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Human Rights and the Revolutions in the USSR and Eastern Europe

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Remarkable upheavals, Professors MacCormick and Mollnau also agree, took place in the USSR, Eastern and Central Europe in 1989 and 1990. They constitute what Marxists and Hegelians used to call a world-historical event. They also constitute a revolution, or a series of revolutions, as decisive as those of 1848. Those 1848 revolutions achieved comparatively little in the short term, but they stand as milestones on a Central, Southern and East European march to democracy and national self-determination. The years 1989-90 have already achieved more spectacular success, for this time the Russian Empire no longer stands unshaken as the cornerstone of reaction supporting the enemies of renewed revolution everywhere. The revolutions of 1989 and 1990 and the external and internal break-up of the Soviet Empire came simultaneously and they were part of one and the same process. Many in the countries affected see them as consummations of hopes and aims engendered in 1848 and as a belated dismantling of the last colonial empire.

Political revolutions have been defined, or characterised, as comparatively sharp, sudden transformations involving fundamental changes in the location of social power, the basis of legitimacy and the structure of society, the economy and the state. The years 1989-90 in the former Communist world, at least in Europe and Soviet Asia, have seen such a transformation, though to varying degrees in the different countries and departments of political, social and economic

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life. Those years threw into prominence and then largely consummated an unprecedented, widespread and open internal demand for breaking the Communist Party's and the Communist state's monopolies of power — political power, cultural power, economic power. Multi-party political systems and uncontrolled candidature for elections are springing up all over this part of the Communist world: where they are accompanied by reasonable freedom of electioneering and reasonably honest elections, they are ensuring the decisive defeat of the Communist Party as a political ruler or even as a political force. At the administrative level, the situation is more complex — especially in the economy. Communist Parties may disappear, but economic structures cannot and do not disappear overnight; many former Communists may and do succeed in overtly changing themselves, while retaining their experience, their connections, some of their power base and much of their working style. The problem will be similar to that which occurred in Germany during denazification, but with the balance of power not so decidedly on the side of the new broom. Religion and nationalism, viciously suppressed by the Communists as independent ideologies and institutional forms, are rushing to fill the vacuum left by the collapse of Communist ideology. They are attracting enormous popular support — especially where the two can be intertwined. Nevertheless, whatever the outcome, the bases of Communist Party legitimacy in the European world have been fatally undermined. The Party's claim to represent the voice of history and to be the promoter of a rational economic organisation of society, or of 'true' democracy and social justice, carries no conviction whatever any more among its own people. As Communist Party legitimacy and power crumble, as files become public, the Party's recent operations and statecraft stand revealed as the rule of liars and cynics, shrinking from no dishonesty and no brutality. This makes the 1989-90 revolutions something even more fundamental than revolutions on behalf of human rights, of civil and political liberties. They were and were widely seen by the participants as revolutions on behalf of Truth. So bad, so unprincipled has the suppression of truth been in much of Russia and in recent Communist history throughout the world that truth and the desire for truth became both a fundamental moral category and the *sine quo non* for a tolerable society — in politics, ideology, education, administration and the economy. That essential characteristics of the revolt against Communism cuts deeper than the demand for civil and political rights or for economic, social and cultural rights. Yet it is fundamental to both.

The collapse of Communist power and Communist legitimacy in the USSR and Europe has also produced another revolution — a total

upheaval in the international order, in the system of blocs and alliances, in the military and political divisions of the world map. The unification of Germany proceeded at incredible speed because the people of East Germany had lost all belief in the political institutions and legitimacy of their separate state and because the Soviet Union was no longer willing to support its puppet government by force. That is a matter about which Professor Mollnau speaks with dignity and frankness. Inside and outside the Soviet Union, the former Communist world looks to the political and legal systems and constitutions of western democracy and to the advanced private enterprise economies of the West for salvation and immediate help — economically, so far as business organisation is concerned, to Germany, perhaps, even more than to the United States. Political, cultural and economic ties, broken by Soviet hegemony, are being restored: Germans are again welcome in parts of Poland at least, and even in the Georgia and Armenia where their troops, seventy years ago, tried to set up for motives that were not altruistic an independent Caucasian federation. Hungary has high hopes of Austria. Jacobinism and with it much of the French Revolution are discredited, while the American Declaration of Independence and the US Constitution with its Bill of Rights, its separation of powers and its federal structure of states once more inspire.

Four factors, apart from moral disgust over regimes and authorities that consistently lie to their peoples, have driven the revolution in Communist countries in so far as it is a revolution from below. One is the demand for democracy, freedom of speech and civil rights, strongest among the educated and in those countries that have had a substantial past tradition of civil and political freedom, especially if that tradition was interrupted more recently, and if a unionised workforce has a past background of independent union discussion and activity. Second, and perhaps broader in its appeal, is the demand for genuine national self-determination. Third, and in many countries again much broader in its political appeal, is the demand for restoration of a personal or a national religion and its institutions and corporate life. Fourth, but by no means least important, is that great generator of revolutionary change, a sharp economic reversal against a background of rising economic expectations, expectations that have risen even more sharply as Communist citizens became more aware of the standard of living of the Western, 'capitalist' world. The economic reversals, and the growing lack of faith in the capacity of Communist governments to improve the situation, no doubt gave the democratic, national and religious protests their explosive power, but the three were also intertwined. What is more, the economic disasters

of Communism are widely perceived as having been exacerbated by economic and political isolation, secrecy, lying and corruption. Democratic reform and the building or rebuilding of a civil society outside the state, it is hoped by many, will make foreign aid and investment flow more freely, but also ultimately liberate and nurture enterprise within the society. There is fear, too, that without major political change, foreign aid and foreign investment will flow, as they do in China, into pockets already well-lined with the rewards of political power and corruption. As the economic collapse of Communist countries worsens, even the ordinary living well of the élite appears immoral, itself a form of corruption.

Explosive or not, revolutionary protest required something else for success — weakness and lack of confidence among the rulers. It is possible to sit on bayonets; it is much more difficult to live with or stop a half-hearted process of reform or the growing realisation from below that you have not the will or capacity to use force to its very limit. Many contingent factors, from the election of a Polish Pope to the increasing significance of international tourism, strengthened the protest movement in Communist countries. But the proximate cause of the revolution or revolutions was the withdrawal by Gorbachev of total, including military, support for past Soviet puppet regimes and rulers.

The explosive factors that intertwined to produce revolution soon come apart, appearing to threaten each other. Democracy can threaten or appear to threaten national unity and economic development; national and religious enthusiasm divide citizens and confront democratic freedoms; economic decentralisation and insistence on profits creates social and class division. This is why revolutions so often prove unstable in their subsequent development and why contingency plays such a major role in determining the outcome. The future suddenly requires qualities quite different from those needed last year: moderation of national and religious bigotry, the blending of freedom with a willingness to help just authority, accommodation and not only intransigence.

The reasons for the collapse of will at the top fascinate. They do attract more general, 'social science' type explanations: the growing education and sophistication and foreign contact of a numerically increasing ruling élite; its realisation that the post-industrial technology cannot be run on fear or by centralised hierarchically transmitted command. The top levels of the KGB, from being the villain of the Soviet drama, were seen by some as a comparatively realistic, educated force, turning from thuggery to the promotion of a more liberal and pragmatic Gorbachev, even against the Army. But

the more closely we study this or any other revolution, the more suspicious we become of dominant factor explanations, of single process causalities, of the elevation of necessity and irresistible trends. The more suspicious, too, we become of characterising or judging social change or social struggles by means of a mechanical yardstick of abstract human rights or, more accurately, of the mouthing or proclamation of devotion to human rights. Still, it is, I should think, too late for anyone in the USSR to reverse that policy and restore the previous political order or to save an internally centralised Moscow-controlled USSR. Regional dictatorship is possible; the restoration of Marxism-Leninism, of a centralised Soviet Empire and of monocratic socialism is not.

Earlier in 1990, speaking to a seminar in my own Research School of Social Sciences and again at an Academy of the Social Sciences in Australia symposium in November 1990, I expressed some scepticism about the belief that social scientists, including the august representatives of the profession gathered in that Academy Symposium and including, of course, myself, have any special insight into the likelihood, the nature or the future development of revolutions. The belief that society could be shaped scientifically was one of the dangerous and self-serving Marxist illusions. Social sensitivity and immersion in the history and culture of a country — in short, the humanities — may help much more than the social sciences.

Revolutions, I said, are times of extraordinary ferment, of rapid change, of the breakdown of traditional social groupings. They do not lend themselves well to social analyses that elevate one determining factor, that ignore morals and ideology or use theories of class and stratification which treat such groupings as self-interested, static and given. They are not well understood or even well described by those who think that politics is the study of who gets what, when and how, and nothing else, or by those who turn their usually considerable analytical and pragmatic skills to thought games, 'original positions' and designing institutions. Professor MacCormick has already displayed for us a nice sense of the tensions and balances, the morally necessary contradictions of the good society and the good life. It is the cultural tone of a society, its traditions and lifestyles, its language as a repository of culture, morality and outlook that provide the most striking element of continuity, re-emerging as terror retreats. That is why social scientists as social scientists are not comfortable with revolutions and why writers are.

The attempt to describe or predict events in the Communist world in terms of statically defined interest groups — élites, Party ideologues, state bureaucrats and managers, technical experts, free

intellectuals etc. — has created as many problems as it solved. It has been rejected by those participant-observers not tainted by Marxism in favour of the postulation of a simple fundamental conflict between the honest and the dishonest, partly but not wholly seen as a conflict between young and old. No wonder social scientists readily despair of revolutions. The moralist, the *littérateur*, the novelist and the pamphleteer understand them much better. A revolution is an experience that *changes* people, for better *and* for worse.

Do general theories of Communism, and of revolution, give us any more insights than statically oriented social science? Marxism does not. Even though it need not be tied or confined to Leninist Communism as the true Marxist orthodoxy. Marxism — any Marxism — now needs much more than revision. It is at best a component — a suspect, not well formulated component — in a wider climate represented by that part of modern social and historical theory that has in any case recognised the historicity of social events and ideals, the existence of conflict and interest groups in any society and the importance — at times the centrality — of production in human societies. Many non-Marxists, of course, were sucked into believing and supporting the Communist myth by simple credulity, by a distaste for recognising nastiness and an enmity toward those they thought would benefit from the critique of Communism. For long, books of the *I Was a Victim of Stalin's Terror* variety gave us a much more accurate picture of the Soviet Union than did sovietologists; so did the committed émigrés gathered around the Menshevik press and the Trotskyist *Bulletin of the Opposition*. Now, even Marxists have seen the light, acknowledging that history, including the history of revolutions, is more complex than their theories and that their confidence in being able to shape its course was fundamentally misplaced.

The collapse of Communism as Soviet hegemony (whether that hegemony was direct or, as in China now, by ideological inspiration) and of one-party unaccountable rule is connected but not identical with eroding faith in other aspects of both Marxism and socialism: their belief in state economic planning, their rejection of private property and the profit motive as suitable bases for a free and prosperous society, their backing of centralisation against pluralism and local initiative. The trends here are worldwide, but not historically decisive. More people in Communist countries support state control of prices, and even of the marketing of output, than support Communist political repression, censorship and one-party control. Many workers fear private ownership and even profit-related reward for their labour; most workers fear even more strongly that

agriculture can grow prosperous and that consumer goods can become more varied only at the consumer's expense, at least initially. They can see prices rising; they do not believe wages will rise. Better to do no real work and get little than to work hard and still get little. *Glasnost*, in short, seemed an initial success, even if it liberated very radical demands for democratic freedoms, human rights and national sovereignty much more quickly than anyone expected. It has, like all political freedom everywhere, liberated some very nasty xenophobic forces as well — and it is seriously threatened by them or because of them. *Perestroika* is not a success, not yet at least, and few believe it will be. Here, people in Eastern Europe and the USSR have a stronger sense than those who live in immigration societies like America and Australia of the central role played by what Russians call the culture of living and work, shaped by past material, social and political conditions and not easily exported or revolutionised overnight, or even in a generation. Even in Eastern Europe, it is hard to see the vitality and dedication that made the post-war Marshall Plan such a success. The end of Communism, in short, is not the beginning of the millenium. Nor is its ready acceptance of many current western fashions a guarantee that those fashions are right or will last. The defence of democracy in the former Communist world and elsewhere is not that democracy solves problems. The defence is that unacknowledged problems can be even more dangerous and that political and administrative honesty and competence require comparative openness.

What, then, of the future? It cannot be derived from general principles and it will rest on a host of contingencies in which the presence or absence of statesmanship may in many countries, including both the USSR and Poland, be one of the most important. The prospects for the eastern parts of Germany seem to me good despite a certain amount of characteristic newspaper alarmism — partly because both the West German leadership and the German people have provided that statesmanship. Eastern Europe may well revert to being what it was between the Wars — a better place to live than it was under its Communist rule, with its populist authoritarianism strong but having much more in common with Pilsudski or at the worst Horthy than Hitler and with an international situation that will not encourage war or militarist adventures. More than that, it will at least put a certain premium on the observance of fundamental human and national rights. The Soviet Union will see, though not without bloodshed on a minor scale, some formal or informal secession and some advance toward a federal structure based in part on vigorous republican parliaments and in part on highly authoritarian regional rule,

reminiscent of Tsarist governors and Communist Party republican secretaries. The Caucasus will be now, as it was in Tsarist times, a sea of troubles. The world as a whole provides a better setting for these problems than it did sixty years ago — except, perhaps, in the Muslim world — and a troubled but pluralist former Soviet bloc will make a better neighbour and a better contribution to human progress and civilisation than its monocratic predecessor. Who after all, inside the country or outside it, ever had high hopes for Romania or Albania?

Stalin, it is true, gave the outside world the impression that he could and did dampen or eliminate all threatening conflict in the world ruled by him. We should not now fear if that world becomes more like ours — full of tensions, strident dissatisfactions and nasty aggression. Are Romania's thugs now morally worse than Britain's soccer hooligans, even if they are still more dangerous?

In law, in moral and political theory, a particularly dastardly and cynical form of expression is in the process of dying. No-one any longer believes that 'people's democracies' are true democracies neither requiring representative government or having any reason to feel inferior to it morally and politically. No-one any longer believes that the social dimensions of human personality and autonomy imply that all rights — civil, political, social, cultural and economic — should be derived from and granted and controlled by the State. No-one any longer believes — Professor Lopatka may be the odd man out here — that the conflict between Communist governments and democratic governments and the conflict between Communist governments and their citizens was a conflict between two equally honest and respectable conceptions of human rights or that the will of that Communist State was the will of 'society'. Professor MacCormick is right to point to the practical difficulties we all face in balancing the interests, the values, the ideals involved in respect for persons and the promotion of their wellbeing. The post-war social democratic consensus which he elevates against Thatcherism has taken some hard knocks lately and the conflicts involved in making room for both enterprise and compassion, nationalism and universalism, discipline and freedom, may be greater than he stresses in the paper reproduced here. To say that is only to say what Professor MacCormick and Professor Molnau stress in their different ways: that history is full of conflict and paradox, of both evil and good intentions gone wrong, but that moral judgment and moral honesty matter. So do ideals. It is in that complex context that the theory of human rights has to be understood.