such as Nazism, anti-Semitism, or apartheid should be mentioned in the convention ended in the consensus that only the terms “apartheid” and “racial segregation” entered into the convention draft (Normand and Zaidi 2008: 261-69). This restricted emphasis on decolonisation was also used to help divert attention away from anti-Semitism within the Eastern Bloc (Normand and Zaidi 2008: 213).

The anti-apartheid movement now turned to the goal of achieving a separate convention on apartheid that included mechanisms for criminal prosecution. Although anti-racial discrimination norms were now firmly established as human rights, the issue of apartheid persisted: despite it being the only specific form of discrimination highlighted in the Declaration, it did little to weaken the South African apartheid regime. The highflying plans for implementation mechanisms fell short. Once individuals or groups had overcome the hurdles to submit an official complaint to Committee on the Elimination of Racial Discrimination, all the committee was able to do was making suggestions to the state concerned (Normand and Zaidi 2008: 272). Yet, the convention’s explicit condemnation of apartheid nonetheless turned the situation in South Africa even more into a beacon of injustice. Labelled a crime against humanity by the UN General Assembly in 1966, African states pressed on with the support of the Eastern Bloc to not just outlaw apartheid but also to create a system of global prosecution.

This cause was reinforced by the inability of other venues for international justice to address effectively the issue of apartheid. Only months after the General Assembly had passed the International Convention on the Elimination of All Forms of Racial Discrimination on 21 December 1965, the International Court of Justice (ICJ) failed to rule against South Africa’s expansion of apartheid laws to South West Africa. The court was split with seven judges for and against a verdict in the case against South Africa. The ICJ’s president Sir Percy Spender (Australia) casted the decisive vote that overruled seven judges including the court’s vice-president Wellington Koo (Republic of China), Vladimir M. Koretsky (USSR), Kotaro Tanaka (Japan), Philip C. Jessup (US), Luis Padilla-Nervo (Mexico), Isaac Forster (Senegal), and ad-hoc judge Sir Louis Mbanefo (Eastern Nigeria) (International Court of Justice 1966). This failure to find against the expansion of the apartheid system would damage the reputation of the court for years to come. The ICJ’s decision also reinforced the campaign for a separate apartheid convention. After their accession to the UN, countries from the Afro-Asian Bloc took up more and more UN committee posts in the late 1960s that they could utilise to increase such political pressure.

UNESCO’s worldwide promotion of a UN Year of Human Rights in 1968 helped to bring anti-imperialism and human rights together for domestic audiences across the Eastern Bloc. At a

UN endorsed major international conference at Tehran, Western, Eastern Bloc, and Afro-Asian Bloc countries clashed in fierce conflicts over the meaning and reach of human rights. While decolonised states pushed for a link between human rights, humanitarian law, and implementation measures that allowed the prosecution of racial discrimination and apartheid in particular, Western states saw their fundamental legal understanding of individual rights rooted in natural law under severe attack (Burke 2010: 92-111; Jensen 2016: 196-208). To complement this international conference, the GDR African-Asian Solidarity Committee hosted delegations from the Soviet Union, Bulgaria, Poland, Czechoslovakia, Hungary, the ANC, SWAPO, and Mozambique Liberation front (FRELIMO) to emphasise Eastern Bloc solidarity with the anti-apartheid struggle for audiences at home. At this widely popularised conference titled “Against Racism and Neo-colonialism”, delegations from across the socialist Bloc made the link between class struggle and economic exploitation with racial discrimination, neo-colonialism, and the rise of human rights norms in a socialist interpretation (*Against Racism and Neo-Colonialism* 1965: 5).

Apartheid thus provided a global rights issue that could unite Eastern Bloc and Third World anti-imperialist activism in the field of human rights from 1960 onwards. In the eyes of Eastern Bloc countries, continued support of the Afro-Asian Bloc in the pursuit of anti-racial discrimination norms and the anti-apartheid convention helped paper over repeated rifts in East-South relations, especially after the Soviet interventions in Hungary in 1956 and in Czechoslovakia in 1968. In the legal controversies over the apartheid convention, socialist states had another opportunity to stylize themselves as progressive forces in the development of international law. From 1971, the Soviet Union and Guinea were important players in drafting the convention to deal specifically with the suppression and punishment of apartheid. Western states for a long time opposed it, as they feared that a UN Commission on Human Rights would suddenly acquire the authority to override the powers of sovereign governments. The convention demanded the radical enlargement of the reach of international criminal law, which appeared to directly threaten national sovereignty and the legal protection that nation-states offered their citizens (Gehrig 2018). The US representative Clarence Clyde Ferguson Jr agreed with the classification of apartheid as a crime against humanity, yet argued that such crimes should be prosecuted in the framework set up by the victorious powers during the Nuremberg and Tokyo trials. The Nuremberg and Tokyo frameworks had not rested on a universal prosecution regime that undermined the legal sovereignty of nation-states. Beyond this, Ferguson stated that the International Convention on the Elimination of All Forms of Racial Discrimination from 1965 would already cover all international legal provisions required to fight apartheid. He casually overlooked the insufficient powers granted by the convention to combat apartheid effectively (UN 1973). These US concerns, however, could not halt the passing of the Convention on the Suppression and Punishment of the Crime of Apartheid on 30 November 1973; 91 votes in favor, with four against (Portugal, South Africa, the United Kingdom and the United States) and 26 abstentions. Hungary was the first country in the world to ratify it on 20 June 1974 (UN 1976: 244) and also led the way in implementing the convention into domestic law in 1978—though it was never used. Not so Bulgaria, which adopted the legislation which was then—in a twist of fate—eventually redeployed in the 1990s against Communists who were accused of having persecuted the country’s Turkish minority on racial grounds during the previous decade.

It should be noted that some Eastern European countries supported other struggles to a greater extent than the South African one in this period. Even when the Polish government, for example, did focus on southern Africa, apartheid was not regarded as the most pressing topic. Other movements such as the People’s Movement for the Liberation of Angola (MPLA) or

even the Zimbabwe African People's Union (ZAPU), Zimbabwe African National Union (ZANU) or the South West African People's Organisation (SWAPO) eclipsed the ANC, at least in the early 1970s, and this tendency reflected Polish diplomatic and military priorities in the region. Angola rather than South Africa was the focus of their attention, as the Polish leadership attempted to make up for the fact that their country had sold ships to Portugal, and now attempted to answer criticism from liberation movements within the Portuguese Empire by offering support. By the mid-1970s, financial support for the ANC rose to similar, and at points higher levels than groups such as the MPLA and FRELIMO, but this declined again in the latter part of the decade, when the Polish workers protests started. Similarly, the number of South African scholarship students studying in Poland was low over the 1970s and 80s. Polish activism thus often focused on Portuguese imperialism. The twenty-seventh UN General Assembly of 1972, which was presided by the Pole Stanisław Trepczyński, recognized the freedom movements of Angola, Mozambique and Guinea-Bissau as the authentic representatives of the local people, after which the Security Council called the Portuguese government to stop all military acts and to start negotiations (AAN 1627/88). Poland was also member of the United Nations Council for Namibia, the legal authority administering Namibia that continued to be occupied by South Africa after the UN had terminated its mandate in 1966 (AAN KC PZPR LXXVI-851; Weissbrodt and Mahoney 1986). Along with Ukraine and Iraq, Poland would file the UN resolution on measures to be taken against Nazism and racial intolerance adopted by the General Assembly in 1976 (AAN 1976).

### **Decline of Anti-Apartheid and Rights on an International Level**

The mid-1970s saw a decline in Eastern Bloc-Third World alliances. The emergence of the Helsinki framework re-centred the attention of socialist governments rights work towards Europe: these agreements conducted through the Commission on Security and Cooperation in Europe with western powers in the early 1970s appeared to be the most important guarantor of East European Communism as western states finally recognized the legitimacy of these countries' borders. At the same time, some types of rights work became less attractive on a global scale. Self-determination rights campaigns were increasingly built around economic claims from the global South, after the initial demands for economic compensation for colonialism had failed (Normand and Zaidi 2008: 289-291). From the mid-1970s, the idea of self-determination, which decolonising states had increasingly only seen as a negative international right to secure sovereignty and independence from that external to the new nation (Getachew 2019: 177), was now developed into new rights claims over justice in the global economy. G77 states argued that in order to enable development at home and achieve a meaningful and sustainable self-determination, it was necessary to create a so-called New International Economic Order (NIEO). The demand for a human right to development became the new major battleground within the UN. Since membership of the UN Economic and Social Council (ECOSOC) had been expanded in 1967 to reflect the accession of Third World countries to the UN, developing countries and the Eastern Bloc commanded a two-thirds majority in the UN Commission on Human Rights. Western states blocked all attempts to push for the implementation of a right to development in the Security Council. Although this new majority allowed for the passing of a Charter on the Economic Rights and Duties of States in 1974 (Normand and Zaidi 2008: 291-295), Eastern European states had nevertheless serious reservations which were further magnified when the PRC tried to hijack this project and Deng Xiaoping branded the Soviet Union a social-imperialist power with his own Three-World theory at the UN in 1974 (Altehenger 2015). Moreover, as soon as claims went beyond economic rights for states for broader structural justice in the global system—with possible

financial transfers from the global North to South—most, with the exception of Yugoslavia and Romania, distanced themselves (Mark and Feygin 2020). Rights alliances that had been shaped around anti-racial discrimination and Apartheid during the 1960s and early 70s became much more fractured as economic issues came to the fore. In the end, the demand for the human right of development, enshrined in the 1986 declaration, allowed for collective and individualistic notions of the right (Normand and Zaidi 2008: 289-291) and showed the resurgence of Western influence on international rights issues after the late 1970s.

On the other hand, Eastern European states were increasingly exposed in attacks on their own rights record at the UN. In what many actors from the Global South and East perceived as a defeat, a campaign led by the US and the Netherlands challenged the primacy of struggles for collective rights against imperialism and racism and for self-determination and economic sovereignty, replacing them with more individualistic conceptions focussed on protecting the citizen from dictatorship, violence, political repression, and restrictions on mobility (Slaughter 2018; Eckel and Moyn 2014; Iriye, Goedde, and Hitchcock 2012). This shift in international relations renewed direct conflicts over rights between the Cold War blocs from the late 1970s onwards. Western governments now effectively employed the language of individual human rights to promote democratisation and attack political oppression in the Eastern Bloc (Keys 2014; Kerley 2016; Snyder 2011). By the 1980s, even debates over rights to self-determination were being captured by the political right: true liberation was now linked to anti-totalitarianism and liberal democracy - and this critique was directed against the Soviet Union (Slaughter 2018). The issue of the Baltic states, whose annexation by the Soviet Union had never been recognised by the West, came to the fore again. US diplomats at the UN, even more than their more cautious West European colleagues, insisted that the right to self-determination implied “periodic and genuine elections” and that therefore many people not living under formal colonial rule were only nominally independent because they lived under Communist regimes, like Latvia, Estonia, and Lithuania (UN 1985: 7-8).

Thus from the 1980s we witness a deglobalisation of the rights issue for Eastern European regimes—and a return of old questions of minority rights within the Soviet Union and across the Eastern Bloc in response to Western activism (Kerley 2016). Certainly there were still attempts to globalize Eastern European conceptions of socialist rights—as Richardson-Little’s contribution on the bloc’s Socialist Declaration of Human Rights in this issue shows—but their lack of success in gaining support from the global South demonstrated their incapacity to mobilise their visions internationally. To counter the Western human rights offensive, Mikhail Gorbachev’s reform agenda of glasnost and perestroika also included a short-lived initiative for a socialist human rights convention to match the regional framework of the European Convention on Human Rights (ECHR) in the late 1980s (Richardson-Little 2016). While their rights campaigns focused on Europe, Eastern Bloc governments now engaged much more on a bilateral level with South Africa and the apartheid issue. Although the GDR and the Soviets continued their military and propaganda support for the struggle in South Africa in the 1980s (Schleicher 2008: 1145; Shubin and Traikova 2008: 1017-1019; Costea 1990: 396-403), in many countries of the Bloc it was on the wane. Hungary and Poland, for example, even developed new economic ties with South Africa in the midst of the worsening economic situation across the Eastern Bloc. Polish ships bought oil and supplies in South African ports, Warsaw opened chartered flights to Cape Town in 1983, and further trade talks intensified in 1988 (Gasztold-Señ 2011). From the early 1980s, Hungarian trade elites had also begun to explore ways to export to southern African markets, and, from 1987, used UNCTAD to develop deep trade relations with southern African countries, including South Africa (UN Archive ARR40 1929 064). According to the French reports, South African goods were being re-

exported with “Made in Hungary” labels, and Afrikaans language books were being printed in Budapest for the South African government (Hockenos and Hunter 1990). Growing economic contacts went along with the development of tourism and labour migration. The first Hungarian tourists visited South Africa legally in November 1989 while Hungarian workers found contacts in South African mines (BLCAS). With the exception of the GDR, anti-apartheid solidarity clearly was in decline in the 1980s.

Nevertheless, international rights networks developed beyond the socialist state. New “democracy work” between Eastern European dissidents and anti-Communist exiles emerged, albeit outside international institutions such as the UN, and within “democracy promotion” networks sponsored by North American and western European foundations. George Soros and his Open Society Foundation supported those dissidents in Eastern Europe and South Africa which committed to non-violent, non-radical democratic pathways (Roberts, 2019). South Africa and the apartheid issue now became part of these new networks. The Institute for Democratic Alternatives in South Africa (IDASA), founded in 1986 with support from George Soros’s Open Society Institute and US companies, was designed to promote a non-radical transformation for South Africa. These links would blossom into exchanges between former dissidents from Eastern Europe and the anti-apartheid oppositions in the early 1990s. An IDASA delegation to Eastern Europe in April 1992, whose trip was co-organised by the liberal German Naumann Foundation and funded by Soros and the Ford Foundation, noted the elite-guided nature of the transition and concluded that “there are many lessons that South Africa can learn from Germany, Czechoslovakia and Hungary and elsewhere; economic development and progress must go hand in hand with political change.” (Smith 1992).

### **The Appropriation of Apartheid as Dissident Language, and the End of Apartheid**

With the reorientation of human rights debates towards economic issues, the ideological grip of Eastern Bloc countries on the usage of term “apartheid” at home began to wane. The “rights work” centered on discrimination that Eastern European regimes had undertaken in the 1960s came back to bite them domestically in the 1970s and 1980s. Having establishing human rights as an accepted part of international law—a strategy that was designed to shame western capitalism and colonialism—the Eastern Bloc had created norms that would eventually disrupt their own authority. In the context of détente, these ideas were retooled in the Helsinki Accords of 1975, which brought these conceptions of rights into the Bloc, and through this into the language of opposition movements (Jensen 2016: 217-218, 235). More specifically, we find apartheid discussed in dissident texts, employing the increasing global resonance of the term to draw attention to their own struggles. The Hungarian minority in Transylvania invoked the power of the concept of apartheid mainly to highlight the ethnically-based discrimination they faced at the hands of a nationalizing Romanian state. By the late 1970s, both Charter 77 in Czechoslovakia and Polish dissidents used the term to suggest a different form of apartheid, based on political and religious criteria (Charter 77; KOR, 1977).

Yet, the similarities seen in the anti-apartheid struggle and Eastern European dissident movements never transformed into language of a common cause. The ANC never denounced the Soviet interventions in Hungary in 1956 and Czechoslovakia in 1968. Despite the intense anti-apartheid propaganda and solidarity rhetoric of Eastern European states, and the organization of aid collections and mass events, everyday relationships between South Africans and their Eastern Bloc hosts remained complicated. For instance, South African exchange

students and other guests often experienced comrades unearthed racial prejudices within Eastern European societies: these tensions only grew in the 1980s as such migrants came to represent a now increasingly unwanted socialist internationalism (Stevens 2015; Pugach 2015; Kuč 2019; Mark et al., 2019: 165-6).

The ten-million strong independent Polish trade union Solidarity (*Solidarność*) did see opportunities to support fellow trade unions in South Africa in the struggle against apartheid, but found it difficult to identify with a movement with which the Warsaw Communists expressed solidarity. Moreover, they did not want to jeopardise generous financial contributions from right-wing Polish emigres now living in South Africa with aggressive anti-apartheid rhetoric (Christiaens and Goddeeris 2018). Within the Polish movement, some conservative attacks on Third World socialism and anti-apartheid activism went even further. In 1985, Andrzej Frycz claimed in a Polish underground journal that multi-coloured socialism had begun to oppress white Europeans and turned them into the real victims of apartheid:

“it is we, the white Negroes, who are supposed to support and strengthen the system of socialist apartheid – the voting regulations preserve class separation between the multi-coloured nomenklatura and the white negroes, several controlled homelands in the form of restricted private property... the Polish white negro may become coloured ... provided he swears allegiance to the Polish apartheid.” (Frycz 1985)

As the anti-apartheid movement gained strength in the West, Eastern Bloc dissidents often saw themselves more in a competition for the attention of the global public (Betts et al. 2019). The frustration of Eastern European dissidents and their emigre supporters with the dominance of apartheid as an international rights issue surfaced repeatedly during the 1980s. The American sociologist Noam Chomsky even denounced this Eastern European self-absorbed attitude emphasizing their own plight as a lack of any real feeling for the struggles of the Global South. There was some evidence for Chomsky’s assertion. A Hungarian emigre journal linked to *A Magyarok Világszövetsége* denounced Soviet support for the anti-apartheid struggle as a large-scale distraction from rights violations across the socialist Bloc. Given these effects of the ANC’s struggle for Eastern European protest movements, the journal argued that support for anti-apartheid activism and dissident movements was mutually exclusive. In an imaginary letter to the United Nations, the dramatist Sławomir Mrożek sarcastically argued that the Polish had to “black up” in order to reach global attention:

“I should like to report, that the Poles are also Negros, as they are whites. By virtue of our rights to independence. If the dear organization was disturbed by the colour of our skin, or if some kind of difficulty surfaces in this regard, then we can repaint ourselves. To this end we ask the dear organization to supply us with black Kiwi-branded shoe polish. It’s not our fault we are white. This was just how it came to be. [...] We don’t ask for the polish for free. For every kilo we receive, we can send in exchange a tonne of red varnish.” (Frycz 1985)

This distancing was not the case everywhere in the Eastern Bloc. In the GDR, an authentic culture of anti-apartheid linked to social forces that were beyond, and often critical of, the state, existed in the 1980s. Its Protestant churches in particular—although oppositional to the regime around issues of peace, military service and environment issues (Pfaff 2001)—were nevertheless supportive of the official anti-racist and rights-based policy on South Africa (Richardson-Little 2013). Within the anti-racism politics of the World Council of Churches they helped to provide humanitarian assistance for SWAPO and other liberation movements

(Schleicher and Schleicher 1998:184). In this way, the GDR churches were in league—often to their own discomfort—with the regime in the campaign to challenge apartheid (Krusche 1998).

The unexpected downfall of state socialist regimes across Eastern Europe and in the Soviet Union transformed the confrontation over apartheid after 1989. While the South African regime lost its Cold War foe and “red terror” rhetoric to paint the anti-apartheid opposition as the long arm of Moscow, the ANC, SWAPO and the South African Communist Party lost their ideological anchor as well. Deprived of the military assistance from Eastern Bloc countries, the ANC abandoned armed struggle and looked to the modes of peaceful protest that had allowed for the monumental political transformations of 1989 across Eastern Europe. With the competition in attracting international attention for their struggles ended, Eastern European dissidents and South African protesters saw common bonds in their movements after the collapse of state socialism. After the end of apartheid in 1994, the support of state socialist regimes for the anti-apartheid struggle as a human rights issue was publicly recognized in South Africa, but not in Eastern Europe (Betts et. al 2019). Here, the memory of regimes’ support through financial, scientific, and military aid for South African fighters was reshaped to highlight the excesses (and even “crimes”) of Communism in Eastern Europe, but the crucial role of state-mandated anti-apartheid human rights talk emanating from the Bloc quickly vanished with the transformation of the human rights debate by the end of the Cold War.

## **Conclusion**

The Eastern Bloc actively took part in the transformation of human rights language in the 1960s and 1970s through their engagement with anti-apartheid at the UN. The reasons for initial engagement had ranged widely: the GDR government remained particularly invested in building bridges to the Afro-Asian Bloc through its opposition to apartheid, and hoped to use the links to Third World countries to pressure the international community into accepting GDR sovereignty (Gehrig 2018). The Hungarian leadership also tried to use apartheid as an issue to reconnect to international affairs after the uprising of 1956 had been suppressed by Soviet troops. Other socialist countries such as Poland conversely had a much more conflicted and looser relationship with the anti-apartheid movement (Betts et al. 2019). This relationship was also concerned with the strategic repositioning of Bloc countries in the mid-Cold War global order: determined to refute Chinese claims that their whiteness barred a leadership role in the anti-imperialist struggle, and seeking to refute the idea that peaceful co-existence was bringing the Bloc too close to the West, anti-apartheid and anti-racist work offered the socialist Bloc an international issue and common rights language authentically to condemn western neo-colonialism and to connect to the decolonizing world. Working to support for anti-apartheid could also be used to paper over the rifts in Second-Third World relations, especially during the Soviet interventions in Hungary in 1956 and Czechoslovakia in 1968 when the anti-imperialist credentials of the Soviet Union and its socialist brother states underwent serious challenge from its critics.

Regardless of the reasons for their engagement, Eastern European states played a major role at international institutions, in collaboration with a range of states from Africa and the Caribbean, in the formulation of new rights to combat apartheid and racial discrimination from the early 1960s. This raised global awareness for racial discrimination as a human rights issues and lent crucial support to the Afro-Asian Bloc within the UN—even as the Cold War divide prevented the implementation of effective prosecution mechanisms for human rights violations. In the

mid-1970s, with the onset of détente, leaders in the Bloc hoped that the Helsinki Process would not only bring east-west reconciliation in Europe, but, through removing the Communist threat, encourage a progressive West to more openly support progressive causes in Africa—including an end to apartheid. Indeed, this period also saw the emergence of connections between anti-apartheid in western and Eastern Europe: from this perspective, South Africa was part of the story of the journey back to a less divided Europe.

This intellectual rights work would rebound back into Eastern Europe. Although these governments saw their sustained socialist rights activism in the international arena as fundamentally disconnected from question of rights within the Eastern Bloc, others did not. Dissident groups across Eastern Europe appropriated the language of apartheid to describe their own exclusion under the Communist state, although—outside the GDR—they had little interest in connecting their own domestic struggles with the anti-apartheid movement. Instead, they pointed out the hypocrisy of their states which attempted to distance such rights work from their own situation; rather they chose to bring this state-mandated rights language of socialist law and global human rights to denounce the hypocrisy of its non-fulfilment at home—what Vaclav Havel called the mere facade of socialist legality (Havel 1992).

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