

**HUMAN RIGHTS MOVEMENT IN SOVIET RUSSIA (1969-1980):
IDEAS, NORMS AND THE STATE**

A Master's Thesis

**by
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July 2008

To My Mother

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IDEAS, NORMS AND THE STATE**

**The Institute of Economics and Social Sciences
of
Bilkent University**

by

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I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in International Relations

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ABSTRACT

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This thesis attempts to shed light on the difficulties of defending the international norms of the idea of human rights against the dominance of the state and its interests, which are explained essentially by the rationalists and the political realists in domestic and international affairs, by focusing the clash between the Soviet state and the Soviet (Russian) dissidents throughout the détente period (1969-1980). The history of prominent dissident activities in Soviet Russia began during the de-Stalinization period under the Khrushchev administration (1956-1964). However, the human rights movement in the Soviet Union was affected to a great extent by the international environment in 1970s during which time norms became more significant in bilateral relations, and human rights-idea began to constitute the source of a normative challenge to pure rationalist/realist explanations based on power, self-interest and anarchy. In this regard, the primary purpose of adopting a constructivist perspective regarding the internationalization of human rights is to analyze the dissidence activities nurtured by the international norms and principles of human rights in Soviet Russia. Thus, the impacts of oppositions and responses supported by domestic and international factors within the state can be understood congruent with the policy changes, continuities, and stalemates. While the Soviet state's fundamental response to these activities is interpreted as an amalgam of ideology, *a priori* principles and state-interests, the main argument of this thesis does not challenge the explanatory power of the rationalist/realist line in comprehending the dominance of the state over the dissidents and human rights defenders.

Keywords: Human rights, Dissident, Dissidence, Soviet Russia, State, Détente, Political Realism

ÖZET

SOVYET RUSYA'DA İNSAN HAKLARI HAREKETİ (1969-1980): FİKİRLER, NORMLAR VE DEVLET

Demirtaş, Melih

Yüksek Lisans, Uluslararası İlişkiler Bölümü

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Bu tez, detant / yumuşama süreci (1969-1980) boyunca, Sovyet devleti ve Sovyet (Rus) muhalifleri arasındaki uyuşmazlığı vurgulamak suretiyle, esas olarak iç ve uluslararası olaylarda rasyonalistler ve politik realistler tarafından açıklanan devlet ve çıkarlarının baskınlığı karşısında, insan hakları fikrine ait uluslararası normları savunmanın zorluklarına ışık tutmaya çalışmaktadır. Sovyet Rusya'da önemli muhalif hareketler Kruşçev yönetimi döneminde (1956-1964) başladı. Fakat Sovyetler Birliği'nde insan hakları hareketi büyük ölçüde, normların ikili ilişkilerde daha önemli olduğu ve insan hakları fikrinin güç, hususi menfaatler ve anarşi üzerine kurulu rasyonel/realist açıklamalara karşı normatif bir itiraz kaynağını teşkil ettiği 1970'lerin uluslararası ortamından etkilendi. Bu bağlamda, insan haklarının uluslararasılaşması ile ilintili konstrüktivist bir bakış açısını benimsemenin birincil amacı Sovyet Rusya'da insan haklarının uluslararası norm ve prensiplerince beslenen muhalif hareketleri incelemektir. Böylelikle devlet içerisinde içsel ve uluslararası etkenler tarafından desteklenen muhalefet ve tepkiler, politika değişimleri, devamlılıkları ve açmazları ile uyumlu olarak anlaşılabilir. Sovyet devletinin bu eylemlere olan temel tepkisindeki dayanak noktası, ideoloji, önceden tanımlı prensipler ve devlet çıkarlarının bir birleşimi olarak yorumlanırken, bu tezin ana argümanı rasyonel/realist çizginin muhalifler ve insan hakları savunucuları üzerindeki devlet üstünlüğünü anlayabilmedeki açıklayıcı gücüne karşı çıkmayacaktır.

Anahtar Kelimeler: İnsan Hakları, Muhalif, Fikir Ayrılığı (Muhalefet), Sovyet Rusya, Devlet, Detant (Yumuşama), Politik Realizm

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CHAPTER I

INTRODUCTION

1.1. Theory, Area of Focus, and the Argument

Starting from the era of détente of the late 1960s “the tripartite subdivision of international relations into security, economic issues, and human rights”¹ became clear. As Toscano formulated the problem, “the unsatisfactory Soviet answer to the human rights question has been one of the components of a wider loss of ideological hegemony and appeal of the Soviet system outside the borders of the USSR.”² Hence, the issue of human rights turned out to be perhaps the most significant “Achilles heels” in Soviet domestic and foreign policy.³

This thesis’ aim is in line with going back to the period before the process in which “Achilles heels” or defects in the Soviet state obliged decision makers like Gorbachev⁴ to make reforms and rehabilitations. In this respect, the main issue addressed by this project is to understand the Soviet attitude *vis a vis* the rise of ideas and norms of human rights in the détente era. Consequently, this thesis examines the

¹ Roberto Toscano, *Soviet Human Rights Policy and Perestroika* (Cambridge, Mass.: Center for International Affairs/Harvard University, 1989), p.21.

² Toscano, *Soviet Human Rights Policy and Perestroika*, p.22.

³ Toscano, *Soviet Human Rights Policy and Perestroika*, p.24.

⁴ Mikhail Sergeyevich Gorbachev, General Secretary of the Communist Party of the Soviet Union from 1985 until the dissolution in 1991.

Soviet state's response to the domestic dissidence⁵ movement based on the international human rights norms.

One element of the argument of this thesis concerns ideas, norms and possible effects of the interaction between internal and international politics in comprehending the impact of human rights on states' agendas. However, I do not deny the realist premise that state supremacy enjoys a privileged explanatory status. Appreciating this supremacy of the state is crucial to grasp the interest-driven, rationalist accounts of states and to understand the temporary character of challenges to the state's authority as occurred in Soviet Russia⁶ between 1969-1980.

Furthermore, I argue that the political evolution of human rights initiated after the Second World War has continued to take new forms following the developments observed in both domestic and international policy, for example improvements in international human rights law during the Cold War, or the Helsinki-process (1972-1975) that led to a considerable attention to human rights during the second half of the era of détente.

On the other hand, I will underline the reasons for the Soviet state's harsh response to dissidence based on human rights and suggest that in addition to decision makers' ideologically-driven interests, the structure of an international environment dominated by the rationalist/realist calculations helps to explain the failure of the

⁵ The concept of dissidence (or dissent) is defined by Barghoorn in line with a "broad range of articulated negative attitudes in regarding political matters." The target of this negative side can be the "political authority," "or at certain types of political systems, regimes, and structures", in addition to "political norms and rules, principles, doctrines, and ideologies." However, while the aim of dissidents can begin with a negative way of criticism, the fundamental aims might be positive by "correcting mistakes" and providing more space for different ways of thinking. Frederick C. Barghoorn, *Détente and the Democratic Movement in the USSR* (New York, London: The Free Press, 1976), p. 6.

⁶ Soviet Russia or Russian Soviet Federative Socialist Republic (RSFSR) is intentionally chosen in order to limit the subject within the borders of a specific territory. Thus, although due to the characteristic of the course of events analyzed in this work, it is not possible to exclude completely the other parts of the Soviet Union, like the Ukrainian, Lithuanian, Georgian or Armenian Soviet Socialist Republic, or other states included in the Warsaw Pact (in the Communist Bloc), like the Central and Eastern European countries, Soviet Russia or RSFSR will be at the centre of the historical case study of this work.

ideational perspective linked with Soviet human rights groups despite the existence of *a priori* and generally accepted international norms and principles.

As a domestic case study will show, the political and social structure of the Soviet Union may be defined as a “state-controlled” system in which “domestic structures encompass highly centralized political institutions with strong executive governments and a rather weak level of societal organization.”⁷ In a highly centralized and state-controlled mechanism or Party-controlled system as in the case of the Soviet Union, transnational initiatives are constrained, and “access to the political system” is seen highly dependent on the state authority.⁸

Accordingly, my argument is consistent with a “statist” approach through which the state’s presence and dominance in the international realm is understood to have a like effect upon domestic politics and policies. Put simply, the argument precedes in line with Krasner’s notion that “both statism and realism are analytic traditions that fall within a larger Machiavellian or power politics paradigm that takes actors rather than institutional structures as the units of analysis and which understand politics as a struggle over politics, as a struggle over distribution of resources or even over life and death.”⁹

Considering both the realist and statist factors, my conclusions contrast with pluralist or highly value-based constructive explanations that are more appropriate for the period toward the end of the 1980s in which Gorbachev’s key administrative decisions and his escalation of reform-movements congruent with the rise of

⁷ Thomas Risse-Kappen, “Introduction,” in *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Relations*, Thomas Risse-Kappen (ed.) (Cambridge: Cambridge University Press, 1995), p. 23.

⁸ Thomas Risse-Kappen, “Introduction,” p. 25; Matthew Evangelista, “Transnational Relations, Domestic Structures, and Security Policy in the USSR and Russia,” in *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Relations*, Thomas Risse-Kappen (ed.) (Cambridge: Cambridge University Press, 1995), pp. 150-151.

⁹ Stephen Krasner, “Power Politics, Institutions, and Transnational Relations,” in *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Relations*, Thomas Risse-Kappen (ed.) (Cambridge: Cambridge University Press, 1995), p. 259.

transnational forces in the Soviet Union became the main topic for discussion.¹⁰ However, my research has led me to conclude that Brezhnev¹¹ era and the suppression of domestic forces, including any types of dissidence based on a rhetoric of human rights, may support the rationalist account of the state-elites and the necessity of using power in internal politics in line with interest-driven competition at the level of international relations. In this respect, this thesis is unique on account of the fact that certain basic historical events are re-evaluated within a critical and theoretical perspective.

1.2. Methodology and Structure

In this work, I have adopted a qualitative research method and examine the case study of Soviet Russia in the détente era (1969-1980). In this study, both theoretical considerations and a historical narrative play a role. In terms of theory, constructivist claims on the ideational process of human rights will be investigated in order to understand the internationalization process of the domestic norms and principles of human rights. On the other hand, in order to understand the response of the Soviet state's repressive regime, some basic principles of political realism in international affairs will be adopted with respect to the impact of rationalism and statism on domestic affairs.

While maintaining the historical study, both primary and secondary sources will be benefited. Memoirs and autobiographies of statesmen, bureaucrats and

¹⁰ Considering the Gorbachev-era within the second half of 1980s, similar to Grunberg and Kappen, it can be argued that “[i]f the end of the Cold War tells us anything, it is that values, norms, and ideas matter in international relations, that they have tremendous potential for bringing about fundamental change in world politics.” See, Isabelle Grunberg and Thomas Risse-Kappen, “A Time of Reckoning? Theories of International Relations and the End of the Cold War,” in *The End of the Cold War: Evaluating Theories of International Relations*, Pierre Allan, Kjell Goldmann (eds.) (Hague, Boston: Kluwer Law International, 1995), p. 146.

¹¹ Nikita Ilyich Brezhnev, General Secretary of the Communist Party of the Soviet Union between the years 1964-1982.

prominent dissidents, examples of *samizdat* literature, newspaper articles, and international legal documents are used to enrich the scope and variety of sources treated in this work.

Although the concept of “dissent” or “dissidence” in the Soviet Union encompassed a wide realm of non-state activities, including religious, ethnic, and nationalistic movements, the focal points of the historical case study are the groups and personalities who pioneered a non-violent defense-initiative based on international principles and norms of human rights against the authoritarian measures of the state. On account of the following admonition by the noted dissident Ludmilla Alexeyeva I adopt a Moscow-centered approach to the history of the period: “The [human rights] movement was born in Moscow, and it was here that the circle of activists and sympathizers of the movement was the widest. It is primarily through Moscow that contact with the West is made.”¹²

This thesis is divided into five chapters. After the introduction, I present theoretical study on the main issue of human rights in international affairs. How can we understand the internationalization of human rights? I argue for a constructivist response by explaining the role of ideas and principles of human rights which have been rapidly transformed into binding norms of international law during the second half of the twentieth century. However, in the next part of the second chapter, I consider the rationalist accounts of statesmen and the realist position in the international affairs as a significant barrier to international norms of human rights: What are the main motives of realists in rejecting and underestimating human rights in international relations?

¹² Ludmilla Alexeyeva, *Soviet Dissent: Contemporary Movements for National, Religious, and Human Rights* (Middletown, Connecticut: Wesleyan University Press, 1985), p. 286.

In the third chapter, I examine the détente era in a historicizing perspective. In this period, I briefly summarize the relations between the major powers, the United States and the Union of Soviet Socialist Republics (USSR) or the Soviet Union. Regarding the internationalization of human rights, I treat the Helsinki Process (1972-1975) and the Final Act (1975) as the issue in the era of détente. I explain both the U.S. and Soviet foreign policies regarding internationally recognized norms of human rights, and I link both ideological and rational policy choices with the theoretical perspective provided in the previous chapter.

The fourth chapter is devoted to a domestic case study on the clash between the Soviet state and the Soviet (Russian) dissidents throughout the détente era. Starting from the de-Stalinization period with Nikita Khrushchev,¹³ a chronological order will be followed to understand the rise of the state-repression. I study the techniques, associations, the ideological-formation of various dissident personalities with a special emphasis on the common respect to the international human rights norms. Consequently, I trace the links between these dissidents and the West, especially during the Helsinki Process, in order to grasp the dynamics of this relationship at both the international and domestic levels.

In the concluding chapter, I recapitulate the reasons for the difficulty in defending a constructive human rights based approach in the case of Soviet Russia during the détente era. The weaknesses and divergences within the dissidence movement are discussed, and finally the power of the rationalist statism and political realism is evaluated.

¹³ Nikita Sergeyevich Khrushchev, First Secretary of the Communist Party of the Soviet Union between the years 1953-1964.

CHAPTER II

THEORETICAL PERSPECTIVE: HUMAN RIGHTS, STATES, POLITICAL REALISM

Any assessment of the dominate idea of human rights must include an analysis of interests, power and hegemony. Unless politics and power are added to the debate, our understanding of human rights in the past and future eras remains incomplete.¹⁴

2.1. Introduction

As a concept, “human rights” is still a hot topic of discussions of philosophers, political scientists, lawyers, and scholars from various other disciplines. The essence of such discussions can be different in diverse contexts: Should we understand these rights as mere political/civil rights? Do these rights include only individuals, or is there a base for collective rights? Should we treat these rights as a construction of the Western world, or as universal values? Is there a possible mechanism of enforcement for human rights over sovereign nation-states? Whatever dimension we take, it is visible that although the political and legal sides of “human rights” have led to the great achievements in the international (mainly via the efforts of the United Nations) and regional contexts (e.g. the activities of the Council of Europe,) still the

¹⁴ Tony Evans, “Introduction: Power, Hegemony and the Universalization of Human Rights,” in *Human Rights Fifty Years On: A Reappraisal*, Tony Evans (ed.) (Manchester and New York: Manchester University Press, 1998), pp. 1-2.

assessment of this notion as a “contested concept” is a part of the common attitude in the political ground.¹⁵

Consequently, the adoption of human rights in the field of political affairs, and especially in the field of international politics, has led to immense discussions among scholars and politicians. For some, the introduction of human rights to international relations means that two traditional rival theories, realism and idealism (or liberalism), have had a new collision between one another. Although liberalism is seen as “malleable and evolving notion” in international relations, it has been supported by the principles of international law and human rights much more than realism.¹⁶ However, on the other side, we can see the dominant realist arguments which have prepared an appropriate environment for state’s interest and their seeking for power; thus, there is no reason to wait from “wise policy maker[s] or diplomat[s]” to add the “universal human rights” into their rational calculations.¹⁷

Related to the introduction of human rights into the field of political affairs and international politics, this chapter will consider the process of this introduction as linked with a constructivist perspective. However, in addition, it will be underlined that one of the most important kinds of challenges to the principled beliefs on human rights has come from the political realist point of view.¹⁸ Accordingly, the main argument of this chapter will be in line with the understanding that realism is a direct challenge to human rights, in both moral and practical contexts. Although for some, realism has had a certain failure in explaining “the introduction and increasing

¹⁵ David Forsythe, *Human Rights and International Relations* (Cambridge: Cambridge University Press, 2000), p. 30.

¹⁶ Forsythe, *Human Rights and International Relations*, p.49.

¹⁷ Forsythe, *Human Rights and International Relations*, p.48.

¹⁸ Realism, in this work, must be understood with the classical components of states as actors, power, state-interests, survival, and anarchy. Any structural explanation, e.g. through neo-realism, will not be given a particular concern.

influence of human rights in international relations,”¹⁹ it is also true that realism, through its principles based on states’ survival, interests, and sovereignty, has remained a key limitation to the invigoration of the human-rights regime in world politics. Therefore, some answers from practical and moral realm will be given to explain the complexity between human rights and realist arguments in international relations.

2.2. Understanding the Role of Ideas

Ideas must be given importance within the realm of international politics. Ideas can stem from a constructive process in which a general system can bind all actors with a similar aim. However, ideas can be thought also parts of actors’ decision-making process. For Keohane and Goldstein, “ideas influence policy when principled or causal beliefs they embody provide road maps that increase actors’ clarity about goals or ends-means relationship, when they affect outcomes of strategic situations in which there is no unique equilibrium, and when they become embedded in political institutions.”²⁰ Thus, rather than mainly focusing on the interest-side of the state-action, ideas should be taken also seriously to grasp the “causal weight” it had “in explanations of human action.”²¹

While it is true that “policy outcomes can be explained only when interests and power are combined with a rich understanding of human beliefs,”²² this might not change the result that the interest and profit-maximization can have the final role in giving a decision. In this context, “there is little difference between rationalism

¹⁹ Michael Freeman, *Human Rights: An Interdisciplinary Approach* (Cambridge: Polity, 2007), p. 131.

²⁰ Judith Goldstein and Robert O. Keohane, “Ideas and Foreign Policy: An Analytical Framework,” in *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change*, Judith Goldstein, Robert O. Keohane (eds.) (Ithaca and London: Cornell University Press, 1993), p. 3.

²¹ Goldstein and Keohane, p. 4.

²² Goldstein and Keohane, p. 13.

and constructivism on the issue of *whether* ideas ‘matter’,”²³ because in both of them, ideas are seen at the core of actions. However, problems occur in situations where ideas seem to be removed from the agenda of the final decision. Under these circumstances, “materialism” or the interest-driven aims based on a pure account of the material thinking, rather than rationalism, might play the crucial role.²⁴

Related to the process of understanding the ideas, norms and their effects on actions, Wendt and Fearon underline some main characteristics of constructivism that might be used also for the issue of human rights’ idealization and internationalization. As one of these characteristics, “the role of ideas in constructing the social life” has the prominence.²⁵ Considering the practical effects of this role, constructivists differ from idealists and subjectivists in their objective inquiry for the role of ideas in addition to their recognition of material capabilities and interests as well.

Accordingly, for Adler, “when drawn upon by individuals, the rules, norms and cause-effect understandings that make material objects meaningful become the source of people’s reasons, interests and intentional acts;” and as a case study on human rights can show, “when institutionalized, they become the source of international practices.”²⁶ In this framework, from a constructivist point of view, “the socially constructed nature” of the agents is crucial in saying that these agents may not have an externally-given, stable and fully rational nature; so they can be understood as “dependent variables” linked with some other factors (ideology,

²³ James Fearon and Alexander Wendt, “Rationalism v. Constructivism: A Skeptical View,” in *Handbook of International Relations*, Walter Carlsnaes, Thomas Risse, Beth A. Simmons (eds.) (London: Sage, 2002), p. 59.

²⁴ Fearon and Wendt, p. 59.

²⁵ Fearon and Wendt, p. 59.

²⁶ Emanuel Adler, “Constructivism and International Relations,” in *Handbook of International Relations*, Walter Carlsnaes, Thomas Risse, Beth A. Simmons (eds.) (London: Sage, 2002), p. 102.

history, culture, etc.).²⁷

Consequently, the ideational perspective on human rights in this work must be understood in line with the practical consequences which mean that the direct effect of ideas and idea-generation upon the belief-system of people and upon the decisional field of statesmen is substantial. As Keohane and Goldstein underline, these practical beliefs can appear in different forms like as “principled beliefs” through which the right or just action is followed. They can be thought as linked with the “normative ideas”²⁸ many of which have led to fundamental changes in international politics particularly following the end of the Second World War. Because such beliefs can be linked to the general realm of world views, they have also an intermediary role in “translat[ing] fundamental doctrines [stemming from the world view] into guidance for contemporary human action.”²⁹

2.3. Ideational Field of Human Rights: Internationalization of Domesticity

As an idea and a kind of principled belief, human rights can be defined as “the rights that one has simply because one is human.”³⁰ They are universal, because “every human being has them;” egalitarian because everyone possess them equally; and inalienable, because “one cannot stop a human being, and thus cannot stop having these rights.”³¹

Although, the basis of human rights-idea has been searched within the history

²⁷ Fearon and Wendt, p. 57.

²⁸ Robert H. Jackson, “The Weight of Ideas in Decolonization: Normative Change in International Relations,” in *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change*, Judith Goldstein, Robert O. Keohane (eds.) (Ithaca and London: Cornell University Press, 1993), p. 112.

²⁹ Goldstein and Keohane, p. 9.

³⁰ Jack Donnelly, “The Social Construction of International Human Rights,” in *Human Rights in Global Politics*, Tim Dunne, Nicholas J. Wheeler (eds.) (Cambridge: Cambridge University Press, 1999), p. 80.

³¹ Donnelly, “The Social Construction of International Human Rights,” p. 80. For the philosophical discussion on rights and human rights, see, Alan Gewirth, *Human Rights* (Chicago, London: University of Chicago Press, 1982) and Peter Jones, *Rights* (Basingstoke: Macmillan, 1994).

of Western political philosophy,³² and although this basis has been linked with the Lockean natural rights tradition in the seventeenth century, and with the effects of American and French Revolution in the eighteenth century, the developments during and after the Second World War had a significance to evaluate the process congruent with the current definition of the idea of human rights. Therefore, for various writers, Franklin D. Roosevelt's "Four Freedoms" in 1941 and the Universal Declaration of Human Rights in 1948 must be given as the key turning points.³³

In this context, although it is argued that "before World War II, how a state treated its own habitants was no one else's business,"³⁴ the situation seemed to be changed following the end of the War and following the declarations of the new documents on general and fundamental rights. On the other hand, there have been some ongoing confusions regarding the status of international human rights. For instance, Henkin emphasizes the importance of national systems while arguing that there is "no international human rights."³⁵ Thus, for him, similar to democracy or constitutionalism, human rights must be evaluated within the national level, and related to that, international human rights must be linked with the "international responsibility for national human rights, that is, rights within societies."³⁶

In contrast with the opinion based on the passivity of international mechanisms, the international human rights law has been given as a field that is an important source to talk about the primary role attributed to human rights in

³² For a short evaluation of "European [or Western] background of the concepts of human rights", see Shmuel N. Eisenstadt, "Human Rights in Comparative Civilizational Perspective," in *Human Rights in Perspective: A Global Assessment*, Asbjørn Eide and Bernt Hagtvet (eds.) (Oxford, Mass.: Blackwell, 1992), pp. 93-102.

³³ Donnelly, "The Social Construction of International Human Rights," pp.72-73; Louis Henkin, "Human Rights: Ideology and Aspiration, Reality and Prospect," in *Realizing Human Rights: Moving from Inspiration to Impact*, Samantha Power and Graham Allison (eds.) (New York: St.Martin's Press, 2000), p. 4. For the text of the Universal Declaration, see, Appendix A.

³⁴ Henkin, p.8.

³⁵ Henkin, p. 8.

³⁶ Henkin, p. 8.

international relations. In this perspective, some key processes are defined such as “(1) human rights is increasingly a well-established issue area of international politics; (2) states are increasingly obligated to respect human rights norms; and (3) individuals have increasingly obtained legal personality, in the form of partial subjectivity, with regard to human rights matters.”³⁷

In this regard, for the realization of human rights at different levels, Galtung approaches the problem from a historical-structural perspective. Thus, “national human rights can be seen as parts of a contract or covenant between the state and human beings/citizens,” and “for international human rights, a three-tier world context with three constructs is needed: individual, states, and communities/organizations of states.”³⁸

Related to this framework, as Forsythe mentions “[i]nternational relations underwent a fundamental change from 1945 to 1970 in the sense that human rights ceased to be generally considered a matter fully protected by state sovereignty.”³⁹ When we came to 1970, the signature and voting processes of several treaties within the body of the United Nations (UN), or within some regional groupings, such as in Europe, began to contribute to the “internationalizing” of human rights.⁴⁰

At that point, the argument can be seen consistent with the idea that human rights as a construction of Western ideology has been institutionalized and “internationalized” through various processes.⁴¹ Thus, on each state, a human rights’

³⁷ David P. Forsythe, *The Internationalization of Human Rights* (Lexington, Toronto: Lexington Books, 1991), p. 35.

³⁸ Johan Galtung, “The Universality of Human Rights Revisited: Some Less Applaudable Consequences of the Human Rights Tradition,” in *Human Rights in Perspective: A Global Assessment*, Asbjørn Eide and Bernt Hagtvet (eds.) (Oxford, Mass.: Blackwell, 1992), p. 154. See, Appendix C.

³⁹ Forsythe, *The Internationalization of Human Rights*, p. 17.

⁴⁰ Forsythe, *The Internationalization of Human Rights*, p. 17.

⁴¹ Forsythe, *Human Rights in International Relations*, p.25.

effect has been thought within both domestic and foreign politics. In view of that, Forsythe claims:

For some three hundred years the notion of national sovereignty has been widely accepted. It has been believed that states had the right to do as they pleased within their territorial jurisdiction. The human rights movement reflects the notion that states are obligated to meet certain standards in how they treat their nationals even within their own territory and non-national bodies as specified in treaties are entitled to comment or take action on human rights issues.⁴²

Within the context explained above, although states have continued to be the sole representatives of practical applications, international law via the multilateral channels has seemed to pave the way for a re-evolution of the un-limited interpretation of state-sovereignty within the normative field.⁴³ There have been other arguments that the loss of power inside the internal political realm of states has been followed by the dimension of “sharing the stage” more frequently with the other actors in international politics. Hence, influential international organizations like the United Nations, or non-governmental organizations (NGOs) and international non-governmental organizations (INGOs) have been expected to be the reasons for a more “restricted” states’ sovereignty.⁴⁴

⁴² David Forsythe, *Human Rights and World Politics*, 2nd edn. (Lincoln, London: University of Nebraska Press, 1989), p. 200.

⁴³ Luigi Ferrajoli, “Beyond Sovereignty and Citizenship: A Global Constitutionalism,” in *Constitutionalism, Democracy and Sovereignty: American and European Perspectives*, Richard Bellamy (ed.) (Aldershot: Ashgate, 1996), p. 155.

⁴⁴ Forsythe, *Human Rights in International Relations*, pp. 187-188. So, another source of limitations upon sovereign entities seems to be the so called “transnational advocacy networks” through which domestic kinds of grievances do not remain unanswered, and turn out to be the issue discussed by various actors. See, Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca, London: Cornell University Press, 1998), p. 36. The process of “beyond the nation-state border activities” are seen as the main source of “boomerang effect” which means that the sovereign entities might not escape from the consequences of their decisions, or particularly from the results of their human rights policies. For further exploration on the “boomerang effect” and the transnational networks, see also, Thomas Risse and Kathryn Sikkink, “The Socialization of International Human Rights Norms into Domestic Practices: Introduction,” in *The Power of Human Rights: International Norms and Domestic Change*, Thomas Risse, Stephen C. Ropp, Kathryn Sikkink (eds.) (Cambridge: Cambridge University Press, 1999), pp. 1-38.

Consequently, it can be claimed that one of sovereignty's important aspect in the "exclusive competence in internal affairs" is challenged by the existence of a human rights regime and by the individual, legal, and institutional claims against the states when there is a "violation of internationally recognized human rights."⁴⁵

2.4. Human Rights and Realism in International Politics

Although human rights has a long conceptual and ideational history, especially in the sense of Western political thinking, its active role as commonly accepted set of rules and principled beliefs in world-politics became discernible, or "a more salient issue" after the end of the Second World War in 1945.⁴⁶ However that does not mean that the full inclusion of human rights (with its general and universal structure) into the state agenda happened immediately. For instance, it is known that during the Cold War that is characterized by the two-Bloc system in the world, Western and Eastern Blocs appeared with different priorities. So, the West was identified with the traditional civil/political rights, while the East was continuing to play the defender of economic and social rights.⁴⁷

One substantial problem that arose as a result of states' different priorities has been the issue of selectivity which hindered to reach a complete universality in human rights. Accordingly, one of the relevant problematic dimensions following

⁴⁵ Kathryn Sikkink, "The Power of Principled Ideas: Human Rights Policies in the United States and Western Europe," in *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change*, Judith Goldstein, Robert O. Keohane (eds.) (Ithaca and London: Cornell University Press, 1993), p. 141.

⁴⁶ Stephen Krasner, *Sovereignty: Organized Hypocrisy* (New Jersey: Princeton University Press, 1999), p. 110; Forsythe, *Human Rights and International Relations*, p. 3; Jack Donnelly, *International Human Rights*, 2nd edition (Colorado and Oxford: Westview Press, 1998), pp. 3-4; Michael Ignatieff, "Human Rights as Politics," in *Human Rights as Politics and Idolatry*, Amy Gutmann (ed.) (Princeton and Oxford: Princeton University Press, 2001), p. 5; Vladimir Kartashkin, "International Law and the Rights of the Individual," in *Rights of the Individual in Socialist Society*, Vladimir Kudryavtsev (ed.) (Moscow: USSR Academy of Sciences, 1986), p. 148.

⁴⁷ R.J. Vincent, *Human Rights and International Relations* (Cambridge: Cambridge University Press, 2001), pp. 61-66; Alan Rosas, "Democracy and Human Rights," in *Human Rights in a Changing East-West Perspective*, Alan Rosas, Jan Helgessen (eds.) (London: Pinter Publishers, 1990), pp. 37-38.

the internationalization of human rights after 1945 could be defined as the active role of states for the manifestation of rights-based principles, while they were continuing to violate the same principles.

A possible active role for states in the implementation of human rights norms has not changed the reality that they “bring with them their national history, character, self-image, and nationalism.”⁴⁸ For some, this diversity can be regarded as positive and as a rule of pluralism in the field of human rights. However, when we start to think “the security dilemma of states” in a Hobbesian base; claiming that no one can be in a fully secure environment because of the possibility of the threat from the other,⁴⁹ then there is the important question of disparity in the enforcement mechanism of human rights. Usually, the winner out of this disparity is the states with their interests; in fact this means that each national state turns out to be a winner within its own field against human rights.

Forsythe claims, even in the acceptance of different kinds of universal human rights, the principle of interest turns out to be the main issue. The strong support from the United States (U.S.) to the classical rights such as freedom of the individual, but its ignorance of the social and economic base of this freedom can be given as an example to this argument.⁵⁰ However, not only for the U.S., but for many other states, including the representatives of the “Western liberal” world, or of the “illiberal” group of states,⁵¹ the problem of selectivity, and the denial of human rights as a whole constitutes a part of rationalism’s⁵² and realism’s initial strength against

⁴⁸ Forsythe, *Human Rights and International Relations*, p. 159.

⁴⁹ Hedley Bull, *The Anarchical Society: a Study of Order in World Politics*, 2nd edition (London: Macmillan Press, 1995), pp. 23-24.

⁵⁰ Forsythe, *Human Rights and International Relations*, p. 159.

⁵¹ Forsythe, *Human Rights and International Relations*, pp. 149-158.

⁵² The understanding of rational calculation and rationalist perspective is initially defined at domestic level and at the level of individual decision. Therefore, considering the essence of rationalism, individual plays the key role. Realism might be understood as the international form of the rationalist approach through which states, rather than individuals are the main actors. Landman argues that

the enhancement of the principles of human rights.

In fact, between human rights and the whole field of the international relations, one general dilemma is found and claimed by Müllerson. He says that the ultimate aim of the understanding of human rights is not “being an instrument for peace and stability.”⁵³ Although the regime of human rights seems to function together with the terms such as peace or stability, the purpose behind the logic of human rights must be grasped as the “promotion and protection of rights and fundamental freedoms.”⁵⁴ This brings the problematic aspect in which the aims at the individual or particular level within a state can lead to “the deterioration of inter-state relations,”⁵⁵ or to a conflict “with other interest that may be more important in a particular instance.”⁵⁶

At this point, the principles of realism come to our mind. To which extent a state can risk the stability of internal politics which backs its strength in the international realm, and of its international relations with one or more than one state in the name of preserving morally-binding rules? Or is there no risk to talk about, because there is no ground for human rights in realist calculation of politics?

2.4.1. Realism and Its Interpretation of Human Rights within the Practice of Political Affairs

Realism has been one of the prominent “paradigms” in international affairs since the

“rationalist theories of international relations and international affairs long predate rationalist theories at the domestic level, which first started appearing in the 1950s.” Thus, some seminal books of classical realism such as “Thucydides’ Peloponnesian War,” “Machiavelli’s Prince” are also counted among the examples of the rationalist calculations of international affairs. See, Todd Landman, *Studying Human Rights* (Abingdon: Routledge, 2006), pp. 37-35; Todd Landman, *Protecting Human Rights: a Comparative Study* (Washington: Georgetown University Press, 2005), pp. 17-19.

⁵³ Rein Müllerson, *Human Rights Diplomacy* (London: Routledge, 1997), p. 5.

⁵⁴ Müllerson, p. 5.

⁵⁵ Müllerson, p. 5.

⁵⁶ Hans Morgenthau, *Politics among Nations: the Struggle for Power and Peace*, 7th edition (Boston: McGraw-Hill, 2006), p. 267.

Treaty of Westphalia ended the Thirty Years' War in Europe.⁵⁷ But Frankel is correct to say that “there is no single realist theory of international relations,”⁵⁸ rather throughout the history, different types emerged according to the context of politics. Considering the attempts to re-evaluate the classical realist line throughout of the second half of the twentieth century, Krasner tries to clarify the difference between the positions of the realist and neo-realist attitudes. For him, the statement “states as autonomous” is the “ontological given” for the neo-realist position, whereas in the traditional sense of realism, the issue of “uncertainty” is more significant than in neo-realism.⁵⁹ This is in line with the traditional explanation in favor of “the discretion of the statesmen.”⁶⁰ The separation is clear after analyzing Waltz's neo-realist structural theory of realism and his classification of the state, the individual, and the structure as different levels of analysis.⁶¹

Considering the diversity of opinion within the realist school, Rochester responds with three key assumptions and commonplaces. First, states are “the leading actors” in world-politics. So, as in Krasner's explanation, “the Westphalian state sovereignty”⁶² was the beginning of the realist principle of territorial integrity and non-intervention principle of realism. This dimension has become discernible in neo-realism which sees these sovereign states as the “constitutive actors of the

⁵⁷ Martin Rochester, *Between Peril and Promise: The Politics of International Law* (Washington: CQ Press, 2006), p. 15

⁵⁸ Benjamin Frankel, “Introduction,” in *Roots of Realism*, Benjamin Frankel (ed.) (London: Frank Cass., 1996), p. ix.

⁵⁹ See, Krasner, *Sovereignty: Organized Hypocrisy*, p. 45.

⁶⁰ See, Krasner, *Sovereignty: Organized Hypocrisy*, p. 45.

⁶¹ See, Kenneth N. Waltz, *Man, the State, and War: A Theoretical Analysis* (New York: Columbia University Press, 1959); Kenneth N. Waltz, *Theory of International Politics* (Reading, Mass.: Addison-Wesley Pub. Co., 1979).

⁶² For Stephen Krasner, sovereignty must be analyzed within four categories. He mentioned them as “domestic sovereignty” which is about the control of the state in the domestic affairs; “Westphalian sovereignty” which is based on the traditional principles of “territoriality” and “non-interference”; “interdependence sovereignty” which examines the loss of the state's control over the issues following the globalization; and “international legal sovereignty” which is in line with having a legal recognition in the international level. Krasner, *Sovereignty: Organized Hypocrisy*, pp. 9-25.

system.”⁶³ In this system, the intergovernmental actors other than states, such as the United Nations, can have a limited role; and they can behave simply as “mere extensions of nation states.”⁶⁴ Secondly, states are “unitary, rational actors,” and rationality leads them to pursue their own interests, specifically national interests, which can be evaluated first in the means of military-security affairs. Third, the anarchic feature of the world order is the key factor in predicting the state behavior related to “struggle for power and security.”⁶⁵ This aspect was much more important for the neo-realist school during 1970s and 1980s in which neo-realists attempted to predict and systematize different kinds of state behavior in the anarchic world structure.⁶⁶

Considering the main features of realism, Forsythe sees the problem between human rights and realism, as a problem of “collision of two systemic facts.”⁶⁷ Accordingly, “the anarchical environment,” “no higher authority,” and “self-help of states” are the characteristics of the first; and “global governance,” “the existence of international law,” “attention to human rights” and “state-citizen relations that are surpassing the state borders” are the features of the second system.⁶⁸

Thus, contradictions are unavoidable. For instance, for a state sovereignty is “the complete authority to regulate everything and everybody” in order to seek and preserve the power in the international field; however human rights might be formulated by some supranational principles that can go beyond the nation-states’

⁶³ Krasner, *Sovereignty: Organized Hypocrisy*, p. 45.

⁶⁴ Rochester, p. 17.

⁶⁵ A.J. Tellis, “Reconstructing Political Realism: The Long March to Scientific Theory,” in *Roots of Realism*, Benjamin Frankel (ed.) (London: Frank Cass., 1996), p. 3.

⁶⁶ John Vasquez, *The Power of Power Politics: From Classical Realism to Neotraditionalism* (Cambridge: Cambridge University Press, 1998), p. 191; Rochester, pp. 18-20. Regarding the systems and structures in world politics from a neo-realist position of view, there are some prominent names, like Kenneth Waltz, John Mearsheimer and Stephen Walt, who have given the seminal books and essays in this issue.

⁶⁷ David Forsythe, “Human Rights and US Foreign Policy: Two Levels, Two Worlds,” in *Politics and Human Rights*, David Beetham (ed.) (Cambridge: Blackwell, 1995), p. 113.

⁶⁸ Forsythe, “Human Rights and US Foreign Policy: Two Levels, Two Worlds,” p. 113.

borders, and can serve in favor of individuals, but to the disadvantage of the states.⁶⁹ Within this dynamic, in contrast to the rules of the international law and the limitation of power according to some pre-defined principles, realism appears to be congruent with the theory of rationalism and power. The aim of realism can be expressed as “power without law,”⁷⁰ and within the framework of this power, “rights” seem to be the “rationalized interests of winners, imposing obligations on losers.”⁷¹

From a realist perspective, human rights conventions are “consistent with the international legal sovereignty, understood as the right of a state to enter into agreements voluntarily.”⁷² However, as Landman argues, understanding “the material and/or power incentives” is significant to comprehend the realist attitude of foreign policy making in terms of human rights.⁷³ Therefore, “[the] state will pursue a pro-human rights policy if and only if that policy is in line with its other geo-strategic interests.”⁷⁴ Since the concern of the realist agenda is based on states and the interests of states, rational calculations cause states to implement a human rights agenda within the context of the interest agenda.

As a consequence, the intersection of the rationalist/realist aims and human rights principles is possible in some cases, but “the virtual absence of real enforceability behind the extant international law of human rights” will be in line with the realist understanding of the existence of “sovereign” states in an “anarchic” world order.⁷⁵ This statement is critical to understanding the presence of interest-

⁶⁹ Rochester, p. 56.

⁷⁰ Landman, *Protecting Human Rights: a Comparative Study*, p. 14.

⁷¹ Vincent, p. 124.

⁷² Krasner, *Sovereignty: Organized Hypocrisy*, p. 123.

⁷³ Landman, *Studying Human Rights*, p. 45.

⁷⁴ Landman, *Studying Human Rights*, p. 45

⁷⁵ Landman, *Studying Human Rights*, p. 44.

seeking actors and maximization of power in world politics.⁷⁶ For instance, regarding the Cold-War era, most American policies in the name of human rights should not be thought as acts that were done within the framework of the correctness of human rights in the moral field. It has been widely claimed that the United States “showed little concern for ensuring respect for human dignity, when they sacrificed human rights, and supported repressive regimes in different parts of the world”⁷⁷ in order to preserve its good relations with the “friendly or anticommunist countries” against the “Communist threat.”⁷⁸

Furthermore, for Krasner, states’ participation in the human rights regime established by the treaties of the UN after 1945 can offer rational explanations for states.⁷⁹ For instance, the signature to a human rights agreement can be seen as “a cognitive script that defined appropriate behavior for a modern state,”⁸⁰ rather than as the approval of all the principles with a fully moral understanding. In another example, human rights can be used to support another calculation as in the Soviet case where the state’s participation was “a ploy that could be used to increase support in third countries”⁸¹ or to have a more flexible platform for economic or security-reasons.

To observe the intersection of rationalist/realist calculations with the human rights principles, particular attention could be paid to the Soviet Union during the process of Helsinki Final Act in the mid-1970s.⁸² When the Soviet Union and other Eastern Bloc countries signed this Act in 1975 along with the Western Bloc and

⁷⁶ K.M. Fierke, “Constructing an Ethical Foreign Policy: Analysis and Practice from Below,” in *Ethics and Foreign Policy*, Karen Smith, Margot Light (eds.) (Cambridge: Cambridge University Press, 2001), p. 141.

⁷⁷ Müllerson, pp. 107-108.

⁷⁸ Jack Donnelly, *International Human Rights*. Second edn. (Boulder, Oxford: Westview, 1998), p. 7.

⁷⁹ Krasner, *Sovereignty: Organized Hypocrisy*, p. 106.

⁸⁰ Krasner, *Sovereignty: Organized Hypocrisy*, p. 106.

⁸¹ Krasner, *Sovereignty: Organized Hypocrisy*, p. 106.

⁸² The Helsinki Process and the position of the Soviet Union throughout the Process will be a subject of detailed analysis throughout the next chapter.

adopted substantial norms on human rights, they trusted one of the significant principles of international law expressed in the first part of the Final Act: “rule of non-intervention” into another state’s internal affairs.⁸³ However, the Soviet leadership could not calculate the long-term effects of its foreign policy maneuver in Helsinki.

On the other hand, with respect to U.S. state interests that were shaped throughout the subsequent periods (especially under the administration of Ronald Reagan after 1980), a principled approach based on democracy and human rights against the Soviet-Bloc was one important source of Western strength against the authoritarian Eastern Bloc. Accordingly, Müllerson is correct to say that during the post-Helsinki process after 1975, Western plans did not achieve their ultimate aims against the East immediately as a result of the continuation of the same “social, economic and political system” in communist countries.⁸⁴ However after ten years, radical transformations within the Eastern Bloc became a discernible reality of the Cold-War era.

Several reasons have been suggested to explain the regression of communist systems against the West. One of these is the intersection of human rights principles and rationalist calculations of Western Bloc countries during the rivalry against the Eastern Bloc. One of the underlying causes for the success of the West was the increasing support provided to the rising dissident-movement in the Soviet Bloc.⁸⁵ Hence, the formation of Helsinki Groups and the emergence of strong dissidence in the Eastern Bloc countries can not be fully understood without reference to the

⁸³ Vincent, p. 68.

⁸⁴ Müllerson, pp. 107-108.

⁸⁵ Donnelly, p. 80-81.

Helsinki Process and the policy maneuvers undertaken through the realist calculations of Cold-War decision-making.⁸⁶

2.4.2. Realist Challenge against the Normative Morality of Human Rights

One of the dilemmas surrounding the relationship between realism and human rights concerns the moral component of the debate. First of all, we should define human rights in accordance with the acceptance of some morally binding norms, and this morality should inform the material side of relations through mechanisms such as international or domestic law. Accordingly, documents such as the Universal Declaration of Human Rights in 1948 or International Covenants in Civil/Political and Economic/Social/Cultural Rights (ICCPR and ICESCR) in 1966, which have played critical roles in combining abstract morality with the material side of state-individual relations, were accepted by the great extent of the world.

Problems occur when one addresses the base of realist assumptions which appear to be the opposite of rights-based morality. Morgenthau claims that “foreign policy is not an enterprise devoid of moral significance,” however the term “relativity” has always played a considerable role in the morality of foreign policy.⁸⁷ This means both the time frame and country are important to determine which principle is to be chosen in the realm of foreign policy.⁸⁸ As Forsythe and Donnelly remark, the ethics or “moral issues” are combined with the national interest in realism.⁸⁹ In other words, it is not the morality of principles such as human rights,

⁸⁶ Müllerson, pp. 108-109; Henry Kissinger, *Diplomacy* (New York: Simon Schuster, 1994), p. 759.

⁸⁷ Morgenthau, *Politics among Nations: the Struggle for Power and Peace*, p. 265.

⁸⁸ Morgenthau, *Politics among Nations: the Struggle for Power and Peace*, p. 265.

⁸⁹ David Forsythe, “Human Rights and US Foreign Policy: Two Levels, Two Worlds,” in *Politics and Human Rights*, David Beetham (ed.) (Oxford: Blackwell, 1995), p. 114; Jack Donnelly, “Twentieth Century Realism,” in *Traditions of International Ethics*, T. Nardin, D.R. Mapel (eds.) (Cambridge: Cambridge University Press, 1993), p. 104.

but the morality of national interest and the behavior according to this interest which is the main obligation of the state.⁹⁰

Even before the declaration of prominent human rights documents, some leading realists such as Morgenthau made claims against the generalization of rights. For him, the term “democracy” and some of such fundamental rights as freedom of speech or freedom of press have been misused. So, the abstract and possibly deleterious effects of moral human rights have created new contradictions, such as when the right for speech or religion necessarily must be “enjoyed by everybody within and without the national frontiers, even by the foe who claims the rights only in order to be able to monopolize it.”⁹¹

The uncertainty due to the abstract nature of human rights is restated by Morgenthau in his *Politics among Nations*.⁹² As a result, “to change the world for the better” have always remained as a controversial issue.⁹³ This is because politics and the realm of morality do not fully coincide. For Morgenthau, the “impossibility of enforcing the universal application of human rights”⁹⁴ is a reality. Pursuing, or defending universal human rights principles is not “the prime business for a state” which must consider all aspects of its foreign policy.⁹⁵

Forsythe argues that following the developments after the Second World War, supporters of human rights principles have tried to “institute the rule of law on behalf

⁹⁰ Karen Smith and Margot Light, “Introduction,” in *Ethics and Foreign Policy*, Karen Smith, Margot Light (eds.) (Cambridge: Cambridge University Press, 2001), p. 2.

⁹¹ Hans Morgenthau, *Scientific Man vs. Power Politics* (Chicago: University of Chicago Press, 1946), p. 56. Naturally, the period in which Morgenthau claims this argument must be taken into consideration. It was 1946 (the date of the publication of the book *Scientific Man vs. Power Politics*), just after the defeat of Nazi Germany which had been seen as a democratic country before 1933, but turned into one of the examples of countries in which democratic elections have led to the creation of new dictators.

⁹² Morgenthau, *Politics among Nations: the Struggle for Power and Peace*, p. 266.

⁹³ P.S. Wrightson, “Morality, Realism, and Foreign Affairs: a Normative Realist,” in *Roots of Realism*, Benjamin Frankel (ed.) (London: Frank Cass., 1996), p. 356.

⁹⁴ Morgenthau, *Politics among Nations: the Struggle for Power and Peace*, pp. 266-267.

⁹⁵ Morgenthau, *Politics among Nations: the Struggle for Power and Peace*, pp. 266-267.

of human rights.”⁹⁶ Moreover the attempts within the regional framework, e.g. European initiatives through the Council of Europe,⁹⁷ have demonstrated that the moral ground of human rights is not limited in the domestic field, but will have a role in the international relations via the supranational bodies of international law.⁹⁸ In contrast with this legalistic approach, for the realist position, the principle of the anarchic world order is one of the foundations of the state behavior in the international sphere. This means that there is no higher authority above the state, and in the final analysis, this lack of higher authority requires adequate measures for self-defense in order to protect against further attempts from any other state. Such an understanding accords with Morgenthau’s separation of the principle of the “rule of law” in domestic politics from the international sphere.⁹⁹

Another matter for discussion concerns the separation of the individual level of decision making from the collective level. Therefore, the arguments of Reinhold Niebuhr, who is known as one of the key figures in shaping the realist position, become significant with respect to differentiating individual and collective morality. He states his argument as follows:

Individual men may be moral in the sense that they are able to consider interests other than their own in determining problems of conduct, and are capable, on occasion, of preferring the advantages of others to their own. They are endowed by nature with a measure of sympathy and consideration for their kind, [...] But all these achievements are more difficult, if not impossible, for human societies and social groups.¹⁰⁰

⁹⁶ Forsythe, *Human Rights and International Relations*, p. 12.

⁹⁷ For Forsythe, some initiatives like the European Union and Council of Europe lead us to be more hopeful against the rise of realism. Such examples have opened the door for the re-interpretation of state-sovereignty in some ways, and they “proved that liberal principles of human rights could indeed be effectively combined with realist principles of the state system.” See, Forsythe, *Human Rights and International Relations*, p. 222.

⁹⁸ Forsythe, *Human Rights and International Relations*, p. 12.

⁹⁹ Morgenthau, *Scientific Man vs. Power Politics*, pp. 117-118.

¹⁰⁰ Reinhold Niebuhr, *Moral Man and Immoral Society: A Study in Ethics and Politics* (York: Charles Scribner’s Sons, 1960), p. xi.

As is apparent from Niebuhr's explanation, beyond the individual level which includes communities and societies, "the challenge of empathy"¹⁰¹ or the lack of understanding for the rights of the others helps to determine the failure of "the unrestrained group egoism."¹⁰² This egoism has a direct impact on the relations between different groups, and for Niebuhr, the concept of "power" is prevalent. He writes that "relations between groups must therefore always be predominantly political rather than ethical, that is, they will be determined by the proportion of power which each group possesses at least as much as by any rational and moral appraisal of the comparative needs and claims of each group."¹⁰³

One can adapt Niebuhr's approach to the level of the state which is the modern form of an organized society. Rather than individuals who act with an aim to understand another individual, the state, or government, a collective body and seeks only its own interest, is the focus of realist theory.¹⁰⁴ In fact, Wolfers argues this interest might not be isolated from the people of a country. If we consider interest in terms of "nation," and "national survival," state acts in the name of "national interest" can be equated to the general public interest.¹⁰⁵ This might serve as a source of the legitimatization of state-power as well, but, as Niebuhr stresses, once economic and political power belong to the state, there is no decisive "social" or "ethical" source of restraint against this power.¹⁰⁶ Thus, with respect of power, an important role is conceded to the state. Nevertheless the question arises as who will

¹⁰¹ Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Clarendon Press, 1995), p. 141. The term "challenge of empathy" is used by Kymlicka to express the insufficiency of the methods, especially, the democratic methods in providing the mutual understanding and respect between the people. Kymlicka, p. 35.

¹⁰² Niebuhr, *Moral Man and Immoral Society: a study in ethics and politics*, pp. xii-x.

¹⁰³ Niebuhr, *Moral Man and Immoral Society: a study in ethics and politics*, p. xxiii.

¹⁰⁴ George Kennan, "Morality and Foreign Policy," *Foreign Affairs* 64, No.2 (1985/1986), pp. 205-206.

¹⁰⁵ Arnold Wolfers, *Discord and Collaboration: Essays on International Politics* (Baltimore: John Hopkins University Press, 1962), pp. 59-65.

¹⁰⁶ Niebuhr, *Moral Man and Immoral Society: a study in ethics and politics*, p. 192.

be responsible for restraining the state? This appears to be an unanswerable question because this characteristic of the state raises it to the level of “mortal God.”¹⁰⁷

Accordingly, in the roots of realism’s classical understanding of human nature, although humans (as individuals) are regarded as capable to act morally and to understand each other in ethical terms, they are also “evil” and “egoistic.”¹⁰⁸ This notion is deeply linked connected to the state’s “self-help” in the “anarchic” global system in which the application of moral rules such as human rights are “foolishly unsuccessful,” and will lead states to become “vulnerable” to other states’ interests.¹⁰⁹ Therefore, for a rational realist decision-maker there is no room for morality in foreign policy.¹¹⁰

2.5. Conclusion

“Human rights are clear examples of what constructivists call ‘social constructions’ – invented social categories that exist only because people believe and act as if they exist, that nevertheless come to have the capacity to shape the social and political world.”¹¹¹ However, as Donnelly insists “realist and legal positivist conceptions [which are based on ‘the sovereign prerogative of states’] have continued to shape dominant international human rights practices.”¹¹² From a statist point of view, human rights can be regarded as a matter which is nothing more than relations between “rulers and ruled.”¹¹³

¹⁰⁷ Morgenthau, *Scientific Man vs. Power Politics*, p. 197.

¹⁰⁸ Donnelly, *International Human Rights*, p. 30.

¹⁰⁹ Donnelly, *International Human Rights*, pp. 30-31.

¹¹⁰ Jack Donnelly, “An Overview,” in *Human Rights and Comparative Foreign Policy*, David Forsythe (ed.) (Tokyo: United Nations University Press, 2000), p. 327.

¹¹¹ Hans Peter Schmitz and Kathryn Sikkink, “International Human Rights,” in *Handbook of International Relations*, Walter Carlsnaes, Thomas Risse, Beth A. Simmons (eds.) (London: Sage, 2002), p. 517.

¹¹² Donnelly, “The Social Construction of International Human Rights,” p.71.

¹¹³ Krasner, *Sovereignty: Organized Hypocrisy*, p. 125.

Developments in the name of human rights, especially following the end of the Second World War, have not signaled a significant departure from states' past practices. Krasner explained that such practices have always been part of the agenda of sovereign states, through different names, such as minority issue or religious toleration; the only different thing is the declaration of new conventions which are also depended on the sovereign will of states.¹¹⁴

Thus, at the core of threat posed by the state to the morally binding structure of universal human rights principles, the following elements should be taken into consideration: The idea of the supremacy of the state, the priority given to the state's interests, and the freedom of states to behave in an ungoverned, anarchic world. Hence, world politics, as structured by rationalist/realist foreign policy agendas, helps to explain the arguments such as Donnelly's that "international human rights initiatives are almost always subordinated to security interests, and usually subordinated to economic interests as well."¹¹⁵ Congruent with realist premises, according to a statist line of explanation human rights can not be internationalized, and in fact have always remained "as a matter of sovereign national jurisdiction."¹¹⁶

¹¹⁴ Krasner, *Sovereignty: Organized Hypocrisy*, pp. 125-126.

¹¹⁵ Donnelly, "An Overview," p. 324.

¹¹⁶ Donnelly, *International Human Rights*, p. 28.

CHAPTER III

THE INTERNATIONAL DIMENSION: HUMAN RIGHTS AND POLICY CHOICES IN THE ERA OF DÉTENTE

In a world in which major adversaries see themselves locked in an irreconcilable ideological and political conflict, there is little room for the pursuit of human rights concerns. In fact, there is small reason to believe that the language of human rights will be used for any purpose other than to attempt to gain political advantage.¹¹⁷

3.1. Introduction

During the Cold War, one cannot speak of the hegemonic status of one state over the ideas of human rights.¹¹⁸ This is primarily due to the presence of different ideological blocks that defended their own position regarding the common conception of human rights. The post-war era, at which time a common way was found by various states through the emergence of some international human rights documents, was merely an era of “deceptively false consensus” due to the fact that human rights documents and covenants and their ratification were viewed as “an assertion of membership in the world community,” but “not a commitment to the implementation of these rights

¹¹⁷ Jack Donnelly, “Security, Human Rights, and East-West Relations: Theoretical Bases of the Linkage,” in *Human Rights and Security: Europe on the Eve of a New Era*, Vojtech Mastny and Jan Zielonka (eds.) (Boulder: Westview, 1991), p. 29.

¹¹⁸ Tony Evans, “Introduction: Power, Hegemony and the Universalization of Human Rights,” in *Human Rights Fifty Years On: A Reappraisal*, Tony Evans (ed.) (Manchester and New York: Manchester University Press, 1998), p. 10.

or to their legitimacy.”¹¹⁹ Therefore, under the pressure of rising ideological competition it was thought “time-consuming and controversial” to make attempts “to translate the Universal Declaration into supposedly enforceable treaties.”¹²⁰

Related to the main foreign policy developments of the Cold War, a *communis opinio* exists among certain scholars that “the international law of human rights is based on liberalism, but the practice of human rights all too often reflects a realist world.”¹²¹ This realism reflected also the ideological cleavages and brought a separation inside the field of human rights. For instance, during the Cold War, economic and social rights were dismissed by many scholars due to the fact that contrary to Soviet rhetoric on economic and social forces, there always existed “the West’s emphasis on individual freedoms and civil and political rights.”¹²² Starting from the division between different types of rights, the tension between civil/political and economic/social rights appeared to be more severe in the practice because of the attitude conducted by several “national elites” who had different priorities concerning freedom and equality.¹²³

¹¹⁹ Adamantia Pollis, “A New Universalism,” in *Human Rights: New Perspectives, New Realities*, Adamantia Pollis and Peter Schwab (eds.) (Boulder, London: Lynne Rienner, 2000), p. 15.

¹²⁰ David P. Forsythe, *Human Rights in International Relations*, p.39. Cold War’s obstacles for the ideational perspective of human rights did not prevent some concrete developments such as the emergence of the two important covenants, International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social, and Cultural Rights (ICESCR) that came into existence in 1966 and began to be ratified after 1976. The three important texts Universal Declaration of Human Rights, ICCPR, and ICESCR were to be known as the International Bill of Rights which has been taken as the main source of guarantee for human rights in international law and international relations.

¹²¹ David P. Forsythe, *Human Rights in International Relations*, p. 217.

¹²² Pollis, “A New Universalism,” p. 11.

¹²³ Forsythe, *Human Rights and World Politics*, p. 14. In the theoretical field, the tension between equality and liberty (or freedom) has led a problematic field for both theoreticians and practitioners. For instance, Holden finds the source of the discussion in the well-known debates about the need for state-intervention. It is thought that “economic inequalities flourish where the state does not intervene to prevent them.” Hence, in this situation individuals are also thought to be “free from governmental regulation” and “free to amass wealth at the expense of, and to exploit, other individuals.” Holden underlines two main objections of the grievance of libertarian theory as “pursuit of equality-or rather the governmental action which may be necessary to bring it about - can involve the invasion of individual liberty by the state,” and “social equality” and “social uniformity” aimed by the state can mean new “pressures” for the individual from both state and public levels. See, Barry Holden, *Understanding Liberal Democracy*, 2nd edition (Hertfordshire: Harvester Wheatsheaf, 1993), pp. 35-

From a kind of Western, liberal perspective, during the ideological polarization of the Cold War the division over rights represented an attempt of the Eastern Bloc to institutionalize the primacy of society and its needs over the individual and his/her interests. Although socio-economic rights like food, shelter or education might not be separated from individual autonomy and human rights in general, the ideological debate exacerbated the tension begun in the Cold-War. This led to the emergence of different sides as supporters of different kinds of rights, i.e. United States as the defender of civil/political realm and Soviet Union as the supporter of economic/social realm.¹²⁴ In fact, behind the ideological cleavages, the Cold War led to the mere usage of human rights “for political purposes which were far from a genuine concern.”¹²⁵ Thus, states appeared to be actors who had already forgotten the ideals of human rights “for the sake of *raison d’état*.”¹²⁶

36. From a similar point of view, the difference between liberty and equality is explained by Bobbio as follows: “Libertarianism and egalitarianism are rooted in profoundly divergent conceptions of man and society – Conceptions which are individualistic, conflictual and pluralistic for the liberal; totalizing, harmonious and monistic for the egalitarian.” Like Holden, Bobbio’s claim shows that a liberal can pursue his/her own rights and his/her development even if they are “at the expense of that of the poorer and less gifted.” However, from the other side of the coin, the arguments on “the equality of liberty” and “equality of opportunity” for all persons intensify the debate. This is because of the fact that in addition to the liberties in the political realm, the necessities in the social and economic field force us to take those necessities into account when we are thinking of one’s equal right of liberty and opportunity with the others. See, Norberto Bobbio, *Liberalism and Democracy*, trans. by Martin Ryle and Kate Soper (New York, London: Verso, 1990), pp. 32-33.

¹²⁴ Using a three-column approach, Rosas tries to underline the tension between different kinds of human rights during the Cold-War era. In the first column, we can see the rights such as right of popular participation, right to education, right to basic security which are seen directly related to the general right to development. In the second column, there are the rights like right to take part in the conduct of public affairs, right to be elected and to have access to public office and right to vote which are linked to the right to self-determination. And in the third column there are classical civil/political rights which are freedom of association, freedom of assembly, freedom of expression, freedom of movement, rule of law - limitations in a democratic society. Thus, the third column is the traditional individual/political rights while the first column signifies the second generation of social, economic and cultural rights. The second column is also “political rights in the narrow sense” and functions to show the relation between individual political rights and self-determination principle. According to Rosas’ view the Socialist opinion regarding the rights is in line with the defense of the link between the first and second columns by curtailing traditional individual rights, while the Western liberal view tends to be nearer to the link between second and third columns by giving less attention to socio-economic provisions. See, Allan Rosas, “Democracy and Human Rights,” in *Human Rights in a Changing East-West Perspective*, edited by Allan Rosas and Jan Helgessen (London: Pinter Publishers, 1990), p.37.

¹²⁵ Rein Müllerson, *Human Rights Diplomacy* (London: Routledge, 1997), p. 180.

¹²⁶ Müllerson, p. 180.

This chapter attempts to relate the characteristics of the international environment by explaining the era of détente and the normative structure that was created through the initiatives like the Helsinki Process (1972-1975). By paying particular attention to American and Soviet approaches in the specific field of human rights, the chapter seeks to demonstrate that the détente period did not bring any radical changes to the pure states' point of view and interest-driven structure of international relations.

3.2. Period of Détente

After a period of high tensions like the Hungarian Uprising (1956), Cuban Missile Crisis (1962), Suez Canal Crisis (1956) and Arab-Israeli confrontation (1948-), commencing with Richard Nixon's presidency in the United States (U.S.) in 1969 a new period began in which several accords and agreements emerged as a sign of détente between the major powers of the Cold War.¹²⁷ This period was to continue until 1980 in which the deteriorating impacts of "misjudged" and "miscalculated" Soviet invasion of Afghanistan were being felt.¹²⁸

With respect to détente Henry Kissinger, mentions that "the United States and the Soviet Union are ideological rivals. Détente cannot change that." Thus, for such influential statesmen, despite the presence of a discernible positive atmosphere between the rivals following the late 1960s, détente could be only another way of interpreting "national interest," or "simply trying to discipline [the ideological

¹²⁷ Even harsh attitude of Statesmen before coming into presidency can be tailored according to the necessities of foreign policy during the shape of events. This was the same for Nixon's attitude for the period of détente between the USA and the USSR. As Kissinger argues for Nixon, even after pursuing rhetoric as a "classic Cold Warrior" who blamed his rivals with being "soft on Communism," someone can choose "negotiating with the Soviets on the broadest agenda of East-West relations" during the course of the events. See, Henry Kissinger, *Years of Upheaval* (London: Weidenfeld and Nicolson, 1982), p. 236.

¹²⁸ Martin McCauley, *Russia, America and the Cold War 1949-1991*, 2nd edn. (Harlow: Pearson, 2004), pp. 24-27.

struggle] by precepts of national interest.”¹²⁹ Consequently, such judgments as that of Gaddis are relevant for this period:

Détente had been meant to lower the risks of nuclear war, to encourage a more predictable relationship among Cold War rivals, and to help them recover from the domestic disorders that had beset them during the 1960s. It had not been intended, in any immediate sense, to secure justice: that could only emerge, most of its supporters believed, from within a balance of power that each of the great powers considered legitimate.¹³⁰

On the part of the United States a reinterpretation of rivalry was a necessary act of foreign policy due to the various internal reasons (e.g. “Vietnam” or “Watergate”).¹³¹ So, détente served also as “a barometer of domestic controversies” rather than a mere “subject of serious analysis.”¹³² In this regard, in the logic of détente the mentality on the American side is rationalized by Kissinger by means of a patently realist outlook. Although enmity did not come to an end, and appeasement of the enemy could not occur again it had before the Second World War, there were some calculations that had to be made by the Americans. Kissinger argues:

An American President thus has a dual responsibility: He must resist Soviet expansionism. And he must be conscious of the profound risks of global confrontation. His policy must embrace both deterrence and coexistence, both commitment and an effort to relax tensions. [...] Yet if we pursue the ideological conflict divorced from strategy, if confrontation turns into an end in itself, we will lose the cohesion of our alliances and ultimately the confidence of our people.¹³³

Congruent with the American calculations, from the perspective of the Soviet Union the détente period was understood as a *razryadka* or “relaxation of tension.”¹³⁴ While explaining the moderate relations with the Western countries during this era,

¹²⁹ Kissinger, *Years of Upheaval*, p. 237.

¹³⁰ John Lewis Gaddis, *The Cold War* (London: Allen Lane, 2005), p.181.

¹³¹ Especially, as a domestic crisis, “Watergate did not permit us the luxury of a confrontational foreign policy, and it deprived conciliatory policies of their significance” says Kissinger. See, Kissinger, *Years of Upheaval*, pp. 300-301.

¹³² Kissinger, *Years of Upheaval*, p. 235.

¹³³ Kissinger, *Years of Upheaval*, p. 235.

¹³⁴ Anatoly Dobrynin, *In Confidence: Moscow's Ambassador to America's Six Cold War Presidents* (Seattle, London: University of Washington Press, 1995), p. 338.

Anatoly Dobrynin, Soviet ambassador in Washington, wrote that Soviet “foreign policy pronouncements were increasingly based on the idea of peaceful coexistence with these countries despite their different system.”¹³⁵

In fact, it was known that behind the Soviet idea of coexistence, the hostilities and “aggressive connotations”¹³⁶ continued to exist; but the practical necessities of the period should be taken into consideration. For instance, before and after the 1970s, as several writers claim, “the Soviet Union’s economy and those of its East European satellites were stagnating.”¹³⁷ The figures on economy vary in different assessments,¹³⁸ but it was true that economic reforms became necessary on the eve of détente. As Dobrynin emphasizes,

[t]he Soviet leadership knew that the country was in a difficult situation. The Soviet economy and living standards were stagnant. Famous dissidents were emerging, such as the physicist Andrei Sakharov and the author Alexander Solzhenitsyn. Underground samizdat publications showed that discontent was growing among our educated class. The sharp exacerbation of our relations with China and uncertainty in our relations with the United States led to greater military expenditures, which strained national budget.¹³⁹

Accordingly, “the failures of Marxism-Leninism” in creating adequate prosperity within the spheres dominated by Soviet power, and a desire for a “continued stability” were some reasons to journey on the road to détente with the Americans.¹⁴⁰

Therefore, détente has a significant function within the overall analysis of the Cold War. This significance results from its role in “freez[ing] the Cold War in place.”¹⁴¹ In this role, however, détente was never manipulated to end the deep conflict between the rivals, “but rather to establish rules by which it would be

¹³⁵ Dobrynin, p. 218.

¹³⁶ R. Judson Mitchell, *Ideology of a Superpower: Contemporary Soviet Doctrine on International Relations* (Stanford, California: Hoover, 1982), p. 58.

¹³⁷ Gaddis, p. 84.

¹³⁸ McCauley mentions that GNP for the Soviet state had grown “5 percent during the years 1966-70,” but this number would decline to 3.1 in 1971-75, and to 2.2 in 1976-80. See, McCauley, p. 62.

¹³⁹ Dobrynin, p. 217.

¹⁴⁰ Gaddis, p.153.

¹⁴¹ Gaddis, p. 198.

conducted.”¹⁴² Negotiations and agreements on the limitation of so called “Strategic Arms,” and the coming Strategic Arms Limitation Treaty I (SALT I) were one set of the substantial rules of this era. So, SALT I appeared as an historic development due to the fact that for the first time the two major powers, USA and USSR, deliberately rested their security on each other’s vulnerability.”¹⁴³ The normative environment was also shaped by other key developments, such as the Helsinki Process, throughout the 1970s.

3.3. Helsinki Process and Human Rights Norms

The Helsinki process or the Conference on Security and Cooperation in Europe (CSCE) has been viewed as “the high-water mark of the détente era of the 1970s,” and it appears as “the very symbol of détente, and its most ambitious manifestation.”¹⁴⁴ In the origins of this conference between European states, including the Soviet Union and the United States, there was a well-known desire to arrive at solutions to the problems introduced by the divisions following the Second World War. This desire “was followed by a number of ideas brought forward by statesmen and scholars in both East and West based on the concept of pan-European security.”¹⁴⁵ It is known that as early as 1965-1966, the Eastern Bloc under the leadership of the Soviet Union and Leonid Brezhnev developed “the idea for a European conference,” but events, such as the invasion of Czechoslovakia in 1968 placed obstacles to the implementation of this plan.¹⁴⁶

¹⁴² Gaddis, p. 198.

¹⁴³ Kissinger, *Years of Upheaval*, p. 256. As Kissinger explains, according to SALT I, both sides “limit their deployment of antiballistic missile systems (ABMs) to no more than two sites 1.300 kilometers apart and no more than 200 missiles.”

¹⁴⁴ John J. Maresca, *To Helsinki: The Conference on Security and Cooperation in Europe 1973-1975* (Durham, Duke University Press, 1985), p. xi.

¹⁴⁵ Maresca, p. 4.

¹⁴⁶ Maresca, p. 5.

In fact, when the process began in 1972, the CSCE appeared to be “a Soviet project” to several Western governments, and as several statesmen argued there was “no reason to help it along.”¹⁴⁷ The U.S. attitude was especially negative, and for statesmen like Kissinger, the conference was a direct “concession to the Soviets.”¹⁴⁸ However, during the course of negotiations, “the Soviet desire to bring the CSCE to a successful summit conclusion,” which was actually the prime mover behind the event, was to be used skillfully by the West and by the United States’ representatives.¹⁴⁹

There are ten main principles which made the Helsinki Accords possible as part of a consensus on security in Europe. These principles, also mentioned in within Final Act are “I. Sovereign equality, respect for the rights inherent in sovereignty. II. Refraining from the threat or use of force. III. Inviolability of frontiers. IV. Territorial integrity of states. V. Peaceful settlement of disputes. VI. Non-intervention in internal affairs. VII. Respect for Human Rights and fundamental freedoms, including freedom of thought, conscience, religion, or belief. VIII. Equal rights and self-determination of peoples. IX. Cooperation among states. X. Fulfillment in good faith of obligations under international law.”¹⁵⁰

On the other hand, three “Baskets,” or groups of articles, emerged at the final process of the CSCE. Basket I, “Questions Relating to Security in Europe,” included issues on territorial matters, sovereignty, non-interference, and disarmament which have always been seen as the primary goal of participating states. Basket II was termed “Cooperation in the Field of Economics, of Science and Technology, and of

¹⁴⁷ Maresca, p. 43.

¹⁴⁸ Maresca, p. 45.

¹⁴⁹ Maresca, p. 47.

¹⁵⁰ Conference on Security and Cooperation in Europe Final Act. See, Appendix B. The original document is retrievable at the official web-page of the Organization for Security and Cooperation in Europe (OSCE), http://www.osce.org/documents/mcs/1975/08/4044_en.pdf (Accessed on July 8, 2008).

the Environment,” whereas Basket III was “Cooperation in Humanitarian and Other Fields.”¹⁵¹

Although the Helsinki Final Act was a kind of triumph for the Brezhnev administration as a result of the unity of Europe under one agreement, the inclusion of Basket III on humanitarian issues (like rights and duties of citizens) was to have unexpected effects upon Soviet domestic and foreign agenda.¹⁵² This was mostly due to the new environment that was constructed upon the norms of new Helsinki Agreement leading “foreign states to take a legitimate interest in human and civil rights in the Soviet Union and its allies.”¹⁵³

The Helsinki process thus became a more crucial player on account of “the normative effect of human rights provisions written into the Final Act,”¹⁵⁴ and should be evaluated not only from of a rationalist account of Soviet decision-makers before and during the conference, but also from the perspective of dissidents in the Communist Bloc who began to base their arguments increasingly on human rights rhetoric and on the legal accountability¹⁵⁵ of state decisions in the post-Helsinki era. In this regard, although the Helsinki document is less developed compared to other conventions and declarations in the field of human rights, in some issues it can be

¹⁵¹ For details on Baskets of Helsinki Process, see, Maresca, pp. 26-27, pp. 227-283; Vojtech Mastny, *Helsinki, Human Rights, and European Security: Analysis and Documentation* (Durham: Duke University Press, 1986), pp. 6-8.

¹⁵² McCauley, p.9.

¹⁵³ McCauley, p.9.

¹⁵⁴ For various writers, these normative challenges will be seen as the source of “the seeds of the destruction of the Soviet system. See, Patricia Chilton, “Mechanics of Change: Social Movements, Transnational Coalitions, and the Transformation Process in Eastern Europe,” in *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Relations*, Thomas Risse-Kappen (ed.) (Cambridge: Cambridge University Press, 1995), p. 201.

¹⁵⁵ An important source of explanation for the efficiency of human rights movement in places like Soviet Russia during the post-Helsinki period is about the tactics and politics used by groups or “transnational advocacy networks” to make pressure on governments. One source of this pressure is given as “accountability politics” by Keck and Sikkink who contends that “once a government has publicly committed itself to a principle - for example, in favor of human rights or democracy - networks [or groups] can use these positions, and command of information, to expose the distance between discourse and practice.” See, Margaret E. Keck, Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca, London: Cornell University Press, 1998), p. 24.

more “explicit.”¹⁵⁶ Thus, the process initiated by the CSCE might be thought more influential on “human rights situation” in the regional political levels than “treaty-based systems.”¹⁵⁷

On the other hand, when one considers the Soviet approval of the Helsinki Final Act in 1975, the reason for this policy maneuver appears to have been part of a strategy of “exchange for the Western acceptance of post-war territorial arrangements in Eastern Europe.”¹⁵⁸ Soviet decision-makers had “no real intention of living up to the Act’s human rights provisions.”¹⁵⁹ Considering the ten main principles of the Final Act, the Soviet attitude was in line with the defense of Principle 3 and 6 concerning the inviolability and non-intervention as opposed to the emphasis of Principle 7 on human rights.¹⁶⁰ The same can be said for the Eastern European states whose policies established a direct link between human rights norms and “popular sovereignty.”¹⁶¹

Within this framework, as Korey suggests, the Helsinki Process and the Final Act were “largely a product of trade-offs designed to maintain a balance between security concerns and human rights.”¹⁶² From the Soviet point of view the desire for a “European security conference designed to legitimize and perpetuate postwar territorial arrangements,”¹⁶³ despite the human rights proposals of the Western states,

¹⁵⁶ Jan Helgessen, “Between Helsinkis – and Beyond? Human Rights in the CSCE (Conference on Security and Co-operation in Europe) Process,” *Human Rights in a Changing East-West Perspective*, edited by Allan Rosas and Jan Helgessen (London: Pinter Publishers, 1990), p. 259.

¹⁵⁷ Helgessen, p. 259.

¹⁵⁸ Leonid Romankov, “Opening Totalitarian Societies to the Outside World: A View from Russia,” in *Realizing Human Rights: Moving from Inspiration to Impact*, Samantha Power and Graham Allison (eds.) (New York: St.Martin’s Press, 2000), p. 64.

¹⁵⁹ Romankov, p. 64.

¹⁶⁰ Daniel C. Thomas, *The Helsinki Effect: International Norms, Human Rights, and the Demise of Communism* (Princeton, Oxford: Princeton University Press, 2001), p. 72.

¹⁶¹ Allan Rosas, “Democracy and Human Rights,” in *Human Rights in a Changing East-West Perspective*, edited by Allan Rosas and Jan Helgessen (London: Pinter Publishers, 1990), p.51.

¹⁶² William Korey, “Human Rights and the Policy of Leverage and Linkage: The Lesson of the Helsinki Process,” in *Human Rights and Security: Europe on the Eve of a New Era*, Vojtech Mastny and Jan Zielonka (eds.) (Boulder: Westview, 1991), p. 80.

¹⁶³ Korey, p. 80.

and particularly the European states, altered the process in ways the Eastern Bloc did not expect.

During the Helsinki Process, the European insistence on human rights norms and increasing American diplomatic activity in collaboration with their Western European partners forced the Soviet side to change their strategy. Instead of rejecting a separate chapter that included human rights, the Soviet negotiators tried to “weaken [this chapter’s] authoritativeness by proposing that it [could] be interpreted ‘in accordance with the International Pacts of the United Nations on human rights, which contain loosely worded escape clauses relating to the protection of public safety, order, health, or morals.’”¹⁶⁴ As another aspect of their strategy, the Soviet side began to highlight their mutual economic expectations. These expectations were related to the increasing “emphasis on Basket Two” of the Helsinki Accords, can while “Moscow lured West Europeans as their supposedly ‘natural’ supplier of energy, positing a contrast between its reliability and American unpredictability.”¹⁶⁵

Nevertheless the Helsinki Final Act, which came into existence with its Basket III principles created a new normative spirit by indicating that “[t]he participating states will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language, or religion.”¹⁶⁶ This spirit would give inspiration to various groups to include the norms of human rights in their agenda. In Eastern Europe, “the word “Helsinki” has become synonymous with the promotion of human rights,”¹⁶⁷

¹⁶⁴ Thomas, p. 73.

¹⁶⁵ Vojtech Mastny, “Introduction: Human Rights and Security from the French to the East European Revolution,” in *Human Rights and Security: Europe on the Eve of a New Era*, Vojtech Mastny and Jan Zielonka (eds.) (Boulder: Westview, 1991), p. 13.

¹⁶⁶ Conference on Security and Cooperation in Europe Final Act. The original document is retrievable at the official web-page of the Organization for Security and Cooperation in Europe (OSCE), http://www.osce.org/documents/mcs/1975/08/4044_en.pdf (Accessed on July 8, 2008).

¹⁶⁷ Vojin Dimitrijevic, “Freedom of Opinion and Expression,” in *Human Rights in a Changing East-West Perspective*, edited by Allan Rosas and Jan Helgessen (London: Pinter Publishers, 1990), p. 72.

while many of the new peace movements in the West in addition to the human rights groups in the East are seen as the progeny of the agreement in Helsinki.¹⁶⁸

In this atmosphere, the acts of Western statesmen like U.S. President Carter's personal dialog with prominent Soviet dissidents such as Sakharov and Bukovsky elicited a negative response from Soviet officials and led a more intense diplomatic environment following the Helsinki Accords. Thus, the principles of "sovereign equality" and "non-interference" were accepted once again as the guiding norms of state relations.¹⁶⁹ The real danger of the Soviet insistence on sovereignty lay in the possibility that sovereign entity of the state could be used as "a kind of filter through which the [other] international norms [such as human rights] must be filtrated."¹⁷⁰

3.4. U.S. Foreign Policy and Human Rights

If one wants to study the human rights perspective in the U.S. foreign policy, the period of "limited support" between the years 1945-1952 invites scrutiny, whereas the period between 1953-1974 was characterized by "neglect."¹⁷¹ However, events of mid-1970s led to changes in American foreign policy as Congress started to change its approach towards the issue of human rights.¹⁷² As Shattuck argues, "during much of the Cold War, U.S. officials filtered human rights diplomacy through the prism of Soviet containment policy. U.S. diplomacy was often inconsistent, criticizing some countries for specific abuses while remaining silent

¹⁶⁸ Mary Kaldor, "Transnational Civil Society," in *Human Rights in Global Politics*, Tim Dunne, Nicholas J. Wheeler (eds.) (Cambridge: Cambridge University Press, 1999), p. 198.

¹⁶⁹ Norman A. Graebner, "Human Rights and Foreign Policy: The Historic Connection," in *The Moral Imperatives of Human Rights: A World Survey*, Kenneth W. Thompson (ed.) (Washington: University Press of America, 1980), p. 61.

¹⁷⁰ Helgesen, p. 245.

¹⁷¹ Forsythe, *The Internationalization of Human Rights*, pp. 121-125.

¹⁷² Forsythe, *Human Rights in International Relations*, p.42-43.

about similar practices elsewhere.”¹⁷³ Accordingly, for a certain period of the Cold War, U.S. foreign policy was far from adopting and implementing human rights principles in its bilateral and foreign relations, and this was particularly true of the presidencies from Dwight Eisenhower until Gerald Ford.¹⁷⁴

The issue of human rights began to surface for the first time in a significant way during the Nixon presidency when Senator Henry Jackson and Representative Charles Vanik struggled to persuade Congress to pass a “Trade Reform Act” that denied “‘most-favored nation’ treatment and Export-Import Bank credits to any ‘non-market economy’ that restricted or taxed the right to emigrate.”¹⁷⁵ This struggle began immediately after the Kremlin’s decision to levy an “exit tax on emigrants leaving the USSR.”¹⁷⁶ This decision was aimed at the Soviet Jewish population whose condition was being discussed more frequently in the U.S.¹⁷⁷ For Gaddis, the success of the Jackson-Vanik amendment in the Congress in 1975 was a sign that “a basic standard of human decency took precedence over the Cold-War policies so that neither national sovereignty nor the demands of diplomacy should allow states to treat their own citizens in any way they pleased.”¹⁷⁸

¹⁷³ John Shattuck, “Diplomacy with a Cause: Human Rights in U.S. Foreign Policy,” in *Realizing Human Rights: Moving from Inspiration to Impact*, Samantha Power and Graham Allison (eds.) (New York: St.Martin’s Press, 2000), p. 269.

¹⁷⁴ Forsythe, *Human Rights in International Relations*, p.42.

¹⁷⁵ Gaddis, p.182.

¹⁷⁶ Gaddis, p.182.

¹⁷⁷ The issue of anti-Semitism in the Soviet Union has been a long-discussed issue in the American and Western media since the Stalinist years. See, for instance, C.L. Sulzberger, “Anti-Zionism in Soviet Union Turning into Anti-Semitism,” (dated May 2, 1949) in *Soviet Society since the Revolution (The Great Contemporary Issues): Articles from the New York Times*, Harrison E. Salisbury, Gene Brown (eds.) (New York: The New York Times-Arno Press, 1979), p. 352. With the emigration-claims, the problem became new dimensions also in the Western media. See, Hedrick Smith, “Soviet Jews Say Exit Fee is Rising For the Educated,” (dated August 16, 1972), Christopher S. Wren, “Soviet Revising Bureaucratic Procedure for Would-Be Emigrant,” (dated January 21, 1976), Craig R. Whitney, “Jews in the Ukraine Charge That the Age-Old Anti-Semitism Persists,” (dated December 1, 1977) in *Soviet Society since the Revolution (The Great Contemporary Issues): Articles from the New York Times*, Harrison E. Salisbury, Gene Brown (eds.) (New York: The New York Times-Arno Press, 1979), p. 358-360.

¹⁷⁸ Gaddis, p.184. For further details on the issue of “Jewish emigration” from the Soviet Union in the period of détente and this issue’s effects on the relations between the US and the USSR, see, Dobrynin, pp. 334-339.

The Trade Reform Act was harmful to the foreign policy of the Nixon-Kissinger camp, but the liberal and conservative blocs did not hesitate to make an alliance to support the policy against the USSR. Kissinger asserted that “the liberals, preoccupied with human rights; and the conservatives, who became anxious about any negotiations with the Soviets” were the main opponents of his policies.¹⁷⁹ For liberals, the Nixon administration with Kissinger was too “Machiavellian,” while for conservatives it was too “accommodating.”¹⁸⁰

In fact, also from the Soviet point of view, as ambassador Dobrynin suggests, it was true that some changes were discernible in American policy-decisions. This is why Soviet bureaucrats did not hesitate to declare that people like “right-wingers, liberal anti-communists and Jewish groups working together for free emigration and other human rights in the Soviet Union” as seen from the new Congressional initiatives such as the Jackson-Vanik Agreement.¹⁸¹

Through actions like the Jackson-Vanik Agreement, or by way of Soviet dissident Andrei Sakharov’s letter to the U.S. Congress,¹⁸² realist foreign policy makers in the USA sensed that some challenging issues were arising against the old balances of power. While for such realists the human dimension was not an issue that could be ignored, the methods adopted by the “moralist” groups (Russian dissidents and their supporters in the U.S. Congress) were opposite of the “gradualist” line of diplomacy. Such a moralist change could thus worsen the situation in the Soviet

¹⁷⁹ Kissinger, *Years of Upheaval*, p. 256.

¹⁸⁰ Kissinger, *Years of Upheaval*, p. 300.

¹⁸¹ Dobrynin, p. 265.

¹⁸² The letter was sent on September 14, 1973 and was finished with the following words: “I hope that the Congress will support the Jackson Amendment.” For the whole document, see, Andrei Sakharov, *Sakharov Speaks* (London: Collins&Harvill Press, 1974), p. 215.

domestic sphere and could lead to “the weakening of the credibility” in the case of U.S. foreign policy.¹⁸³

3.4.1. President Carter and the Human Rights Agenda of the United States

The hesitations of U.S. official circles in making human rights a core issue in foreign policy was reinterpreted during the presidential campaigns of Jimmy Carter and Gerald Ford in advance of the 1976 elections. Hence, one of the turning points for Carter as an idealist and supporter of human rights was in his election campaign when he criticized the failed response of Ford’s government to the human rights defenders (such as Ford’s negative response displayed against Russian or Eastern European dissidents as in the refusal to Alexander Solzhenitsyn’s possible visit to the White House).¹⁸⁴ Furthermore, despite the presence of idealist rhetoric at first appearance, Carter’s new steps in the name of human rights ideals are connected to a “pragmatic assessment” of domestic circumstances.¹⁸⁵ “Exhausted by the dual traumas of Watergate and Vietnam, many Americans welcomed a foreign policy that placed a new emphasis on human rights.”¹⁸⁶

This was no big surprise. When Carter became president, he declared his concern for “the fate of human rights activists and political prisoners in the Soviet Union and Eastern Europe.”¹⁸⁷ The mid-1970s had already witnessed U.S. foreign policy maneuvers in the name of the ideals that were announced as elements of the comprehensive American approach to the world. Emphasizing human rights-abuses

¹⁸³ Kissinger, *Years of Upheaval*, p. 989.

¹⁸⁴ Joshua Muravchik, *The Uncertain Crusade: Jimmy Carter and the Dilemmas of Human Rights Policy* (London: Hamilton, 1986), p. xix.

¹⁸⁵ Shattuck, p. 271.

¹⁸⁶ Shattuck, p. 271.

¹⁸⁷ Jimmy Carter, “The American Road to a Human Rights Policy,” in *Realizing Human Rights: Moving from Inspiration to Impact*, Samantha Power and Graham Allison (eds.) (New York: St.Martin’s Press, 2000), p. 55.

in the countries of South America and the American Convention on Human Rights were major policies undertaken by the U.S. government at that time.¹⁸⁸

Attempts were made to rehabilitate the U.S. image as an “unconditional supporter of dictators and dictatorships” due to the fear of communism under the Carter presidency,¹⁸⁹ while Latin American authoritarian governments were another target of Carter’s human rights terms.¹⁹⁰ However, from a rationalist point of view, as Muravchik mentions, compared to Soviet officials, the leaders of Latin American countries did not possess the sort of “big stick” which Soviets did as “they could and did threaten not to cooperate in reaching a SALT agreement, thereby depriving Carter of the central goal of his foreign policy.”¹⁹¹

Carter’s contacts with prominent Soviet dissidents through correspondence, (such as with Andrei Sakharov¹⁹²), or through meetings (such as with Bukovsky) led to the direct Soviet grievance on U.S. “distrustful” behavior, and paved the way for the intensified pressure on voices of opposition inside Soviet territory.¹⁹³ The harsh response of the Soviets at both domestic and international levels began to imperil the terms of the détente era. Priorities based on by realist bilateral conduct appeared to be the reason of the arguments on the Carter administration’s retreat “from outspoken criticism of Soviet human rights violations.”¹⁹⁴

¹⁸⁸ Carter, “The American Road to a Human Rights Policy,” p. 55.

¹⁸⁹ Graebner, p. 57.

¹⁹⁰ For an account on the American support to authoritarian tendencies in several countries, see, Richard Falk, *Human Rights and State Sovereignty* (New York, London: Holmes & Meier, 1981), pp. 63-83.

¹⁹¹ Muravchik, p. 35. During the Carter regime, “security assistance was terminated to at least eight countries [in Latin America] because of human rights violations.” They were Argentina, Bolivia, El Salvador, Guatemala, Haiti, Nicaragua, Paraguay, and Uruguay. See, Muravchik, p. 44.

¹⁹² On February 5th, 1977, President Carter sent a letter to Sakharov as a response to Sakharov’s letter about the deteriorating conditions in Soviet Union. For the document, see, Andrei Sakharov, *Alarm and Hope* (London: Collins and Harvel, 1979), p. 50. See, Appendix G.

¹⁹³ Muravchik, pp. 30-31.

¹⁹⁴ Muravchik, p. 34. Beside Carter, important names during his presidency became important regarding the policies conducted. For instance, for the initial challenging behaviors of Carter against the Soviets as a result of their human rights records could be seen in line with the strategies of “hard-liner” Brzezinski who was the National Security Advisor during Carter’s presidency, and was known

In order to grasp the final results of Carter's presidency, Forsythe is right in saying that "Carter started out being a post-materialistic, post-Cold War President stressing global community," but "America was still materialistic, and interstate relations was still dominated by the Cold War and other security clashes."¹⁹⁵ Although Carter seemed to pursue an idealistic line while signing the two important human rights covenants, ICCPR and ICESCR, and while demonstrating a negative attitude towards states which had poor human rights records, at the end of the day he could not achieve satisfactory results from the perspective of U.S. foreign policy. In the international realm, the regimes which were replaced by the new ones such as Iran or Nicaragua did not have a positive attitude towards USA, nor did the Soviet Union behave as American decision-makers had expected when it invaded Afghanistan in 1979.¹⁹⁶

3.4.2. Different Approaches between Allies: Western Europe and United States on Human Rights

Although the post-Second World War era led to a common agreement on the significance of recognizing universal rights, the following Cold War period is essential to understand the differentiation in states' policies regarding the adoption of human rights. Different from any other regional experiences, in Europe human rights have been used as an important tool to maintain the unity among the people against the atrocities during and after the Second World War.

with his "inclinations to confront the Soviets." Whereas the latter "back-off" of American president was evaluated as suitable to Vance's, Secretary of State, strategy which aims to "placate" the Soviets. See, Muravchik, pp. 202-204.

¹⁹⁵ Forsythe, "Human Rights and US Foreign Policy: Two Levels, Two Worlds," p. 119.

¹⁹⁶ For Falk, Carter's regime was different from the previous experiences because it had taken "human rights as an end in itself," but the changes in international sphere towards the beginning of 1980s led to the decline of a human rights-oriented line in the decision-making processes. See, Falk, p. 30.

In Europe, a “regional focus” and “the process of building a unified [and stable] Europe” have been inseparable parts of normative and supranational developments regarding the human rights.¹⁹⁷ The creation of the Council of Europe, the declaration of a separate European Convention on Human Rights, and later the awarding of jurisdiction to a supranational court in which individuals’ rights are protected against their own states are signs of the difference stemming from the relatively stronger ideational process in Europe.

On the other hand, in the United States, Sikkink argues that the process has followed a diverse path for several reasons. One important factor was the Cold-War and the changing foreign policy priorities in the State Department of the U.S. Thus, until the second half of 1970s, there was a clear gap in American policies in recognizing human rights as a tool of multilateral policy. Although “democratic realists,” such as Kissinger, “might be liberals at home in their support for democracy and human rights, they were prepared to sacrifice foreign rights and foreign democracy to advance the interests of their state.”¹⁹⁸

In contrast with the European experience, even when the immoral side of realism was weakened, and Americans were motivated to consider human rights in their policies towards other states, “the legal instruments and multilateral channels such as those provided by the European Convention” might have been in a secondary place compared to the primary role given to the “bilateral channels and more political forms of pressure.”¹⁹⁹

Several reasons can be suggested for American inconsistency in using or not using human rights tools during the Cold War years until 1980. From an ideational

¹⁹⁷ Kathryn Sikkink, “The Power of Principled Ideas: Human Rights Policies in the United States and Western Europe,” in *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change*, Judith Goldstein, Robert O. Keohane (eds.) (Ithaca and London: Cornell University Press, 1993), p. 169.

¹⁹⁸ Forsythe, *Human Rights in International Relations*, pp. 5-6.

¹⁹⁹ Sikkink, p. 166.

perspective, with respect to American hesitation to insist on human rights “anticommunism and the resulting distrust of the United Nations system continuously obstructed external and multilateral human rights policies.”²⁰⁰ However, the reasons for the increasing popularity of rights’ rhetoric in 1970s were the national sentiment after the Vietnam experience, the growing “civil rights movement,” and increasing opposition to the Nixon administration due to internal problems such as Watergate.²⁰¹

It is likewise true that the ideational perspective can not be completely separated from the realm of state interests. Rather, as evident from Carter’s experience, “the power of ideas [can] reshape understandings of national interest.”²⁰² In view of that, “[t]he adoption of human rights policies represented not the neglect of national interest but a fundamental shift in the perception of long-term national interests.”²⁰³

3.5. Soviet Ideology and Policy versus International Human Rights

From the beginning of the debate “both the concept and the terminology of human rights have been reluctantly accepted by the Soviet Union mainly as an unpleasant but inescapable reality of international relations.”²⁰⁴ During the Cold War, as a response to its Western adversaries, the Soviet state tried to use the idea of human rights according to its own ideology. This is why for Soviet official understanding, there was a clear distinction between political/civil rights and economic/social rights.

Furthermore, there was the common perception that because “the bourgeoisie

²⁰⁰ Sikkink, p. 170.

²⁰¹ Sikkink, p. 170.

²⁰² Sikkink, p. 140.

²⁰³ Sikkink, p. 140.

²⁰⁴ Roberto Toscano, *Soviet Human Rights Policy and Perestroika* (Cambridge, Mass.: Center for International Affairs/Harvard University, 1989), p.13.

states are unable to provide [economic/social/cultural rights] to the individual”, “priority” for the Western democracies has always been given to political/civil rights.²⁰⁵ Such an understanding was directly supported by Brezhnev in his speeches:

We have no reason to shun any serious discussion of human rights. Our revolution, the victory of socialism in our country have not only proclaimed but have secured in reality the rights of working man whatever his nationality, the rights of millions of working people, in a way capitalism has been unable to do in any country of the world.²⁰⁶

Accordingly, as Henkin mentions, the Soviet Bloc defended its own “socialist ideology” which was thought to represent “a sincere commitment to authentic human rights, especially to economic and social rights, and to the right of peoples to self-determination and economic self-determination.”²⁰⁷ From the same perspective, in Soviet perception, the importance lies in the materiality of rights. Hence, the Soviets could claim that abstract civil and political rights were dependent on the material structure of social and economic rights.²⁰⁸

The socialist doctrine of the USSR explains the source of an individual’s rights in line with his/her dependence on a collective identity. Hence, contrary to some Western critics “according to which the main criterion of man’s freedom lies in the measure of his autonomy from society and the state, socialist doctrine and

²⁰⁵ Nikolai Vitruk, “The System of the Individual’s Rights,” in *Rights of the Individual in Socialist Society*, Vladimir Kudryavtsev (ed.) (Moscow: USSR Academy of Sciences, 1986), p. 59. For various writers, due to the several reasons, the incompetence of human rights within the Soviet political and legal system deserves attention to understand the context in a clear way. Thus, it is claimed that the first reason can be searched in the inherent enmity of Marxist ideology to the ideals of human rights which had been described as not more than a deception of bourgeoisie ideology in Marx’s or Engels’ writings. See, Jeremy Waldron, *Nonsense Upon Stilts: Bentham, Burke, Marx on the Rights of Man* (London: Methuen, 1987).

²⁰⁶ From the speech of Brezhnev, “For a Just, Democratic Peace, for the Security of Nations and International Co-operation” in the Kremlin Palace of Congresses at the World Congress of Peace Forces on October 26, 1973. See, L. I. Brezhnev, *Following Lenin’s Course: Speeches and Articles (1972-1975)* (Moscow: Progress Publishers, 1975), p. 323.

²⁰⁷ Henkin, p. 21.

²⁰⁸ Toscano, p.18. Thus, the new period initiated by Gorbachev’s attempts is evaluated as a direct challenge to the past applications and theories on human rights due to some reasons. For one of those reasons, it is claimed that Gorbachev’s era is the beginning for a period where the strict separation between civil/political and economic/social rights is blurred, thus the “pre-eminence” of “material” guarantees over “legal” guarantees started to be removed from the legal and political sphere.

practice are based on the interests, aspirations and destinies of people being inseparably bound to a collective, society, and the state.”²⁰⁹ Thus, in Soviet ideology there could be violations of human rights only if these violations were “massive,” rather than “simple.”²¹⁰ In the view of the Soviet state a violation could be a violation not because of the harm done to the individual, but rather because of the general harm done and the threat to the state's agenda.

In addition to the ideological dimension, the concept of power was reinterpreted in Soviet Russia through the Communist Party whose “*raison d’être* [was in fact] its monopoly of power.”²¹¹ For Eide, the Marxist way of conceptualizing human rights “contributed towards building an ideological legitimization of the kind of excesses which were carried out in the Soviet Union.”²¹² Especially, “the period of the personality cult” was the most significant period for these excesses. Through the evolution of the Soviet state from the original Marxist foundation, Toscano emphasizes an important point that the main theories have “switched from the classical Marxist idea of the class nature of rights to a theory that links the very existence of those rights to the state, beyond class and independently from class.”²¹³ As a consequence, the holiness of the state, as the state for (and above) all citizens, has a direct reflection.

Regarding the Soviet approach to the issue of human rights, and especially in light of the classical dimension of these rights encompassing both civil and political claims, the Soviet state behaved according to the principles of a realist and

²⁰⁹ Vyacheslav Maslennikov, “Legal Duties and Responsibility of the Individual,” in *Rights of the Individual in Socialist Society*, Vladimir Kudryavtsev (ed.) (Moscow: USSR Academy of Sciences, 1986), p. 84.

²¹⁰ Toscano, *Soviet Human Rights Policy and Perestroika*, p.16.

²¹¹ Kissinger, *Years of Upheaval*, p. 244.

²¹² Asbjørn Eide, “National Sovereignty and International Efforts to Realize Human Rights,” in *Human Rights in Perspective: A Global Assessment*, Asbjørn Eide and Bernt Hagtvet (eds.) (Oxford, Mass.: Blackwell, 1992), p. 11.

²¹³ Toscano, *Soviet Human Rights Policy and Perestroika*, p.9.

ideologically-supported rationalist agenda. This is evident from the emphasis on state sovereignty, territorial integrity and principle of non-interference. When the Jackson-Vanik amendment started to pave the way for the first changes regarding the link between the U.S. Foreign policy and human rights, the Soviet state did not hesitate to describe the American interference as unacceptable.²¹⁴ During the bilateral negotiations of the Helsinki Process, the same attitude was discernible. In this regard, Brezhnev's following words are telling:

The main conclusion, which is reflected in the Final Act, is this: no one should try, from foreign policy considerations of one kind or another, to dictate to other peoples how they should manage their internal affairs. It is only the people of each given state, and no one else, that have the sovereign right to decide their own internal affairs and establish their own internal laws. Any other approach would be precarious and perilous ground for the cause of international co-operation.²¹⁵

To sum up, in addition to the statist perspective of Soviet decision-makers who shared similar claims on states' primacy with many others in both Eastern and Western Bloc at that time, the ideological component should not be underestimated in order to understand the irreconcilability of Soviet human rights' perspective and the Western conception of universal human rights.

3.6. Conclusion

In the policy field, this chapter has tried to demonstrate that the period of détente led to a new normative environment, as during the Helsinki Process. However, the final results derived from this period were not enough to go beyond the rationalism of states. On the other hand, regarding the issue of human rights, as Forsythe mentions "[f]rom roughly 1648 and the Peace of Westphalia endorsing supreme territorial

²¹⁴ Maresca, p. 78.

²¹⁵ From the speech of Brezhnev, "In the Name of Peace, Security and Cooperation," at the CSCE-Conference in Helsinki on July 31, 1975. See, L. I. Brezhnev, *Following Lenin's Course: Speeches and Articles (1972-1975)* (Moscow: Progress Publishers, 1975), p. 581.

authority, to 1945 and the UN era, human rights were regarded as mostly within the competence of the nation-state. This changed fundamentally in both legal theory and diplomatic practice starting in 1945 with the UN Charter.”²¹⁶ However, the relatively more collaborative environment after the Second World War also changed during the course of the Cold War. Consequently, there was no common way to strengthen the internationalization of universal human rights.

Some domestic factors played a significant role during 1970s in understanding the “renewed interest” for human rights-issues in Western countries.²¹⁷ For instance, in this period, U.S. President Carter planted a seed in defending and trying to adopt human rights ideals in foreign relations. However, his success was controversial because of his failure in reconciling these ideals with *Realpolitik*. Despite its ineffectiveness, the nourishment of Carter’s successors, i.e. Reagan, by Carter’s ideational seeds brought a reinvigoration to the U.S. foreign policy throughout the following periods.²¹⁸

On the other hand, from the Soviet perspective détente was intended to solve divisions in Europe, to gain new opportunities for economic progress, and to construct a more legitimate rhetoric for its international relations. Nonetheless, positive relations with the Western world were not accompanied by an internal reformation or relaxation. Especially following the Prague Spring in 1968, Brezhnev and his policies were the symbols of the determination “to control everything – even ideas – within their sphere of influence.”²¹⁹ As a response to Soviet authoritarianism, the Helsinki Accords signified one of détente’s important phases by which new tools

²¹⁶ See, Forsythe, *The Internationalization of Human Rights*, p.15. In UN Charter Article 55, there is a direct mentioning that “without the distinction to race, sex, language, or religion” all member states are responsible for promoting fundamental human rights.

²¹⁷ Forsythe, *The Internationalization of Human Rights*, pp. 121-125.

²¹⁸ Muravchik, p. xxvi.

²¹⁹ Gaddis, p.185.

for pressure emerged via the adoption of human rights norms within Basket III. A clear message was given that “progress in détente depends in part on progress toward the freer movement of people, ideas, and information.”²²⁰

Nevertheless, the Soviet response to these new developments could not be understood merely within a normative approach fostered by détente and the Helsinki Process. In the next chapter, I consider the human rights movement inside Soviet Russia. I suggest that statist/rationalist accounts of state elites in the Soviet Union coincided with realist premises in international politics in which survival does not depend on obedience of moral principles such as human rights in domestic politics, but rather on their effective usage of power to ensure the interest.

²²⁰ Maresca, p. 27.

CHAPTER IV:

LOOKING FROM THE DOMESTIC ANGLE: HUMAN RIGHTS, DISSIDENCE, STATE'S SUPREMACY IN SOVIET RUSSIA

[B]ut I believe that the relaxation of tensions is a constructive step toward the international protection of human rights in every country primarily because the process of working out détente is a process of discussion, including discussion of humanitarian problems.²²¹

At the center of my public activities remains my demand for worldwide political amnesty – for freedom for all prisoners of conscience. I consider this is a precondition for peace.²²²

4.1. Introduction

In the general understanding of the dissidence or the opposition during 1960s and 1970s, the concept of human rights had a pioneering role. For the intellectuals themselves, the human rights movement²²³ was the other meaning of dissident

²²¹ “Valery Chalidze’s Speech on Détente,” *Chronicle of Current Events*, No.13 (January-February 1975) (New York: Khronika press, 1975), p. 25.

²²² Andrei Sakharov, *Alarm and Hope* (London: Collins and Harvel, 1979), p. 84.

²²³ For the meaning of the term ‘movement’ in this chapter, Tismaneanu’s explanation might be also useful: “[It] should be understood as a relatively structured, collective effort based on shared values and aimed at furthering an original set of objectives that would influence the established patterns of thought and behavior.” See, Vladimir Tismaneanu, “Unofficial Peace Activism in the Soviet Union and East-Central Europe”, *In search of civil society: Independent peace movements in the Soviet bloc*, Vladimir Tismaneanu (ed.) (New York: Routledge, 1990), p.10

activities in late 1960s and early 1970s.²²⁴ Actually among the various initiatives that contributed to the general term ‘*dissidentsvo*’²²⁵ in the Soviet Union, human rights movement represented only one dimension of the general picture. However, this dimension was different from dissidents’ other purposes, such as pure national or religious ones.²²⁶

It was known that following the de-Stalinization process, “[e]very movement was preoccupied with its own cause;” Jews with anti-Semitism and emigration, Baptists with religious persecution, Crimean Tatars with repatriation, or Lithuanian Nationalist Movement with independence.²²⁷ The main aspect that characterizes the particular movement for human rights of the Soviet Russian experience, especially within the second half of 1950s, was the general attribution to some civil and political rights that were suppressed continually under the authoritarian rule of the

²²⁴ Philip Boobbyer, *Conscience, Dissent and Reform in Soviet Russia* (New York and London: Routledge, 2005), p. 75.

²²⁵ In fact, the problem for the Soviet dissidents begins with the description of them as “dissidents.” As Philip Boobbyer mentions, the name dissident was given to the group by the Soviet regime itself in order to emphasize the extremist and anti-social side of the opponents. Although among the opponent voices the term *inakomyslyashchie* which means literally ‘people who think differently,’ was popular, Boobbyer thinks that this term is also inadequate to describe the situation of the opposition at that time. Because of this, the most appropriate emphasis is given to the *svobodomyslie* or free thought, which was the main desire of many intellectuals starting from the de-Stalinization period. For further details, see, Boobbyer, p. 75. Similarly, one prominent name Sakharov expressed that he preferred the word *volnomyslyashchie* which means “freethinkers.” See, Andrei Sakharov, *Sakharov Speaks* (London: Collins&Harvill Press, 1974), p. 36. As a result, as Rubenstein argues, “[t]he dissidents did not think differently from everyone else, as the word *dissent* implies.” Joshua Rubenstein, *Soviet Dissidents: Their Struggle for Human Rights* (Boston: Beacon, 1980), p. 253.

²²⁶ As Alexeyeva claims, in an environment where different national and religious groups have different aims against the government, (e.g. Crimean Tatars, Volga Germans, Jewish act for emigration; Ukrainians and Lithuanians against Russification; Orthodox, Catholic and other religious people for their right to religion and conscience) “human rights movement has become a natural focus for all other movements, chiefly because of its universal orientation for all citizens, but also because of its neutrality with respect to religion, politics, and ethnic origin.” Ludmilla Alexeyeva, *Soviet Dissent: Contemporary Movements for National, Religious, and Human Rights* (Middletown, Connecticut: Wesleyan University Press, 1985), p. 9.

²²⁷ Emma Gilligan, *Defending Human Rights in Russia: Sergey Kovalev, Dissident and Human Rights Commissioner, 1969-2003* (New York and London: RoutledgeCurzon, 2004), p.9. In her book *Soviet Dissent*, Alexeyeva categorizes different claims and movements of different groups according to their commonalities. Thus, Ukrainian, Lithuanian, Estonian, Latvian, Georgian, and Armenian National Movements are categorized within the title of “the Movements for Self-Determination.” The Crimean Tatar National Movement and Meskhetian Movement are called as “The Movements of Deported Nations.” The Soviet German Emigration Movement and the Jewish Emigration Movement are “the Movements for Emigration.” The Evangelical Christian Baptists, the Pentecostals, the True and Free Seventh-Day Adventists and the Russian Orthodox Church are parts of “the Movements for Religious Liberty.” For details of all these groups, see, Alexeyeva, pp. 21-264.

Communist Party. Freedom of movement, freedom of thought and conscience, freedom of association are the first of these rights that are at the center of this chapter's subject.

Considering the economic and social aspect was an important supporting element for the Soviet official regime against the “politically liberal” and “individualist” Western world, economic and social rights played a secondary role for the case of human rights-based dissidence in Soviet Russia. The traditional side of human rights that has been described as the first generation civil and political rights was the main inspirational motive for many dissidents. Hence, the origins of these traditional rights within the American and European liberal philosophies led to the escalation of the conflict between the Soviet official ideology and dissidents' ideas.

Within this context, as this chapter aims to demonstrate, the idea of human rights is a precondition for Soviet (Russian) dissidents. Like in the Western societies, this idea is a step for democratization and reformation attempts.²²⁸ For this reason, although the pure human rights activists (with a Westernized conception of rights-based rhetoric and with a moderate liberal line) are characterized as a small group of individuals within the general dissidence-movement,²²⁹ their human rights-based

²²⁸ In this context, instead of the term “human rights movement,” some other terms like “Democratic Movement” have been used to describe dissidents' rights-based ideas and activities in the post-Stalinist Soviet Union. For one of the prominent and pioneering example, see, Peter Reddaway, *Uncensored Russia: The Human Rights Movement in the Soviet Union – The Annotated Text of the Unofficial Moscow Journal A Chronicle of Current Events (Nos. 1-11)* (London: Jonathan Cape, 1972).

²²⁹ Although “high-status professionals” are seen as the main initiators of a rights-based movement, within the overall evaluation, people from various ethnic and religious groups might be included within the dissidence to make a more accurate evaluation of human rights claims and of the broad realm of “sympathizers” of these claims against the Soviet state. Frederick C. Barghoorn, *Détente and the Democratic Movement in the USSR* (New York, London: The Free Press, 1976), p. 13. For an account on the link between nationality rights and human rights in the Soviet Union, see Barghoorn, *Detente and the Democratic Movement in the USSR*, pp. 112-117.

values and principles gave the inspiration to the first well-known acts that led, in fact, to the stimulation for other groups in order to declare the grievances freely.

4.2. Between De-Stalinization and Re-Stalinization: Understanding the Dissidence and the Emergence of the Human Rights Movement

The speech of Nikita Sergeyevich Khrushchev at the Twentieth Party Congress in 1956 on the atrocities of Stalin's crimes²³⁰ gave new hopes to different circles within the Soviet society. For the intelligentsia, the period following the de-Stalinization was regarded as "the first taste of *glasnost* by the generation of the 1960's,"²³¹ and in fact, for several writers "one could not simply conceive of the dissident movement of the sixties and seventies without Khrushchev's flexibility and liberalization."²³²

After Stalin's period in which "there were laws (*zakony*) but no legality (*zakonnost*),"²³³ the Khrushchev era is defined as the beginning of a gradual expansion of the missing "legality" through the constitutional attempts. At the first glance, like Gorbachev, Khrushchev had believed in the "renovation of socialism."²³⁴ Therefore, the impact of Khrushchev on the intellectual life and on the emergence of

²³⁰ The speech of Khrushchev delivered at the Twentieth Party Congress on Feb. 24-25, 1956 was regarded as a surprise at that time. It was known, that was an unscheduled speech and was made secretly only among the Soviet delegates during the Congress. Why did Khrushchev choose to denounce Stalin's crimes when he came to power? It is argued that he wanted to give the people the sense of security after the mass-terror of Stalin until 1953. This sense of security is parallel with the aim of normalizing and stabilizing the Soviet system for Khrushchev. From another dimension, it is commonly argued that Khrushchev's case was an example to the 'dilemma of reforming despot.' As in the imperial times and mostly observed during the reign of Alexander I (1801-1825), Khrushchev wanted to be seen as a reformer, but did not want to see a fully-democratic environment in which criticisms about the administration and the regime might occur. For further discussion, see Marshall Shatz, *Soviet Dissent in Historical Perspective* (New York: Cambridge University, 1980), pp. 96-99

²³¹ Nicolai N. Petro, *The Rebirth of Russian Democracy: An Interpretation of Political Culture* (Cambridge, Mass.: Harvard University Press, 1995), p.126.

²³² Oleh S. Fedyshyn, "Khrushchev's Liberalization and the Rise of Dissent in the USSR," in *Nationalism and Human Rights: Process of Modernization in the USSR*, Ihor Kamenetsky (ed.) (Littleton: Libraries Unlimited, Inc., 1977), p. 73.

²³³ Toscano, p.6.

²³⁴ Petro, p.126.

the dissidence was important.²³⁵ About this impact, Shatz underlines both positive and negative features of the new era:

Unlike Peter the Great, Khrushchev did not implant in his society a wholly new set of human values, which would require decades to take root. Instead, he exposed the disparity that had developed between the stated values of the Soviet system and its actual practices. For this reason Soviet dissent has been able to develop much more rapidly than did the intelligentsia in the past. The effect, however, has been much the same: 'a revolution from above', in which a progress minded but authoritarian state introduced a far-reaching element of self-criticism which began to go beyond the bounds the state had set for it.²³⁶

In this context, the first examples of the civic activism that appeared following the softening of the regime after the Stalinist era were a spontaneous and disorganized reaction to the changes. However, throughout the time the activism became a more political and organized feature.²³⁷

Three main types of political response to the "thaw"²³⁸ of Khrushchev could be observable after 1956. First kind of these responses was in line with a more moderate understanding which is called by some writers as "liberal" or "moderate liberal" position.²³⁹ This position was directly nourished from some universal beliefs like human rights. Congruent with the moderate understanding, some prominent names began to criticize the official Marxist-Leninist line of human rights thinking

²³⁵ Robert Cutler makes a classification of transformations following the Khrushchev's de-Stalinization acts. This can be helpful to discern the effects of Khrushchev's administration in the Soviet Union. In this classification, there are three main points: 1-) there was a 'decrease in the elite's coercion both of the community, mediated by the regime, and of the regime directly' 2-) the elite's new role in directing the community to the participation and obligation to the new rules of the social/political culture 3-) 'a differentiation of roles within both the elite and the regime sectors'; thus, more political actors came into the process. For further details, see, Robert Cutler, "Soviet Dissent under Khrushchev: An Analytical Study", *Comparative Politics*, Vol.13, No.1 (Oct., 1980), pp. 19-35.

²³⁶ Shatz, pp. 152-153

²³⁷ Petro, p.126.

²³⁸ The term "thaw" started to be highly popular after the novel of Ilya Ehrenburg, "The Thaw" published in 1954. In his article in *The New York Times*, Thomas Whitney describes the importance of that novel with its "unorthodox remarks to which Soviet readers are unaccustomed." This unorthodox and challenging character makes the work as one of the first substantial works of the period of de-Stalinization. See, Thomas P. Whitney, "Ehrenburg Lifts the Iron Curtain a Bit," in *Soviet Society since the Revolution (The Great Contemporary Issues): Articles from the New York Times*, Harrison E. Salisbury, Gene Brown (eds.) (New York: The New York Times-Arno Press, 1979), pp. 229-231.

²³⁹ Yaroslav Bilinsky, "Russian Dissenters and the Nationality Question," in *Nationalism and Human Rights: Process of Modernization in the USSR*, Ihor Kamenetsky (ed.) (Littleton: Libraries Unlimited, Inc., 1977), p. 80.

and the Soviet legal practice. They challenged the justice-concept as understood in the Soviet Union; and tried to argue for a more Westernized idea of the “rule of law.”²⁴⁰ The human rights movement was regarded as an inevitable tool to enter into the public debates and to achieve further reforms. In fact, in this way members of the intelligentsia in the moderate line were motivated to think about the gaps of the regime and to criticize the central rule. The most famous name in this group (and maybe within the whole movement of human rights) was Andrei Sakharov²⁴¹ whose influence could be felt both in domestic and international affairs during the détente era.

Within the dissidence, second kind of the response was based on the nationalist feeling that demanded the total abandonment of communism and the return to pre-revolutionary Russia. This line might be related with the slavophile-thoughts that had emerged during the imperial time. Obviously concepts such as Orthodoxy²⁴² were significant symbols of the opposition of this group who favored

²⁴⁰ W.J.M. van Genugten, “Old and New Soviet Thinking on Human Rights,” in *Human Rights and Security: Europe on the Eve of a New Era*, Vojtech Mastny and Jan Zielonka (eds.) (Boulder: Westview, 1991), pp. 136-137.

²⁴¹ Andrei D. Sakharov was born in Moscow in 1921. His father was a physics teacher, whereas his grandfather was a prominent lawyer in the Tsarist Russia. It is said that the works of Sakharov’s grandfather in the name of social awareness and humanist principles such as the abolition of capital punishment had effects on his grandson. Sakharov entered the Moscow State Institute in 1938 and 1947 he received his PhD from the Institute of Physics of the Soviet Academy of Sciences. After the end of Second World War, Sakharov’s name was heard more because of his participation to the research groups on the development of atomic bomb and hydrogen bomb projects. He was elected as one the members of the Soviet Academy of Sciences and was awarded three times with the title ‘Hero of Socialist Labor.’ After 1950 his life as an activist among the dissidents gave the first signals when he began to talk and write about the moral sides of his research. The nuclear proliferation was one of the objections of Sakharov starting from this period. This was also the time when he turned into an opponent of the government and he was banned from all military-related research activity. Beginning from 1970 he was known with his activities in the Moscow Human Rights Committee. He was nominated to the Nobel Prize in 1973 and took this Prize when he was nominated again in 1975. His opposition was to be harsher in the time of Afghan invasion of Soviet Union in 1979. He was sent to an internal exile to the city of Gorky in 1980. For six years, until Gorbachev removed his punishment in 1986, he was kept in Gorky. For the details on the biography see, Andrei Sakharov, *Memoirs*, trans. by Richard Lourie (New York: Alfred Knopf, 1990).

²⁴² For details on Russian Orthodox Church and its links with the dissidence and the human rights-idea, see, Alexeyeva, pp. 244-264; Petro, pp. 60-81.

the traditional values of the imperial times. Some prominent figures such Alexander Solzhenitsyn²⁴³ from this group became famous in the Western world due to their highly effective criticism based on rights-rhetoric and national sentiments.²⁴⁴

Third kind of dissidents made their oppositions based on the idea of reform for socialism. They defended the reform with a human face. Roy Medvedev,²⁴⁵ who criticized mainly the failures of Stalin's regime, was seen as a considerable representative of the struggle for the future attempts to reform socialism, as in the case of Gorbachev's reform attempts in the Soviet Union within the following decade.²⁴⁶

4.2.1. Dissidents vs. State's Autocracy

The removal of Khrushchev from power in the autumn 1964 was known and described as the period in which re-Stalinization policy replaced the attitude of the years 1956-1964.²⁴⁷ Among the elements of the new era, the removal of the negative

²⁴³ Alexander Solzhenitsyn was born in 1918. He turned to be a well-known representative of the dissidents of the Soviet Union with his Nobel Prize for Literature in October 1970 and with the publication of his famous book *Gulag Archipelago* in 1973 in the Western countries. In 1974 he was exiled from the country, but as Juvilier argues, before the exile, he demanded from the Soviet leaders the abandonment of Communism, and the secession of Russia from the rest of the USSR. This suggestion includes the harmonization of the new Russian state with its past. Such opinions led to the discussions that whereas Sakharov was a latter-day 'Westernizer,' Solzhenitsyn was a latter-day Slavophile within the opposition. See, Peter Juvilier, *Freedom's Ordeal: The struggle for human rights and democracy in post-Soviet states* (Philadelphia: University of Pennsylvania Press, 1998), pp. 40-41.

²⁴⁴ For further information on the links between Russian national movement, dissidence and human rights movement, see, Alexeyeva, pp. 431-448.

²⁴⁵ Roy Medvedev is known as one of the significant Russian historians. He was born in Tbilisi in 1925. His views are defined in line with Marxism and democratic socialism. He was known with his critics of the Stalinism and the Stalin's era in the Soviet history. However, he was exiled from the Soviet Union in 1969 as a result of his anti-Stalinist publications when re-Stalinization was essentially within the agenda of Soviet officials. Gorbachev's *Perestroika* was a chance for Medvedev to come back to Soviet Union at the end of 1980s.

²⁴⁶ For the details of this categorization of political responses within the three groups, see, Petro, pp. 127-147. See, also, Andrei Amalrik, *Will the Soviet Union Survive until 1984?* (London: Allen Lane, 1970); Alexeyeva, pp. 323-327; Barghoorn, pp. 16-17. For a more detailed discussion on disparities between dissidents and between their ideological inclinations, e.g. between "liberal" Sakharov, "leftists – Leninist" Medvedev, and more "religious – nationalist" Solzhenitsyn, see, Barghoorn, *Detente and the Democratic Movement in the USSR*, pp. 47-90.

²⁴⁷ It is argued that "[i]n contrast to Khrushchev, who had tolerated a measure of internal freedom of opinion, his successors obviously considered that Khrushchev's experiments in this area had been

sides of Stalinist period like the purges, executions and forced-labor camps, and the emphasis on the positive sides, like the Five Year Plans and heroic features of the war years, were discernible.²⁴⁸

The reflection of the new era under Nikita Ilyich Brezhnev, General Secretary of the Communist Party between 1964-1982, was observed also upon the intellectual life and upon the dissidents.²⁴⁹ One significant change was the adoption of new “techniques” against the dissidents by the regime. Although, the threats against the opponent voices were also existent during Khrushchev’s de-Stalinization years, the regime after 1964 relied more heavily on two powerful policies against the dissidents: “the technique of staging political trials of intellectuals” and “giving the KGB²⁵⁰ far greater powers in dealing with the intelligentsia.”²⁵¹

Whereas the period of de-Stalinization had a significant meaning for “the generation of 1956,” the influence of the trials of the dissidents was the turning point for “the generation of 1966.”²⁵² The first trial was “the trial of Brodsky” in March 1964 during the last months of the Khrushchev’s regime.²⁵³ In the following year, in

well-nigh subversive. It would not be too much of an exaggeration to say that theirs Brezhnev’s and his supporters’ was ‘neo-Stalinist’ policy, though one free of mass terror and other Stalinist excesses.” See, Barghoorn, *Detente and the Democratic Movement in the USSR*, p. 5.

²⁴⁸ Shatz, pp. 118-119. Also in the Western Press, the negative changes towards re-Stalinization were given a considerable place. In his article in *The New York Times*, Smith acknowledges that throughout the next years, there was also a public support (especially from the older-conservative generations) to the idea of the presence of “a strong master” at the head of the state. See, Hedrick Smith, “Prestige of Stalin Reviving,” (dated March 5, 1973) in *Soviet Society since the Revolution (The Great Contemporary Issues): Articles from the New York Times*, Harrison E. Salisbury, Gene Brown (eds.) (New York: The New York Times-Arno Press, 1979), pp. 246-248.

²⁴⁹ For the details of several trials and their effects upon the intelligentsia, see, Shatz, pp.117-138; Howald L. Biddulph, “Protest Strategies of the Soviet Intellectual Opposition”, in *Dissent in the USSR: Politics, Ideology, and People*, Rudolf L.Tökes (Baltimore and London: The John Hopkins University Press, 1975), pp. 96-116

²⁵⁰ Committee for State Security.

²⁵¹ See, Patricia Blake, “This is the Winter of Moscow’s Dissent,” (dated March 24, 1968) in *Soviet Society since the Revolution (The Great Contemporary Issues): Articles from the New York Times*, Harrison E. Salisbury, Gene Brown (eds.) (New York: The New York Times-Arno Press, 1979), p. 316.

²⁵² Bobbyer, pp. 75-77.

²⁵³ This trial is mentioned by various writers as a beginning of the decline of “thaw” in the social, political and intellectual life of the Soviet Union. The following dialogue between Brodsky who was accused of being a “parasite” in the system and the judge of his trial has become famous.

December 5, 1965, a demonstration in Moscow's Pushkin Square took place with the slogan of "Respect the Soviet Constitution!" This event was regarded as a significant moment for human rights activists in the Soviet Union.²⁵⁴

The famous Sinyavsky-Daniel Trial in 1966 was another critical event for the Soviet dissidence. The trial of these two writers, Yuly Daniel and Andrei Sinyavsky, who were charged under Article 70 of the Criminal Code of the RSFSR, with spreading "anti-Soviet propaganda" was evaluated as an obvious sign for a turn from the de-Stalinization politics and from the "thaw" into the period of repression.²⁵⁵ The trial of Daniel and Sinyavsky would be one of the first repression-example "reported by foreign radio stations broadcasting to the Soviet Union;" this means that people started to hear on arrests, trials and return of oppression.²⁵⁶ In fact, this trial signified a crucial moment for the coming periods, and as Blake mentions in her article in the *The New York Times* at that time, it "boomeranged by causing a national and international scandal, as well as by stiffening the intelligentsia's resistance."²⁵⁷

The opposition against the regime's trials was continuing to be the main trouble for the Soviet government. The international protest about the Soviet attitude against the internal opposition was one side of the coin. On the other side, the intensification of the protests against the trials was the domestic reason of the regime's stalemate. Despite this, the new trials followed the former ones. In January 1967, four prominent intellectuals Yuri Galanskov, Alexei Dobrovolsky, Alexander

Judge: And who declared you to be a poet? Who put you on the list of poets?

Brodsky: No one. Who put me on the list of human beings?

See, Rubenstein, p. 28.

²⁵⁴ Alexeyeva, p. 9. Also, for another important name in the dissidence, Valery Chalidze, this date must be understood as the beginning of the movement for human rights. See, Valery Chalidze, *To Defend These Rights: Human Rights and the Soviet Union* (London: Collins and Harvel, 1975), p. 53.

²⁵⁵ For an account on Sinyavsky-Daniel Trial and its effects, see, Rubenstein, pp. 31-45.

²⁵⁶ Alexeyeva, p. 274.

²⁵⁷ Blake, "This is the Winter of Moscow's Dissent," p. 318.

Ginzburg and Vera Lashkova were arrested because of their roles in *samizdat*²⁵⁸. When their trial began one year later, it was known as the “trial of the four.” Before the final decision of the court, it was claimed that Dobrovolsky had a compromise with KGB and thus, he denounced the other three. At the end he received two years of hard labor, Lashkova a year after the admission of her guilt; Galanskov and Ginzburg did not accept their guilt. Galanskov received seven years and Ginzburg five years.²⁵⁹

Petro Grigorenko,²⁶⁰ in his *Memoirs*, talked about the intensification of the oppression of Brezhnev administration after 1964, and about the response of the dissident groups to this development. He argues:

The authorities had planned the trial of Sinyavsky and Daniel to be the event from which we would return to Stalinist methods of leadership: Nothing would be permitted without prior approval from authorities. [...] Our open battle for human rights, and for observance of the law, had compelled the courts to retreat into the underground. [...] A social movement had begun. The authorities were furious. There were new arrests and new trials, but always new protests followed. Repressions became a fact of life and the movement continued to grow. Throughout the country trials became the same as they were in Moscow – cruel sentences behind closed doors; but at the doors stood crowds of like-thinkers.²⁶¹

Consequently, the attempts for re-Stalinization and the increasing suppression between the years 1966-1968 were described by Alexeyeva as a turning point for a united human rights movement in the Soviet Russian territory. The “civic feelings”

²⁵⁸ Self-published writings. A detailed account on these writings will be given during the following part. See also footnotes 264 and 265.

²⁵⁹ Rubenstein, p.72; Boobbyer, pp. 79-80.

²⁶⁰ Grigorenko has a Ukrainian-origin. He was born in Zaporizhzhia Oblast. During the Second World War, his military career carried him to the high levels of the Soviet Army. After the war, he became also Major General and taught at the Military Academy. This first half of his life was seen fully consistent with the Soviet regime; however his achievements as a dissident and human rights activist in the Soviet Union introduced a different Grigorenko to the Soviet public. His dissident activities started with his criticize about the Khrushchev's regime at the beginning of 1960s. Many issues such as the Soviet attitude towards Crimean Tatars, the invasion of Czechoslovakia in 1968 or the official Soviet historiography of the Second World War were within the agenda of dissident Grigorenko. Due to his opposition, Grigorenko faced harsh treatment from the regime, and like many others he chose to come to the United States. See, Petro G. Grigorenko, *Memoirs* (New York, London: W.W. Norton and Company, 1982).

²⁶¹ Grigorenko, pp. 338-343.

that began to be developed among the people (initially among the prominent names from the intelligentsia and *academia* and among the students from universities) were combined with a “sense of morality” and “banishment from official society.”²⁶² In such a way, a new unity began to mobilize around the idea of human rights.

4.2.2. Chronicle of Current Events and the Idea of Human Rights

The human rights movement with its organizational character can be described as the product or “phenomenon” of the Brezhnev-years. Khrushchev’s de-Stalinization was the first step in order to grasp what did change in the Soviet Union after 1953. On the other hand, the ongoing repression of the opponent voices by the state and the first examples of this repression, like the Sinyavsky-Daniel trial in 1966 and trial of the four in 1968, were considerable to evaluate the argument that the authorities’ effect on the dissidents in the late 1960s was more severe than in the previous and next decades.²⁶³ This situation led to the emergence of dissidents who saw themselves as activists for the sake of human rights, and who were regarded as public figures against “highly publicized show trials” of the regime.²⁶⁴

In the Brezhnev era after 1964, among the acts in parallel with the opposition or dissidence movement, the *samizdat*²⁶⁵ played a substantial role in informing several others about what was going on within the country. Therefore, *samizdat* was crucial for the communication between several groups. Human rights movement

²⁶² Alexeyeva, p. 282.

²⁶³ Roy Medvedev, *On Soviet Dissent* (New York: Columbia University Press, 1980), p.116.

²⁶⁴ Boobbyer, pp.75-77.

²⁶⁵ *Samizdat* is a term used especially during the Soviet era. It means literally ‘self-published’ and is used for the publication which were prepared and circulated under the state-repression. Copies of a publication were made in a short time and the persons who had a copy had the task of making another copy. This was usually done by handwriting or typing. *Samizdat* articles became well-known especially during the post-Stalinist era. After the demise of the years which are called as the ‘Khrushchev’s Thaw’, in 1964, the writings and circulation became more important to solve the communication problem between groups who had grievances about the regime. For more information about writings through *samizdat* see George Saunders (ed.), *Samizdat: Voices of Opposition* (New York: Pathfinder Press, 1974) and Biddulph, pp. 96-115.

emerged also as an activity, which was partly based on this communication through the *samizdat* “networks” in 1960s.²⁶⁶

Related to the different types of *samizdat*, the birth of the *Chronicle of Current Events* (hereafter mentioned as the *Chronicle*) in April 1968 was a major development for the dissidence movement in general and human rights movement in particular. This publication was a bimonthly journal and would be circulated nearly for fifteen years starting from 1968. There were important names who were the editors of the *Chronicle* in different periods. These names included intellectuals like Natalya Gorbanevskaya,²⁶⁷ Tatyana Velikhanova, Tatyana Khodorovich, Anatoly Yakobson and Sergey Kovalev.

Compared to the coming decades, the relatively united characteristic of the dissidence movement found one of its best reflections in the *Chronicle*. The reason was the focus on the general aim in human rights and law. People from various intellectual backgrounds, including Marxist-Leninist, Christian nationalist, or liberal came together inside the *Chronicle*.²⁶⁸ Although, the priority in the writings was given to deteriorating situation for the individual dissidents, and their struggle against the regime, a concern to the continuing problems stemming from the failures

²⁶⁶ Boobbyer, p. 59. The methods used by the dissidents in the Soviet Union through *Samizdat* initiatives can be theorized within a general methodology used by activists for the aim to make further steps in their opposition to suppressive authorities. Thus, Keck and Sikkink mention the “information politics” of activist groups as a generalized method and describe it as in the following: “Information binds network members together and is essential for network effectiveness. [...] Information flows in advocacy networks provide not only facts but testimony – stories told by people whose lives have been affected. Moreover, activists interpret facts and testimony, usually framing issues simply, in terms of rights and wrong, because their purpose is to persuade people and stimulate to act.” See, Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca, London: Cornell University Press, 1998), pp. 18-19.

²⁶⁷ The first editor and the brain behind the *Chronicle* was Natalya Gorbanevskaya who became a prominent position with her participation to the protests of the trial of the intellectuals by the Soviet regime. She combined also the materials related to the trials in a publication named as *Red Square at Noon*. There were several details, including letters from the dissidence themselves inside the publication and it was regarded as a piece contributing to ‘the legend of the dissident movement’ in 1960s. Gorbanevskaya was arrested in 1969 and the *Chronicle* continued to be managed under different intellectuals’ editorship. See, Boobbyer, pp. 82-83.

²⁶⁸ Boobbyer, p. 85.

of the previous decades, e.g. the burdens on Crimean Tatars, Meskhetian Turks, and other national and religious groups, was discernible in each issue of the *Chronicle*.²⁶⁹

Other important examples to *samizdat* such as *Synthax* (published between 1958-60, edited by Alexander Ginzburg), *Phoenix*²⁷⁰ (between 1961-66), *Sphinxes* (edited by Valerie Tarsis in 1965) were all regarded as the precursors of the *Chronicle*. However, the major difference between the first examples of the *samizdat* and the *Chronicle* was that whereas the *Chronicle* paid a special attention on reporting of the protest movements, previous examples had been dedicated merely to political-cultural essays and poetry. In an environment dominated by the regime's repression, the emergence and the continuation of the *Chronicle* was explained clearly by various dissidents such as Grigorenko. He wrote in his *Memoirs*:

The first bursts of publicity disclosed a whole mass of problems: legal, national, social, religious. Every day we learned of new persecutions, new arrests and new repressions. Somehow all of this had to be regularly reported to those interested in it, *The Chronicle of Current Events* was born. No one sat around planning ahead, working out programs, or determining the frequency of publication. It was requisite to take stock of and publicize the struggle that had unfolded after the appeal of Bogoraz and Litvinov. [...] The appeal inspired new forces in *samizdat*, and *samizdat* ceased to be a purely literary matter. Open letters, essays, leaflets, treatises, research, and monographs began to be published.²⁷¹

The *Chronicle* had an informatory role with its different sections such as "News About Samizdat Works," "Extra-Judicial Political Repressions," "News in Brief," "Brief Reports," "Political Trials in Towns around the Country."

²⁶⁹ Rubenstein, p. 116. For instance, see, "The Movement of the people from Meskhetia for Permission to return to their homeland," *Chronicle of Current Events*, Issue 7 (30 April 1969) (London: Essex University Library Collection), pp. 11-16; "The re-settlement of Crimean Tatars in the Crimea," *Chronicle of Current Events*, Issue 7 (30 April 1969) (London: Essex University Library Collection), pp. 16-18.

²⁷⁰ In 1961, the name Yuri Galanskov could be heard as the founder of one of the underground journals *Phoenix* that began to be circulated among students in Moscow. *Phoenix-66* was the continuation of this journal in 1966. It included social and political issues, and was described as one of the first major examples of *samizdat* in the country. However, Galanskov and his assistants faced harsh treatment from the regime. He was arrested in 1967 and died in the prison in 1972. See, Petro, pp.127-129.

²⁷¹ Grigorenko, p. 343.

Accordingly, the *Chronicle* had a role also in the communication between opposition-groups by informing them about both public protests and dissident intellectuals' opinions.²⁷² For that reason, "the most remarkable aspect of the *Chronicle* is the nationwide information network it created."²⁷³

In this network all readers were given a task, and it was mentioned clearly within the *Chronicle*: "Anybody who is interested in seeing that the Soviet public is informed about what goes on in the country, may easily pass on information to the editors of *Chronicle*."²⁷⁴ From this message, the special importance of the *Chronicle* for human rights activists could be grasped in a clear way: For a certain period of time, the journal turned to be an important source to express different opinions on the regime's human rights violations. So, during the editorship of Sergey Kovalev, a biologist and a well-known human rights activist after 1969, the *Chronicle* expanded its agenda and intensified the protest against the regime while the KGB was continuing arrests of the intellectuals.²⁷⁵

The Western world was also aware about the presence of the issues of the *Chronicle* that continued to be published and circulated despite the pressure from the government. This awareness could be possible with the writers such as Peter Reddaway who provided the first eleven issues of the *Chronicle* in his book *Uncensored Russia*. Also Amnesty International published complete English translations of the *Chronicle* starting from its issue dated Feb. 11, 1971.²⁷⁶

Considering the main ideas that inspired the *Chronicle*, Reddaway underlines the usage of some universally-accepted principles of human rights starting from the

²⁷² Biddulph, pp. 108-110.

²⁷³ Shatz, *Soviet Dissent in Historical Perspective*, p. 132.

²⁷⁴ Reddaway, p.54.

²⁷⁵ Gilligan, p.12.

²⁷⁶ Mitzi Brunsdale, "Chronicling Soviet Dissidence," *Current History* 81, No.477 (1982), p. 333.

first issues of this publication.²⁷⁷ So, 1968 and its “designation” as a human rights year by the United Nations gave the *Chronicle* the first inspirations.²⁷⁸ When we look at the issues within 1968 all of them started with the motto of “Human Rights Year in the Soviet Union,” and in early 1970s, this sentence turns into “The Movement in Defense of Human Rights in the Soviet Union *Continues*.”²⁷⁹ Until the last publications, this motto was not removed from the introduction of the issues.

Starting from the publication of the first issues, another important detail that could be seen in the introductory part of the *Chronicle* was the usage of the Article 19 of the Universal Declaration of Human Rights which says:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.²⁸⁰

However, despite the continuing particular emphasis on internationally-recognized human rights, starting from 1972, the regime intensified its harsh measures against the opposition pioneered by the *Chronicle*. The activists were searched and arrested across the whole USSR. The period 1972-1974 was called as one of the most difficult moments for the human rights movement in the Soviet Union.²⁸¹ In May 1974, a press conference was held by the prominent intellectuals such as Andrei Sakharov, Sergey Kovalev, Tatyana Khodorovich and Tatyana Velikhanova.²⁸² For

²⁷⁷ As a response to one of its reader, the *Chronicle* makes a clarification of its role as a supplement of human rights idea while mentioning that “the ‘rich content of the Chronicle’ represents only a few of the many aspects of the concept ‘human rights movement’. To get an idea of just how much this movement can embrace, one has only to glance through the U.N. Declaration of Human Rights.” See, “Reply to a Reader of the Chronicle,” *Chronicle of Current Events*, Supplement to No. 8 (London: Essex University Library Collection).

²⁷⁸ Reddaway, p. 24.

²⁷⁹ Reddaway, pp. 24-25. For a sample front page of the *Chronicle*, see Appendix D.

²⁸⁰ Whole document of Universal Declaration is retrievable in the official web-page of the United Nations at <http://www.un.org/Overview/rights.html> (Accessed on July 7, 2008).

²⁸¹ Alexeyeva, p. 317.

²⁸² Among the activists and intellectuals who were taking crucial roles like the editorship of the *Chronicle*, the number of women was not less compared to the male figures. Persons like Gorbanevskaya, Khodorovich, and Velikhanova were the first names we can spell in this context. One of the important reasons of the female activism inside the dissidence and particularly inside the human

them, the publication of the *Chronicle* was not an illegal act, and its circulation should have continued. Just after this declaration, Kovalev was arrested and sentenced to seven years in a labor camp.²⁸³ In its pattern, the Soviet state was seen as the follower of the Leninist method of the “hostage taking,” because the regime had already declared that as a response to each issue of the *Chronicle*, people would be arrested.²⁸⁴

4.3. Human Rights Organizations during 1970s

In the second half of 1960s, following the re-Stalinization policies of Brezhnev administration and following the other significant events inside the Socialist Bloc, like the invasion of Czechoslovakia by the forces of Warsaw Pact in 1968, the dissidents were subjected to a new wave of oppression in Soviet Russia.²⁸⁵ For the human rights activism, this was the time in which cautious representatives of the intelligentsia, who were mainly from the *academia*, came to the front. To be cautious meant to stay within the limits set by the regime. Consequently this created a new dilemma among the dissidents regarding the position they had *vis a vis* the system in the Soviet Union.²⁸⁶

At the same time the legal documents like the Soviet constitution served as a source of legitimization for the organizational unification of the dissidence in the

rights movement is explained as “women had less to lose from a career point of view by being involved in the movement.” Also the role of the women in the Russian intellectual history and dissident culture was not new for the period of the Soviet Union. In the nineteenth century, it was known that there were key female figures inside the revolutionary intelligentsia. See, Boobbyer, p. 87.

²⁸³ Boobbyer, pp. 85-86.

²⁸⁴ Boobbyer, p. 86.

²⁸⁵ The emergence of the well-known Brezhnev Doctrine started to have implications for both domestic and international affairs. As Barghoorn mentions, “the ferment in Czechoslovakia and the requirements of ‘détente’ together spurred the Kremlin to tighten ideological and political controls, because both challenged the Kremlin’s traditional monopoly or near-monopoly of political communication, one of the main pillars of its power.” Barghoorn, *Détente and the Democratic Movement in the USSR*, p. 5.

²⁸⁶ The dilemmas and problems between different sides of dissidence will be mentioned in the next chapter of conclusion.

realm of human rights. That was the beginning of the appearance of professional groups who did not remain underground or illegal; but started to declare common grievances in the public. Thus, there was a new challenge against the traditional characteristic of the state authority and against its “absolute values” by using principles based on the legality of the system²⁸⁷ and on the international legal norms of human rights that were accepted by the Soviet regime.²⁸⁸

Moreover, starting from the last years of 1960s, it was discernible that the failures of the first dissident initiatives on human rights did not prevent the establishment of organizations. Likewise, it should not be ignored that within the following decades, the first attempts in 1960s led by the *samizdat* networks paved the way for several other initiatives undertaken by dissidents. Thus, starting from the last years of 1960s (around the same dates of the beginning of the détente era in East-West relations) several organizational acts were effective on the opposition based on human rights issues.

4.3.1. First Group inside the Human Rights Movement: The Initiative Group for Defense of Civil Rights

The attempts to create an organizational unification in the human rights movement concluded with the emergence of the first human rights organization in the Soviet history. That was the Initiative Group for the Defense of Civil Rights (hereafter mentioned as the Initiative Group). It was founded in early 1969. The first aim during the foundation of the group was to support militant civil rights leader Petro

²⁸⁷ This dependence on legality and legal rights had been always within the agenda of the dissidence activities. Also in various issues of the *Chronicle*, there was the sentence which begins like “in spite of the USSR Constitution, which guarantees freedom of conscience.” For instance, see *Chronicle of Current Events*, Issue 7 (30 April 1969) (London: Essex University Library Collection), p. 10.

²⁸⁸ Rubenstein, p. 255.

Grigorenko after his arrest. It is suggested that following the arrest of Grigorenko, a desire to coordinate members' civil rights activities appeared as another important aim for the Initiative Group.²⁸⁹

The Initiative Group had various types of members who had different backgrounds and different concerns. Among them Petro Grigorenko was characterized as a Leninist and was famous with his trials in the sixties. He was also concerned about the problems faced by the Crimean Tatars during the Soviet era. Another example of the members of the Initiative Group was Anatoly Levitin-Krasnov, who was a devoted Orthodox believer and had spent seven years in Stalin's labor camps. His primary concern was about religious freedoms. He thought that without civil rights and basic human rights, freedom of religion was impossible to achieve. Moreover, the activists, like Vladimir Spelak, stood against the anti-Semitism in the Soviet society and appeared as the supporter of Jewish rights inside the group.²⁹⁰

The Initiative Group defined itself in a *samizdat* article in the *Chronicle* as an organization, which did not have any particular program or charter. Consequently, its members were bound between each other with moral values, rather than with formal regulations. The reasons for their unification in one organization was "their [belief in] civil rights, devotion to freedom, and a feeling of responsibility for everything that takes place" in the Soviet Union.²⁹¹

²⁸⁹ Frederick Barghoorn, "The Post-Khrushchev Campaign to Suppress Dissent: Perspectives, Strategies, and Techniques of Repression", in Rudolf L. Tökes (ed.), *Dissent in the USSR: Politics, Ideology, and People*, (Baltimore and London: The John Hopkins University Press, 1975), pp. 64-65.

²⁹⁰ Shatz, pp. 176-177.

²⁹¹ The "Statement of Purpose" of the Initiative Group was signed by the members T. Velikhanova, S. Kovalev, A. Lavut, L. Plyushch, G. Podyapolsky, T. Khodorovich, P. Yakir and A. Yakobson appeared in the *Chronicle* in its section "News About Samizdat." See, *Chronicle of Current Events*, Issue 14 (30 June 1970) (London: Essex University Library Collection). This Statement can be found also in George Saunders (ed.), *Samizdat: Voices of Opposition*, pp. 373-374.

Furthermore, for Emma Gilligan the aim of the intellectuals in the post-Khrushchev era, while taking part in the organizations such as in the Initiative Group, was more aesthetic and ethical rather than political. Thus “the ugliness of the Soviet regime” was the first thing that created a wider common response from the intelligentsia. Against this threatening ugliness, the integrity of the individual against the collectivism of the Soviet system turned out to be the main initial principle of several human rights activists.²⁹²

One of the main strategies of the Initiative Group was to intensify relations with the Western world and with the United Nations (UN). Therefore, they aimed to attract attention in the Western public opinion about the developments in the USSR.²⁹³ In this way they wanted to put pressure on their government. One of the appeals, circulated by the Group on May 20, 1969 included following words:

We, the undersigned, deeply disturbed by the unceasing political repressions in the Soviet Union, and seeing in this a return to Stalinist times when our entire country found itself in the grip of terror, appeal to the Human Rights Commission of the United Nations to defend the human rights being trampled on in our country.

We appeal to the UN because we have had no response to the protests and complaints that we have sent for quiet a number of years to the highest government and judicial offices of the Soviet Union. The hope that our voice might be heard, that the authorities would cease their illegal actions, which we repeatedly called attention to- this hope has died.²⁹⁴

²⁹² Gilligan, p.9.

²⁹³ With this aim, the pressure upon the group reached its peak. For various instances, see, “Persecution of Action Group for the Defence of Civil Rights in the USSR,” *Chronicle of Current Events*, Issue 10 (31 October 1969) (London: Essex University Library Collection), pp. 8-16; “Arrest of Natalya Gorbanevskaya,” *Chronicle of Current Events*, Issue 11 (31 December 1969) (London: Essex University Library Collection), p. 34; “Acts of Repression against Members of the Action Group and Those who supported Appeals to the United Nations (May to December 1969),” *Chronicle of Current Events*, Issue 11 (31 December 1969) (London: Essex University Library Collection), pp. 40-41. Also in the leading Western press, the oppression of the dissidence and the Group was given place. See, Henry Kamm, “Soviet Said to Punish Signers of Human-Rights Plea to U.N.,” (dated June 19, 1969) in *Soviet Society since the Revolution (The Great Contemporary Issues): Articles from the New York Times*, Harrison E. Salisbury, Gene Brown (eds.) (New York: The New York Times-Arno Press, 1979), p. 321.

²⁹⁴ The first translation of the full-version of the document was in *Intercontinental Press* on June 16, 1969. The document can be found in George Saunders (ed.), *Samizdat: Voices of Opposition*, pp. 365-372. See also, “Appeal to the UN Commission on Human Rights,” *Chronicle of Current Events*, Issue 8 (20 May 1969) (London: Essex University Library Collection), pp. 25-26.

However, as one of the failures of this first attempt, there was no serious response from any Western country or from the UN. The Western Bloc countries and the UN did not tend to have contact with the Soviet government regarding the issue of human rights. The unfamiliarity of such moral issues within the bilateral nature of foreign policy was one significant reason. Thus, at the time, in which this declaration was publicized, the rationalist and realist policy makers of Cold-War politics were not ready to include any domestic grievance in international politics.

In addition, Petro adds some other domestic explanations for the insufficiencies of the first human rights movement in Soviet Russia. One of them was the apolitical nature of the program of the organization. It was too moderate towards the Soviet government and proposed no concrete plans for a long-term rehabilitation of the system. The problem was that the respect to the constitution had put some limits to the practical solutions proposed by the members of the organization. Moreover, the organization was too limited within its own membership and did not offer a platform, in which public participation could have been possible.²⁹⁵

Initiative Group continued to operate with its core members who consisted of nearly fifteen people. By mid-1973, fourteen of these fifteen members were subjected to extra-judicial repression. Interrogation in KGB offices, sentences to camps, or commitment to special psychiatric hospitals were among the elements of the repression.²⁹⁶

4.3.2. The Moscow Human Rights Committee

The Moscow Human Rights Committee was known with its significant member,

²⁹⁵ Petro, pp.128-129.

²⁹⁶ Barghoorn, "The Post-Khrushchev Campaign to Suppress Dissent: Perspectives, Strategies, and Techniques of Repression", p. 64. For a KGB report, see Appendix I.

physicist Andrei Sakharov.²⁹⁷ The Committee was founded in November 1970. Among the other founders of the Committee were the names, Valerie Chalidze and Andrei Tverdokhlebov who were also leading nuclear physicists like Sakharov.²⁹⁸ This initiative was described as an attempt of a liberal or legalist movement which dedicated to defend basic human rights such as freedom of speech and information or rights of political minorities.²⁹⁹

The Committee aimed to function completely according to the legal rights given by the Constitution and did not attempt to have a direct conflict with the official line of the government. Hence, as a legal and educational center, it started to be an important source to get information on the theoretical and also practical matters of human rights.³⁰⁰ From the Committee's statement of purpose circulated at that time its aims could be understood more clearly:

[C]onsultative assistance to the organs of government in the establishment and application of guarantees of Human Rights, carried out on the initiative of the Committee or of interested organs of government;
[C]reative assistance to persons engaged in constructive research into the theoretical aspects of the Human Rights question and in the study of the specific nature of this question in a socialist society;
[L]egal enlightenment, in particular the propaganda of international and Soviet legal documents on Human Rights.³⁰¹

²⁹⁷ Sakharov's new role in defending human rights in the USSR started to be more discernible beginning with 1970s. He, together with two other prominent intellectuals, Roy Medvedev and Valery Turchin, had already sent a letter to the Soviet leaders before the establishment of Human Rights Committee. Through this 'Letter to the Soviet Leaders' dated on March 19, 1970, they claimed that "at the present time there is an urgent need to carry out a series of measures directed toward the further democratization of our country's public life." Thus, they expressed their grievances about the ongoing problems in the USSR and proposed possible solutions in parallel with a democratization-plan under the authority of the Party. See, Andrei Sakharov, *Sakharov Speaks*, pp. 116-134.

²⁹⁸ For the details about the formation-process of the Committee and about the relation between the two leading members, Sakharov and Chalidze on the eve of the establishment of the Committee, see Andrei Sakharov, *Memoirs*, pp. 313-325

²⁹⁹ Medvedev, *On Soviet Dissent*, p.124.

³⁰⁰ Alexeyeva, pp. 293-294.

³⁰¹ A detailed list of the statement of aims by the Committee was in "The Committee for Human Rights in the USSR," *Chronicle of Current Events*, Issue Number 17 (31 December 1970) (London: Essex University Library Collection), pp. 45-47. The translation of the full-version of this statement of the purpose was first published in *Intercontinental Press* on February 8, 1971. The statement can be found in George Saunders (ed.), *Samizdat: Voices of Opposition*, pp. 413-414.

Compared to the Initiative Group's activities between 1969-1971, the impact of the Moscow Human Rights Committee was more observable in the international scene. In 1971, the Committee achieved to establish links with the International League of the Rights of Man in New York and International Institute for Human Rights in Strasbourg.³⁰²

Sakharov's reputation and contacts in the Western world,³⁰³ and his winning of the Nobel Peace Prize in October 1975 played a significant role in the recognition of the Committee's human rights movement by the West.³⁰⁴ As Alexeyeva claims, there was no leadership inside the human rights movement, and Sakharov could not have been called as the leader of this movement. However, his principles and activities based on the ideas like "self-sacrifice," "a willingness to help persons—whether or not they hold the same convictions," and a universal peace and reconciliation-aim between the rivals in the world politics are all seen as consistent with the "spirit" of the human rights doctrine and with the logic of the whole movement inside the Soviet Union.³⁰⁵

However, about the general situation of the human rights movement, the period after 1972 was not showing any sign for hope against the state's authority, and as Alexeyeva argues "[f]rom 1973 to 1974 both enemies and well-wishers spoke of the movement in the past tense."³⁰⁶ In this context, regarding the pressure on the

³⁰² Shatz, pp. 133-134.

³⁰³ It was known that starting from the first emergence of Sakharov's lectures and articles in the *samizdat*-literature, the opinions and actions represented by Sakharov and his close friends were also introduced to the Western public opinion through the major newspapers and media-channels. For some influential remarks and columns in *The New York Times* introducing the opposition of Sakharov against the rise of neo-Stalinist practices in the Soviet Union, see, Raymond H. Anderson, "Soviet Expert Asks Intellectual Liberty," (dated July 11, 1968), Bernard Gwertzman, "Soviet Scientists Criticized Again," (dated February 23, 1969), Bernard Gwertzman, "3 in Russia Move to Defend Rights," (dated November 16, 1970) in *Soviet Society since the Revolution (The Great Contemporary Issues): Articles from the New York Times*, Harrison E. Salisbury, Gene Brown (eds.) (New York: The New York Times-Arno Press, 1979), pp. 320-321.

³⁰⁴ Juvilier, p. 40.

³⁰⁵ Alexeyeva, pp. 331-332.

³⁰⁶ Alexeyeva, p. 317.

Soviet government and the change in the governmental policies, Sakharov's ideals and his Committee's actions were described as insufficient.³⁰⁷ During the next years, Chalidze and Tverdokhlebov would withdraw from active participation to the Committee's activities, and Sakharov would be the victim of his own active role in the human rights movement when he was sent to an internal exile to Gorky (Nizhny Novgorod) in 1980.³⁰⁸

4.3.3. Helsinki Final Act and the Formation of the Helsinki Group

During the second half of 1970s, the dissidence entered into a new period of evolution. Obviously the policies of the Soviet administration played a role in this evolution. For instance, Brezhnev's policies for arms race and indirect military involvements in the Third World have generated new arguments among the independent activists about the governance of the Soviet Union.³⁰⁹ In addition to such domestic issues, some other events at the international level contributed to the evolution of the dissidence. For example, Helsinki Final Act on Security and Cooperation in Europe³¹⁰ in 1975, which was approved also by the Socialist Bloc countries, gave a new impetus to the groups and individuals who took part within the

³⁰⁷ At this point, the diversity between different dissident-groups was mentioned by Petro by giving references to the various responses to the acts of the Moscow Human Rights Committee. The issue of the divergence is also the sign of another distinction between the two styles of opposition. First one was undertaken by the groups such as youth representatives or *samizdat*-writers. And the second one was conducted by more professional groups, which continue their work under the umbrella of organizations such as Human Rights Committee. For example, as a response to the demands of the members of the Committee, Anatoly Levitin-Krasnov, a writer and author in religious issues in a leading *samizdat*-journal at that time, defended the idea that "the young persons would not be satisfied with the professional and purely academic appraisals of learned liberals." Petro, p.129. The dissidents, like Levitin-Krasnov, wanted the opposition to corporate with the Committee, but not to limit itself to the strategies of human rights groups. See, Petro, p.129.

³⁰⁸ See, KGB reports in Appendix H and Appendix I.

³⁰⁹ Tismaneanu, pp. 6-7

³¹⁰ As explained in the previous chapter, the Accord that was negotiated and signed by 35 countries, which included all European countries, the Union of Soviet Socialist Republics and the United States of America announced ten main principles to obey. There were different opinions about the Accord. For instance it is claimed that this Accord helped to reduce the tension between the opposite sides of the Cold War. Another one defends that the Accord served as a tool at the hands of the Western Bloc against the members of the Warsaw Pact.

opposition. In this environment Brezhnev was described as a participant of discussion in an international debate over human rights.³¹¹

It was obvious that the negotiations between thirty-five countries, all the European states, United States and USSR, before the approval of Helsinki Accords prepared an environment in which the issue of human rights could be discussed freely. For Tismaneanu, “by signing this Act and publicizing it through the official media, Communist leaders unwillingly raised the threshold of expectation among their subjects.”³¹² Thus, continuing human rights violations contrary to the positive messages in the international environment, prepared an appropriate platform for opposition in the Soviet Union and East-Central Europe.

Under the effect of this environment, an important step of the dissidence in Soviet Russia through the human rights activism was the establishment of the Public Group to Assist in the Observance of the Helsinki Accords or Moscow Helsinki Group (hereafter mentioned as “the Group” or “the Helsinki Group”). It is said that the name of the Group was “selected carefully” with a “desire to cooperate with the authorities,” and with “a positive and conscientious attitude toward the Soviet Union’s human rights obligations.”³¹³

One of the important results of the formation of the Helsinki Group in Moscow was its impact on the establishment of similar organizations in other national republics of the USSR. Ukraine, Lithuania, Georgia and Armenia were some of the countries in which these organizations began to be effective. Under the umbrella of human rights, different ideas and aims were being defended. For instance, in Ukraine, nationalism was within the agenda of the organization whereas

³¹¹ Juvilier, p. 45.

³¹² Tismaneanu, p.7.

³¹³ Walter Parchomenko, *Soviet Images of Dissidents and Nonconformists* (New York, London: Praeger, 1986), p. 114.

for Armenian monitoring organization the crucial problem was the union of a part of Azerbaijan with Armenian territory.³¹⁴

The Moscow Helsinki Group's founder and first chairman was Yuri Fyodorovich Orlov, another leading physicist and a member of Armenian Academy of Sciences.³¹⁵ Some of the veteran dissidents like Alexander Ginzburg, Petro Grigorenko, Anatoly Marchenko, Sakharov's wife Elena Bonner, Ludmilla Alexeyeva, Mikhail Bernshtam, Alexander Korchak, and Anatoly Shcharansky³¹⁶ were spelled among the members of the Group.³¹⁷

Similar to the contribution of the *Chronicle*, the formation of the Helsinki Group, first in Moscow, then in several other parts of the Soviet Union had a substantial role in the cohesion of the dissident movement. The Groups might be characterized as an amalgamation of different intellectuals with a common aim defined as human rights and as authorities' compliance with international norms and principles. This commonality was essential to grasp the cohesion.³¹⁸

For the methods adopted in principle, Orlov mentions:

[The Group] will accept directly from Soviet citizens written complaints that concern them personally and relate to violation of the articles mentioned

³¹⁴ Grigorenko, p. 436.

³¹⁵ Orlov had an understanding based on ethical universalism and this is found as the typical characteristic of the members of the human rights movement at that time. In a letter written by Orlov to Brezhnev in September 1973 the principles of universalism was reflected through the words such as "certain moral principles in human experience," or 'human conscience.' See, Boobbyer, p. 88.

³¹⁶ Juvilier argues that especially after the Six-Day War in 1967 and after the Helsinki Final Accords in 1975, there was an observable intensification of "anti-Semitic propaganda under the guise of anti-Zionism." Shcharansky was Jewish. Thus, the acts of Jewish activists like Shcharansky's role in the establishment of the Moscow Helsinki Group are given a meaning in this context. See, Juvilier, *Freedom's Ordeal: The struggle for human rights and democracy in post-Soviet states*, p.40. Actually, also the Jewish community in the United States started to be more active within the same period when Israeli state had significant victories in Middle East in 1967 and 1973. See, William E. Griffith, "Human Rights and East-West Relation," in *Human Rights and Security: Europe on the Eve of a New Era*, Vojtech Mastny and Jan Zielonka (eds.) (Boulder: Westview, 1991), p.111. For further evaluation on the link between the Jewish movement and human rights, see, Barghoorn, *Detente and the Democratic Movement in the USSR*, pp. 106-112; Alexeyeva, pp. 175-198; Rubenstein, pp. 153-185.

³¹⁷ For the details on the formation process of the Group and its members, see, "The Public Group to Promote Observance of the Helsinki Accords in the USSR," *Chronicle of Current Events*, No.20-21 (April-June 1976) (New York: Khronika press, 1976), pp. 5-8.

³¹⁸ Robert Sharlet, "Growing Soviet Dissidence", *Current History*, Vol.79, No.459 (Oct. 1980), p.98.

above [as the humanitarian articles of the Final Act of the Conference on Security and Cooperation in Europe], and will forward such complaints in condensed form to all Heads of States signatory to the Final Act, as well as to the public. The Group will retain the original complaint signed by the author.³¹⁹

In such a way, by preparing the documents of the open appeals to the Western leaders to raise the attention in the international public opinion, the Group followed a method similar to the Moscow Human Rights Committee. However, an important difference occurred in the understanding of the Moscow Helsinki Group: Unlike the members of the Moscow Human Rights Committee, they did not believe in a mere struggle for persuading the Soviet government of the necessity of reforms.³²⁰

Accordingly, Grigorenko:

The USSR pays no heed to the Universal Declaration on Human Rights but continues to declare that all of the rights of man are well observed within its borders. And the West has begun to get accustomed to this lie and to indulge it. [...] The Helsinki Groups have attacked the Soviet structure of lies; and the authorities have attempted to silence them.³²¹

As a consequence, the activities centered on the Helsinki Group gained more strength due to the international environment and increasing Western support to the humanitarian issues within the post-Helsinki era. Orlov, at this time, was defined as skillful in seeing the “opportunity to use the Final Act” to have more intense relations with the West.³²² For instance, as a sign of increasing Western interest, in the United States a Helsinki Commission was established after the Conference, and when its delegates visited Moscow, they met Orlov and Turchin to take their views for the coming processes.³²³

³¹⁹ Yuri Orlov, *Dangerous Thought: Memoirs of a Russian Life* (New York: William Morrow and Company, 1991), p. 191.

³²⁰ Grigorenko, p. 435; Petro, p.130.

³²¹ Grigorenko, p. 446.

³²² Alexeyeva, p. 338.

³²³ Alexeyeva, p. 338.

In fact, the Belgrade Conference in 1977, as the continuation of the Helsinki-process between the signatory sides, proved that Western states were continuing to oppose Soviet regime because of its failure in recognizing and implementing humanitarian clauses of the Final Act. In this context, the effect of the Helsinki Groups in the Soviet Union had an undeniable impact in publicizing the internal violations inside the country. However, there are two sides, one positive the other negative, which must be taken seriously. Alexeyeva summarizes them:

[i]t appeared that the goal of the Helsinki groups had been reached: the free world learned about demands that Soviet citizens had made of their government and openly supported those demands, but the anticipated result – a lessening of repression within the USSR – was not forthcoming. The arrests and harsh sentences of members of the Helsinki groups, during and after the Belgrade Conference, confirmed this bitter lesson.³²⁴

Thus, in the following periods, Moscow Helsinki Group was to become another victim of the regime's severe repressions.³²⁵ The suppression, crackdown and dissolution of Helsinki Groups in Moscow and in the other parts of the Soviet Union continued step by step until 1982.³²⁶ The leading members, Yuri Orlov received a punishment of seven years in the labor camp and five years in exile; Alexander Ginzburg, eight years in the labor camp and five years in exile, Shcharansky, thirteen years in prison and in labor camp.³²⁷

4.4. Conclusion

As this chapter shows, in the context of the Soviet social and political life, the

³²⁴ Alexeyeva, pp. 344-345.

³²⁵ See, Appendix I.

³²⁶ Parchomenko, p.126. See, "The Helsinki Watch Groups: Arrests of Ginzburg, Rudenko, Tikhy, Orlov, and Shcharansky," *Chronicle of Current Events*, No.25 (January-March 1977) (New York: Khronika press, 1977), pp. 7-8.

³²⁷ David K. Shipler, "Dissident in Moscow Gets a 7-Year Term," (dated May 19, 1978) in *Soviet Society since the Revolution (The Great Contemporary Issues): Articles from the New York Times*, Harrison E. Salisbury, Gene Brown (eds.) (New York: The New York Times-Arno Press, 1979), pp. 336-337. See also, Grigorenko, p. 446; Juvilier, p.40.

understanding of human rights could be seen directly connected with the concept of dissent and dissidence movements against the central rule that has been described as arbitrary and authoritarian for most of the time.

Boobbyer argues that in terms of the moral philosophy of the dissidence against the Soviet rule, there was a “belief” in human rights and civil society.³²⁸ He finds a supporting detail about this argument in the usage of the term “conscience” in some of the writings and sayings of the opponent personalities. For instance, a prominent dissident, Anatoly Marchenko, used the terms, “civic conscience” and “public conscience,” in the open letters he wrote in 1968.³²⁹ Hence, starting from the defense of some basic civil and political rights, like freedom of speech, thought and “conscience,” the movement, based on the universal principles of human rights in Soviet Russia, can be evaluated in connection with the attempts to create a wider civil realm outside state’s measures and its dominance.³³⁰

Within this framework, if the external developments are taken into consideration, as some prominent dissidents claim, “détente can only be assured if from the very outset it goes hand in hand with continuous openness on the part of all countries for civic and political rights.”³³¹ Related to this idea, “human-right issue, therefore, is not simply a moral one, but also a paramount, practical ingredient of international trust and security.”³³²

Thus, the increasing prominence of human rights during the era of détente was consolidated with the logic of connectedness between rights and security. This connectedness made the Helsinki Process and its Final Act a significant development

³²⁸ Boobbyer, p. 80.

³²⁹ Boobbyer, p. 80.

³³⁰ Boobbyer, p. 80.

³³¹ Sakharov, *Alarm and Hope*, p. 10.

³³² Sakharov, *Alarm and Hope*, p. 102. See also, Dr. Yuri Orlov, Dr. Valentin Turchin, Tatyana Khodorovich, “An Appeal from Moscow Scientists,” *Chronicle of Current Events*, No.15 (May-June 1975) (New York: Khronika press, 1976), p. 5.

and gave new hopes to defenders of human rights in Soviet Russia (in fact, to activists in many parts of the Soviet Union, and in the rest of the Socialist Bloc.

On the other hand, the developments, like the Helsinki Conference, can be seen also as a success for the Soviet Union. The main reason behind the argument was that particularly within the short term, “everything remained precisely as it had been before Helsinki.”³³³ The sovereignty of the Soviet rule over Eastern and Central Europe remained undivided and Soviet authorities had one more chance to legitimize their acquisitions after the World War. Moreover, although Soviet authorities promised to respect human rights, the relatively positive atmosphere between states during and after the Helsinki process gave a new stimulation to suppress the opposition in the internal affairs after 1975. Human rights activists were those who were the victims of the continuing suppression despite the presence of the internationally-recognized norms and principles.

³³³ Grigorenko, p. 434.

CHAPTER V

CONCLUSION: HUMAN RIGHTS ACTIVISTS VERSUS THE SOVIET STATE

For the foreseeable future only the state can guarantee human rights; yet the state is also the principal apparatus of oppression in every society.³³⁴

The human rights dissidence had a diverse range of supporters inside the Soviet Union. Although quantitatively the number of these supporters was not many, considering the qualitative effect, the movement can be regarded as a considerable source of opposition. On the other hand, as this thesis aimed to demonstrate, some explanations must be taken into consideration in order to understand the failure of the human rights movement in its first phase within the era of détente in the Soviet Union, and in order to comprehend the pre-eminence of rationalism, statism, and realism over normative and legalistic answers.

5.1. Looking from the Angle of the Human Rights Activists

From the angle of the dissidence, by the end of 1970s the limitations and weaknesses inherent in the human rights movement became obvious to understand the failures of

³³⁴ Christian Bay, "A Human Rights Approach to Transnational Politics", *Universal Human Rights* 1, No: 1 (1979), p. 40.

this movement throughout the era of détente.³³⁵ The first reason behind the weakness was explained as the lack of grassroots support to the human rights movement. There was a lack of communication between the leaders and the rest of the Soviet society. Although the dissident leaders enjoyed respect from the people, in the eyes of this small group of leaders, who were mainly academicians, society was still politically unaware and premature for a collective project such as human rights.

Hence, the second reason was the inexperience and insufficiency of the leading members of the human rights movement for creating an effective organizational structure. That was the major reason behind the rapid disintegration of such organizations.

The third reason of weakness was the overt pro-Western stance of human rights dissidence. In some instances, this attitude was to be used by the other groups, whose ideologies were based on the principles of nationalism, traditionalism or Russian Orthodoxy, against human rights activists in calling them as traitors. Furthermore, as a visible factor, the dependence on Western support was alienating others; thus, it put an obstacle to a possible complete-alliance between different sides of the dissidence-movement against the regime.³³⁶

In fact, by relying on Western support human rights defenders adopted a considerable strategy. Following the Helsinki Process, this strategy began to show its effects. However, different from a period in which reformist or democratic claims can be put on practice with a wider social contribution, as in the era of *Glasnost-Perestroika*,³³⁷ the effects were not to be enough to make radical changes within the

³³⁵ Petro, p.131.

³³⁶ Petro, p. 131.

³³⁷ *Perestroika*'s literal meaning is "restructuring" or "reconstruction." It was introduced by Mikhail Gorbachev in June 1985. It was started with the aim to revitalize the command-economy, with the help of *Glasnost*. *Glasnost*, which means literally 'transparency' or 'openness,' was used to criticize and expose the failures and gaps within the Soviet system. It helped Gorbachev in replying the

system during the era of détente. As Orlov, the founder of the Moscow Helsinki Group, mentions:

So far as détente was concerned, that was precisely what the West was prepared to sacrifice human rights in the USSR for. [...] Meanwhile, the dissidents had not only no opportunity to protest against the Soviet government's reckless subversion of détente, but even no chance to get the information necessary for protest. All the democratic dissidents understood that only democratization of the USSR – including freedom of information and protest, as well as open borders – could ensure mutual security. However few people in the West understood this; even fewer believed that democratization in the USSR was possible.³³⁸

Thus, from the side of the Western states the grand norm appeared as “the right to survival superseded any other”³³⁹ principle. Throughout the era of détente there were new inclinations in favor of human rights as seen from U.S. President Carter's idealist policies, or from the beginning of the Helsinki process. However, this did not change the idea that for the major states, who might be the potential victims of a possible nuclear war; the violation of the norm of non-interference was seen as a more dangerous step than the violation of the international norms of human rights.

As a fourth weakness or limitation within the human rights movement, during the late 1960s and the entire 1970s, there was no clearly defined objective. That was because the concept of human rights, as it was defined by the movement, did not offer any practical solutions to the existing problems of the society. It did not propose any alternative system, but continued the opposition within the borders set by the existing regime. This failure was the reason for the divergence between the human rights movement and other types of dissidence movements.³⁴⁰

conservative demands against the program of *Perestroika*. By 1987-88, *Glasnost* was expanded into a program of democratization and together with *Perestroika*, it turned into a key term to galvanize the intensification of civil movements in the Soviet Union.

³³⁸ Orlov, pp. 194-195.

³³⁹ Vojtech Mastny, “Introduction: Human Rights and Security from the French to the East European Revolution,” in *Human Rights and Security: Europe on the Eve of a New Era*, Vojtech Mastny and Jan Zielonka (eds.) (Boulder: Westview, 1991), p. 6.

³⁴⁰ For further discussion see, Petro, pp. 131-133.

As a fifth issue, the divergence was also existent among the human rights activists themselves. For Sergey Kovalev, in fact, the human rights movements had a division into two major groups: “Legalists” (*zakonniki*) and “politicals” (*politiki*).³⁴¹ The main aim of the legalists was defined as the protection of the individual and the integrity of man against the arbitrary rules and repression. The important characteristic of legalists was that they were not against the regime, and respected the constitution and the legal system.³⁴² As in the case of the Moscow Human Rights Committee of Sakharov and Chalidze, they wanted to protect everyone without considering political ideas. In contrast with these legalist aims, politicals considered the very political regime of the Soviet Union one of the most serious problems. Hence, as in the case of the nationalist or democratic socialist agendas, to change the regime was an important aim for politicals.³⁴³

It is true that the political or non-political character of the human-rights movement in the Soviet Union has been a subject of long discussions. Although there were arguments which marked the ineffectiveness of the human rights activists due to their non-political aims, there were some others which emphasized that actually human rights movement, as a whole, has been political in its core so that it could threaten the foundation of the Soviet power.³⁴⁴ According to such a view, the activists with their diverse motives under the umbrella of the human rights movement had considerable political views; but their emphasis was on the implementation of the norms of human rights rather than on the specific political aims.

³⁴¹ See, Gilligan, pp.10-11.

³⁴² Hence, as an important characteristic of legalists, they never hesitated to have direct contact with the regime. For instance, see, “A.D. Sakharov, V.F. Turchin and R.A Medvedev: A Letter to party and government leaders,” *Chronicle of Current Events*, Issue 13 (28 April 1970) (London: Essex University Library Collection), pp. 18-20; “The ‘Memorandum’ of A.D. Sakharov,” *Chronicle of Current Events*, Issue 26 (5 July 1972) (London: Essex University Library Collection), pp. 267-272.

³⁴³ Gilligan, pp.10-11.

³⁴⁴ Boobbyer, p. 89.

Thus, conclusion of a common political programme was perceived by the activists, particularly by the legalist side of the human rights movement, as an impossible or a very difficult task. This perception paved the way for the non-political nature of the human rights movement against the Soviet rule.³⁴⁵ However, even legalists, who saw no problem in their conciliatory and non-political attitude toward the state,³⁴⁶ had to face the result that the attempts of dialogue with the Soviet authorities were, in fact, fruitless until the beginning of Gorbachev period.³⁴⁷

5.2. Looking from the Angle of the State

A rationalist and statist approach is important to comprehend the Soviet domestic politics and the international political path of the era of détente. In this context,

³⁴⁵ The validity of similar arguments which defend the effective unification of the human rights activists despite their different political positions can be evaluated also during the time of Gorbachev and of *Perestroika* and *Glasnost* in which due to increasing role of transnational forces and international pressures, the success in revitalizing the concept of human rights against the State will be easier vis a vis the decades under the leadership of Brezhnev.

³⁴⁶ So, for the late 1960s and 1970s, leading participants in the human rights movement were frequently criticized because they were found as non-political. Thus the moral side, more than the political side, was discernible in their acts. This feature of the human rights activists might be linked to the reason that politics was given less attention and that the trust on the power of politics was lower in 1960s and 1970 compared to the other decades. See, Boobbyer, pp.76-77.

³⁴⁷ In the Soviet case, the Gorbachev-era led to the most crucial effects of distinct voices on state-authority. Thus, according to the plans for a more open and democratic type of socialism through *Perestroika-Glasnost*, the second-half of 1980s until the dissolution of Soviet Union is the period of the activities of various groups including parts of the human rights movement inside the Russian territory. During the period, there was a sharp increase in the number of non-governmental organizations (NGOs). In the year, 1987 more than thirty thousand unofficial groups became active in the social and political life of the USSR. These groups gave a priority to the specific issue areas in their agendas; such as environmental problems, women's rights, culture or trade. And towards the end of the decade, they increased their effectiveness in the political realm. Eventually the dissident voices could have a strong place for themselves via *Glasnost* and *Perestroika*, and the results of the reform movements were beyond Gorbachev's expectation when Soviet socialism did not turn into a more democratic regime but collapsed altogether. Lukin uses the term "independent democratic political groups" and explains their activities between the years 1985-1991 when these organizations were effective parts of the social and political life. He divided the independent initiatives into three groups as clubs/groups of activists, associations/unions and election movements/parties for these six years, and helps to see the link between the dissident movement before *Glasnost-Perestroika* and the ideas emerging at the time of Gorbachev. For a good account on the link between *Glasnost-Perestroika* and the new dynamics within the Soviet society, see Alexander Lukin, *The Political Culture of the Russian "Democrats"* (Oxford; New York : Oxford University Press, 2000); Gail W. Lapidus, "State and Society: Toward the Emergence of Civil Society in the Soviet Union," in Alexander Dallin and Gail W. Lapidus (ed.), *The Soviet System: From Crisis to Collapse* (Boulder, New York: Westview, 1995); Sergey Markov, "Russian Political Parties and Foreign Policy", in *Political culture and civil society in Russia and the new states of Eurasia*, Vladimir Tismaneanu, (ed.) (Armonk, N.Y.: M.E. Sharpe, 1995).

Risse-Kappen summarizes the main framework of a statist approach related to the domestic policy choices within states:

[T]he domestic power of states over society stemmed largely from the need to preserve the survival of the nation in an anarchical international system. They [Statists] emphasised the coercive rather than the distributive role of the state in its relation to society. The emergence of modern nation-states was not so much the result of original social contracts but of internal coercion and extraction of resources as well as external war-fighting against rivals. "Statists" also maintained that state actors have considerably more leeway from societal constraints in the foreign policy arena than in other issue-areas.³⁴⁸

Thus, considering the information given on political realism and the anarchical world structure against human rights, the conceptualization through the lenses of a "statist" approach is, in fact, consistent with traditional realist perspectives due to the fact that "[s]tatism, realism, and neorealism are all manifestations of a power politics paradigm which is actor oriented and which sees politics as a struggle over valued resources."³⁴⁹

In a statist line, both "internal and external challenges" are taken seriously to preserve the power and the state as a unitary actor.³⁵⁰ Accordingly, slightly different from the realist premises, domestic balances and challenges will be given a higher status while the policy makers' decisions based on national interest are supported by an extra protection from "resistance."³⁵¹ The decision makers as actors who possess particular preferences become a part of the rational side of statist and realist claims. Similar to Krasner's assumption, we can say that "rulers want to stay in power and,

³⁴⁸ Thomas Risse-Kappen, "Introduction," in *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Relations*, Thomas Risse-Kappen (ed.) (Cambridge:Cambridge University Press, 1995), p. 18.

³⁴⁹ Stephen Krasner, "Power Politics, Institutions, and Transnational Relations," in *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Relations*, Thomas Risse-Kappen (ed.) (Cambridge:Cambridge University Press, 1995), p. 277.

³⁵⁰ Krasner, "Power Politics, Institutions, and Transnational Relations," p. 259.

³⁵¹ Stephen Krasner, *Defending the National Interest: Raw Materials Investments and U.S. Foreign Policy* (Princeton, New Jersey: Princeton University Press), p. 10.

being in power, they want to promote the security, prosperity and values of their constituents,” while it has been discernible that “the way in which they accomplish these objectives will vary from one state to another.”³⁵²

Accordingly, a study on Soviet system can show that the response from the regime to the dissidents should be also understood within the context of foreign policy events. Thus, in an era of détente through which the Communist governments wanted to eradicate the past disadvantages and desired to come to a favorable position compared to their Western rivals, any oppositional activities designed for a critique of the whole system must be repressed severely so that both internal and external balances could be kept within the same line of interests.³⁵³

On the other hand, ideology served obviously to the rational side of Soviet argumentation. Thus, the Soviet state always distanced itself from the approval of Western individualism and classical human rights doctrines. This is why for the Soviet state, freedom of expression and conscience could never be thought as absolute rights, particularly if they were taken together with the deteriorative effects against the public order and political regime.³⁵⁴

The traditional opposition from the official regime took a shape during 1970s, and there was a new period of repression of dissidents who were accused of being “re-educated” according to the principles of Western individualism and of initiating anarchy against the Soviet socialist order.³⁵⁵ In fact, Soviet socialist point of view was congruent with the argument that in the history of the development of the

³⁵² Stephen Krasner, *Sovereignty: Organized Hypocrisy* (New Jersey: Princeton University Press, 1999), p. 7.

³⁵³ Barghoorn makes a similar evaluation of this process in his work under the title of “Suppression of Dissent and the Clash Regarding Soviet Foreign Relations,” see, Barghoorn, *Detente and the Democratic Movement in the USSR*, pp. 119-181.

³⁵⁴ Also on the eve of the emergence of Universal Declaration of Human Rights in 1948, Soviet officials had not been hesitant to declare their oppositions to the classical individual rights, like freedom of expression. See, Warren Lee Holleman, *The Human Rights Movement: Western Values and Theological Perspectives* (New York, London: Praeger, 1987), p. 14.

³⁵⁵ Holleman, p. 17.

concept of human rights, “the West is seeking a propaganda effect and an opportunity to interfere in internal affairs of states.”³⁵⁶ For instance, while the Helsinki Process was continuing, Brezhnev declared:

In the recent period some Western circles have been, in effect, trying to circumvent these principles [of non-interference in the internal affairs and of peaceful coexistence] by proposing something like a new edition of the cold or, if you prefer psychological war. I am referring to the campaign conducted under the hypocritical slogan of “defending human rights” in the socialist countries.³⁵⁷

In the post-Helsinki Process this attitude continued in the name of the internal stability of the state and society. Regarding the Soviet state’s response to the dissidence of the Helsinki Groups following the Helsinki Accords, Parchomenko analyzed the situation from the point of the ideological and psychological elements of policy making. He says:

Influenced by the extreme and stereotypic conceptions of dissidents and of Western psychological warfare that pervade official pronouncements, as well as by the very real contacts between dissidents and foreigners, Soviet authorities viewed the activities of Orlov and his associates as an organic element of a carefully calculated and foreign-inspired campaign to undermine the prestige and security of the Soviet Union.³⁵⁸

The ideological rivalry with the West and the struggle to preserve the survival of the state in the international area led authorities to find new ways to ensure the stability by silencing opponent voices. For Alexeyeva, for instance, the employment of direct “political repression” was seen as “harmful to the Soviet Union’s reputation” at that

³⁵⁶ Vladimir Kartashkin, “International Law and the the Rights of the Individual,” in *Rights of the Individual in Socialist Society*, Vladimir Kudryavtsev (ed.) (Moscow: USSR Academy of Sciences, 1986), p. 153.

³⁵⁷ From the speech of Brezhnev, “For a Just, Democratic Peace, for the Security of Nations and International Co-operation” in the Kremlin Palace of Congresses at the World Congress of Peace Forces on October 26, 1973. See, L. I. Brezhnev, *Following Lenin’s Course: Speeches and Articles (1972-1975)* (Moscow: Progress Publishers, 1975), p. 322.

³⁵⁸ Parchomenko, p. 127.

period. So, the Soviet bureaucracy “sought a way out by declaring mentally unsound those human rights activists they were unable to put on trial for fear of scandal.”³⁵⁹

Thus, as seen from the emergence of various methods of repression in the Soviet Union, the understanding in a legal/governmental system that is based on a pure aim of the “interests of the state” and on the idea of the holiness of the established order can be the beginning of several other problems related to the issue of human rights. Accordingly, as Chalidze, a well-known dissident, claims “the principle that for the sake of the interests of the state one should make any sacrifice, *a fortiori* sacrifices associated with the interests of the individual” lead to various crimes and violations; and usually according to the legal system that is created by the state itself, “such acts are not crimes” as in the Soviet case.³⁶⁰

5.3. Overall Evaluation

In an overall evaluation, in this work’s theoretical study throughout the second chapter, rational decision-making, state’s survival and interests in an ungoverned/anarchic environment are considered to understand the inadequacy of the constructivist/ideational perspective on the internalization of the domestic issue of human rights. In this regard, the third chapter offered us an account of the era of détente during which the enmities via the ideological and material rivalry between the states continued despite the presence of the attempts to consolidate the normative structure of international politics, as in the Helsinki Process. The fourth chapter combines the perspective on international politics with a domestic account on the

³⁵⁹ Alexeyeva, p. 310.

³⁶⁰ Chalidze, p. 15. Particularly, in the Soviet case, the famous articles 70 (on “Anti-Soviet agitation or propaganda”) and Article 190-191 (on “Spreading of deliberate fabrications, verbal or otherwise, slandering the Soviet political and social system”) are regarded as “little different,” and at the hands of the state, they are seen as an “easy” way “to convict dissidents.” See, Rubenstein, p. 45.

dissidence activities in Soviet Russia during the era of détente. It has been seen that the international norms and principles of human rights provided a considerable inspiration to various kinds of opposition-movements. However, despite its positive stance on the recognition of those norms in the international sphere, the Soviet state did not abandon the repressive methods inside the country.

Thus, by emphasizing the clash between the Soviet state and the Soviet (Russian) dissidents during the era of détente, this thesis concludes that a normative approach based on the principled ideas of human rights can not explain Soviet state's response to the human rights-based dissidence in its domestic affairs, although those principled ideas have turned out to be the binding norms for states through international agreements and international law. Therefore, rationality of the decision makers congruent with the pre-eminence of statism in the domestic affairs and with the supremacy of political realism in the international realm has been taken as the main feature of the explanatory theoretical framework.

Within this context, the major contribution of this thesis lies in the very methodology of its structure. A theoretical base on human rights literature is tried to be employed for the explanation of a rather descriptive account of the Soviet human rights groups during the era of détente. It is believed that both the descriptive part and the theoretical parts might provide a new base for a further analytical approach to the topic, geography, and the groups under consideration.

The results derived from this work can be benefited generally to evaluate the states' attitude to the normative rules and principles, such as human rights, within the domestic and international realms. Particularly, taking this work into consideration, the Soviet Union during the next decades of the Cold-War and post-Soviet Russian Federation can be the subjects of a further study. In this regard, it should be said that

the ideas of the representatives of the human rights movement in the era of détente were carried to the period of Gorbachev. These ideas had a considerable role within the informal opposition activities against the Gorbachev regime. In the current history of the post-Soviet Russian Federation, although the state preserves its power and dominance, the legacy of the human rights tradition initiated in the Soviet Union is a discernible reality.

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<http://www.themoscowtimes.com>

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APPENDIX A

Universal Declaration of Human Rights - 1948³⁶¹

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights the full text of which appears in the following pages. Following this historic act the Assembly called upon all Member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

³⁶¹ See, the website of the United Nations, <http://www.un.org/Overview/rights.html>.

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3. Everyone has the right to life, liberty and security of person.

Article 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6. Everyone has the right to recognition everywhere as a person before the law.

Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11. (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence. (2) No one shall be held guilty of any penal

offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13. (1) Everyone has the right to freedom of movement and residence within the borders of each state. (2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14. (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution. (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15. (1) Everyone has the right to a nationality. (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16. (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. (2) Marriage shall be entered into only with the free and full consent of the intending spouses. (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17. (1) Everyone has the right to own property alone as well as in association with others. (2) No one shall be arbitrarily deprived of his property.

Article 18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20. (1) Everyone has the right to freedom of peaceful assembly and association. (2) No one may be compelled to belong to an association.

Article 21. (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. (2) Everyone has the right of equal access to public service in his country. (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23. (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. (2) Everyone, without any discrimination, has the right to equal pay for equal work. (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25. (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26. (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit. (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. (3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27. (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29. (1) Everyone has duties to the community in which alone the free and full development of his personality is possible. (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society. (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30. Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

APPENDIX B

**“Declaration on Principles Guiding Relations Between Participating States”
from
The Final Act of the Conference on Security and Cooperation in Europe
(Helsinki Declaration – 1975)³⁶²**

The participating States,

Reaffirming their commitment to peace, security and justice and the continuing development of friendly relations and co-operation;

Recognizing that this commitment, which reflects the interest and aspirations of peoples, constitutes for each participating State a present and future responsibility, heightened by experience of the past;

Reaffirming, in conformity with their membership in the United Nations and in accordance with the purposes and principles of the United Nations, their full and active support for the United Nations and for the enhancement of its role and effectiveness in strengthening international peace, security and justice, and in promoting the solution of international problems, as well as the development of friendly relations and cooperation among States;

Expressing their common adherence to the principles which are set forth below and are in conformity with the Charter of the United Nations, as well as their common will to act, in the application of these principles, in conformity with the purposes and principles of the Charter of the United Nations;

Declare their determination to respect and put into practice, each of them in its relations with all other participating States, irrespective of their political, economic or social systems as well as of their size, geographical location or level of economic development, the following principles, which all are of primary significance, guiding their mutual relations:

I. Sovereign equality, respect for the rights inherent in sovereignty

The participating States will respect each other's sovereign equality and individuality as well as all the rights inherent in and encompassed by its sovereignty, including in particular the right of every State to juridical equality, to territorial integrity and to freedom and political independence. They will also respect each other's right freely to choose and develop its political, social, economic and cultural systems as well as its right to determine its laws and regulations.

³⁶² For the whole document, see, the website of the Organization for Security and Cooperation in Europe, http://www.osce.org/documents/mcs/1975/08/4044_en.pdf

Within the framework of international law, all the participating States have equal rights and duties. They will respect each other's right to define and conduct as it wishes its relations with other States in accordance with international law and in the spirit of the present Declaration. They consider that their frontiers can be changed, in accordance with international law, by peaceful means and by agreement. They also have the right to belong or not to belong to international organizations, to be or not to be a party to bilateral or multilateral treaties including the right to be or not to be a party to treaties of alliance; they also have the right to neutrality.

II. Refraining from the threat or use of force

The participating States will refrain in their mutual relations, as well as in their international relations in general, from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations and with the present Declaration. No consideration may be invoked to serve to warrant resort to the threat or use of force in contravention of this principle.

Accordingly, the participating States will refrain from any acts constituting a threat of force or direct or indirect use of force against another participating State.

Likewise they will refrain from any manifestation of force for the purpose of inducing another participating State to renounce the full exercise of its sovereign rights. Likewise they will also refrain in their mutual relations from any act of reprisal by force.

No such threat or use of force will be employed as a means of settling disputes, or questions likely to give rise to disputes, between them.

III. Inviolability of frontiers

The participating States regard as inviolable all one another's frontiers as well as the frontiers of all States in Europe and therefore they will refrain now and in the future from assaulting these frontiers.

Accordingly, they will also refrain from any demand for, or act of, seizure and usurpation of part or all of the territory of any participating State.

IV. Territorial integrity of States

The participating States will respect the territorial integrity of each of the participating States.

Accordingly, they will refrain from any action inconsistent with the purposes and principles of the Charter of the United Nations against the territorial integrity, political independence or the unity of any participating State, and in particular from any such action constituting a threat or use of force.

The participating States will likewise refrain from making each other's territory the object of military occupation or other direct or indirect measures of force in

contravention of international law, or the object of acquisition by means of such measures or the threat of them. No such occupation or acquisition will be recognized as legal.

V. Peaceful settlement of disputes

The participating States will settle disputes among them by peaceful means in such a manner as not to endanger international peace and security, and justice.

They will endeavour in good faith and a spirit of cooperation to reach a rapid and equitable solution on the basis of international law.

For this purpose they will use such means as negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice including any settlement procedure agreed to in advance of disputes to which they are parties.

In the event of failure to reach a solution by any of the above peaceful means, the parties to a dispute will continue to seek a mutually agreed way to settle the dispute peacefully.

Participating States, parties to a dispute among them, as well as other participating States, will refrain from any action which might aggravate the situation to such a degree as to endanger the maintenance of international peace and security and thereby make a peaceful settlement of the dispute more difficult.

VI. Non-intervention in internal affairs

The participating States will refrain from any intervention, direct or indirect, individual or collective, in the internal or external affairs falling within the domestic jurisdiction of another participating State, regardless of their mutual relations.

They will accordingly refrain from any form of armed intervention or threat of such intervention against another participating State.

They will likewise in all circumstances refrain from any other act of military, or of political, economic or other coercion designed to subordinate to their own interest the exercise by another participating State of the rights inherent in its sovereignty and thus to secure advantages of any kind.

Accordingly, they will, inter alia, refrain from direct or indirect assistance to terrorist activities, or to subversive or other activities directed towards the violent overthrow of the regime of another participating State.

VII. Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief

The participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.

They will promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development.

Within this framework the participating States will recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience.

The participating States on whose territory national minorities exist will respect the right of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere.

The participating States recognize the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and co-operation among themselves as among all States.

They will constantly respect these rights and freedoms in their mutual relations and will endeavour jointly and separately, including in co-operation with the United Nations, to promote universal and effective respect for them.

They confirm the right of the individual to know and act upon his rights and duties in this field.

In the field of human rights and fundamental freedoms, the participating States will act in conformity with the purposes and principles of the Charter of the United Nations and with the Universal Declaration of Human Rights. They will also fulfil their obligations as set forth in the international declarations and agreements in this field, including inter alia the International Covenants on Human Rights, by which they may be bound.

VIII. Equal rights and self-determination of peoples

The participating States will respect the equal rights of peoples and their right to self-determination, acting at all times in conformity with the purposes and principles of the Charter of the United Nations and with the relevant norms of international law, including those relating to territorial integrity of States.

By virtue of the principle of equal rights and self-determination of peoples, all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development.

The participating States reaffirm the universal significance of respect for and effective exercise of equal rights and self-determination of peoples for the development of friendly relations among themselves as among all States; they also recall the importance of the elimination of any form of violation of this principle.

IX. Cooperation among States

The participating States will develop their co-operation with one another and with all States in all fields in accordance with the purposes and principles of the Charter of the United Nations. In developing their co-operation the participating States will place special emphasis on the fields as set forth within the framework of the Conference on Security and Co-operation in Europe, with each of them making its contribution in conditions of full equality.

They will endeavour, in developing their co-operation as equals, to promote mutual understanding and confidence, friendly and good-neighbourly relations among themselves, international peace, security and justice. They will equally endeavour, in developing their cooperation, to improve the well-being of peoples and contribute to the fulfilment of their aspirations through, inter alia, the benefits resulting from increased mutual knowledge and from progress and achievement in the economic, scientific, technological, social, cultural and humanitarian fields. They will take steps to promote conditions favourable to making these benefits available to all; they will take into account the interest of all in the narrowing of differences in the levels of economic development, and in particular the interest of developing countries throughout the world.

They confirm that governments, institutions, organizations and persons have a relevant and positive role to play in contributing toward the achievement of these aims of their cooperation.

They will strive, in increasing their cooperation as set forth above, to develop closer relations among themselves on an improved and more enduring basis for the benefit of peoples.

X. Fulfilment in good faith of obligations under international law

The participating States will fulfil in good faith their obligations under international law, both those obligations arising from the generally recognized principles and rules of international law and those obligations arising from treaties or other agreements, in conformity with international law, to which they are parties.

In exercising their sovereign rights, including the right to determine their laws and regulations, they will conform with their legal obligations under international law; they will furthermore pay due regard to and implement the provisions in the Final Act of the Conference on Security and Cooperation in Europe.

The participating States confirm that in the event of a conflict between the obligations of the members of the United Nations under the Charter of the United Nations and their obligations under any treaty or other international agreement, their obligations under the Charter will prevail, in accordance with Article 103 of the Charter of the United Nations.

All the principles set forth above are of primary significance and, accordingly, they will be equally and unreservedly applied, each of them being interpreted taking into account the others.

The participating States express their determination fully to respect and apply these principles, as set forth in the present Declaration, in all aspects, to their mutual relations and cooperation in order to ensure to each participating State the benefits resulting from the respect and application of these principles by all.

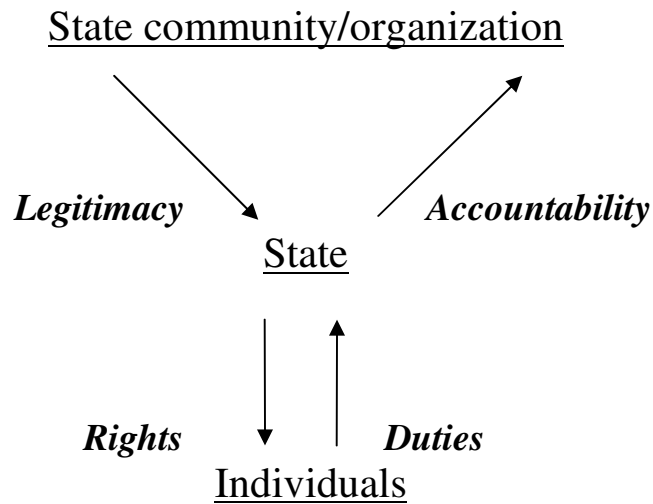
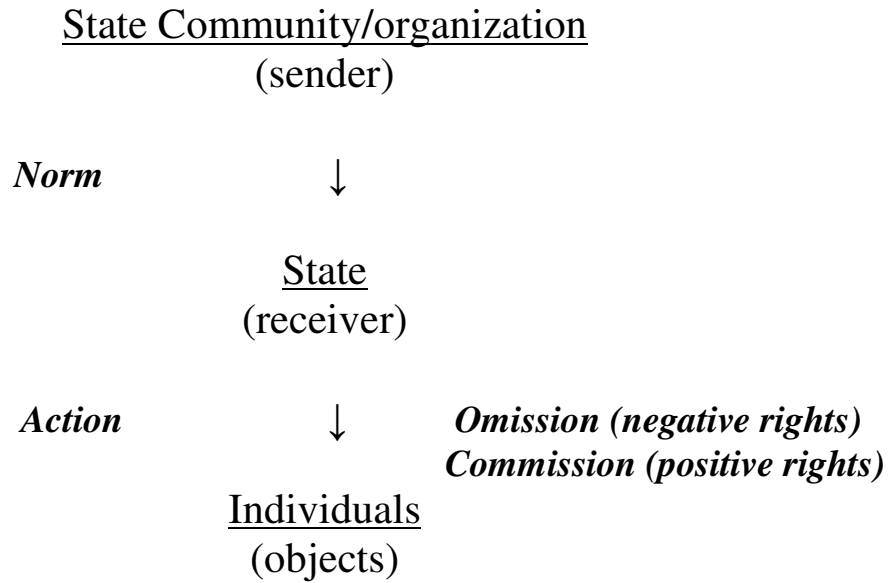
The participating States, paying due regard to the principles above and, in particular, to the first sentence of the tenth principle, "Fulfilment in good faith of obligations under international law", note that the present Declaration does not affect their rights and obligations, nor the corresponding treaties and other agreements and arrangements.

The participating States express the conviction that respect for these principles will encourage the development of normal and friendly relations and the progress of co-operation among them in all fields. They also express the conviction that respect for these principles will encourage the development of political contacts among them which in time would contribute to better mutual understanding of their positions and views.

The participating States declare their intention to conduct their relations with all other States in the spirit of the principles contained in the present Declaration.

APPENDIX C

The Normative and Social Structure of Human Rights³⁶³



³⁶³ See, Johan Galtung, "The Universality of Human Rights Revisited: Some Less Applaudable Consequences of the Human Rights Tradition," in *Human Rights in Perspective: A Global Assessment*, Asbjørn Eide and Bernt Hagtvet (eds.) (Oxford, Mass.: Blackwell, 1992), p. 154.

APPENDIX D

A Sample Front Page from *Chronicle of Current Events* in its English Translation³⁶⁴

The Movement in Defence of Human Rights in the
Soviet Union
Continues

A Chronicle of Current Events

“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers.”

Universal Declaration
of Human Rights,
Article 19

Issue No.17

**31 December 1970
(Moscow)**

Third Year of Publication

CONTENTS

The Trial of Amalrik and Ubuzhko. Andrei Amalrik's final address. The trial of Valentin Moroz. Solzhenitsyn's letter to the Nobel Foundation. The Committee for Human Rights in the USSR. Public statements regarding the trial of Pimenov, Vail and Zinoveva. The Leningrad trial of the "hi-jackers". Trial of recent years: the case of the UNF [Ukrainian National Front]. Persecution of Jews wishing to emigrate to Israel. Rigerman, American citizenship and the Soviet police. The fate of Fritz Mender. Political prisoners in the Mordovian camps. News in brief. *Samizdat* news. [Index.]

³⁶⁴ From *Chronicle of Current Events*, Issue 17 (London: Essex University Library Collection).

APPENDIX E

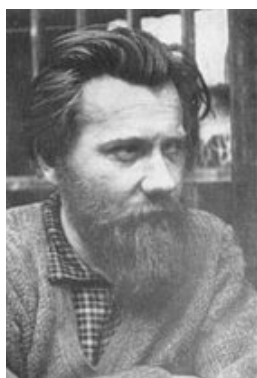
Photographs of Some Leading Human Rights Defenders/Dissidents in Soviet Russia³⁶⁵



Members of the Initiative Group for Defense of Civil (Human) Rights:
(From Left to Right) Sergey Kovalev, Tatyana Khodorovich,
Tatyana Velikhanova, Grigory Podyapolsky, Anatoly Levitin-Krasnov



Andrei Sakharov



Andrei Sinyavsky



Valery Chalidze



Yuri Orlov



Natalya Gorbanevskaya



Larisa Bogoraz



Ludmilla Alexeyeva

³⁶⁵ For the photographs, see websites, like <http://www.gulaghistory.org>, <http://americanradioworks.publicradio.org>; <http://www.russiaprofile.org>; <http://www.peoples.ru>; <http://www.britannica.com>; <http://www.themoscowtimes.com>.

APPENDIX F

Andrei Sakharov's Letter to Gerald Ford and Jimmy Carter During the Presidential Campaign - 1976³⁶⁶

At this time when, as part of the election campaign, candidates for the post of President of the US are preparing and presenting the principles of their future policies to the American people, I think it important to state publicly once again certain propositions that, in my opinion, have fundamental significance.

I am convinced that political and civil liberties all over the world, freedom of belief and freedom of worship, freedom of information, freedom of movement, and freedom to choose one's country of residence are inseparable from the main tasks facing mankind, i.e. ensuring international security, economic and social progress, and protection of the environment.

I am convinced that isolationism and national egotism are incompatible with defense of human rights. An ever increasing recognition of these principles is reflected in the Helsinki agreement and opens new opportunities for international initiatives, such as, for example, the struggle for a general worldwide amnesty of political prisoners.

You know that at present there are thousands of prisoners of conscience in our country and in other countries of Eastern Europe, in China, in many countries of the "Third World" and in the West. Convicted for their participation in the exchange of their opinions, information, for religious activities, or for attempts to leave country, they are kept in jails, labor camps, and special psychiatric hospitals, where they suffer from hunger, cold, back-breaking labor, punishments and humiliations unworthy of the civilized world.

I urge you to keep up your efforts in the struggle for freedom to choose one's country of residence. I emphasize again the extreme importance of the free movement of information and people on an international scale, including free broadcasting.

I hope that the idea of an active struggle for universal human rights will play an increasing role in politics, in the spirit of the freedom-loving and humanitarian traditions of the American people.

With profound respect and hope,

Andrei SAKHAROV,
Nobel Peace Prize Laureate.

³⁶⁶ See, "KGB File of Andrei Sakharov," Joshua Rubenstein and Alexander Gribov (eds.), in *Annals of Communism* of Yale University, http://www.yale.edu/annals/sakharov/documents_frames/Sakharov_117.htm (last accessed on July 10, 2008).

APPENDIX G

U.S. President Carter's Letter to Andrei Sakharov - 1977³⁶⁷

Dear Professor Sakharov,

I received your letter of January 21, and I want to express my appreciation to you for bringing your thoughts to my personal attention.

Human rights is a central concern of my administration. In my inaugural address I stated: "Because we are free we can never be indifferent to the fate of freedom elsewhere." You may rest assured that the American people and our government will continue our firm commitment to promote respect for human rights not only in our country but also abroad.

We shall use our good offices to seek the release of prisoners of conscience, and we will continue our efforts to shape a world responsive to human aspirations in which nations of differing cultures and histories can live side by side in peace and justice.

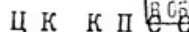
I am always glad to hear from you, and I wish you well.

Sincerely,

Jimmy Carter

³⁶⁷ For the document, see, Andrei Sakharov, *Alarm and Hope* (London: Collins and Harvel, 1979), p. 50.

Andropov to the Central Committee: The Human Rights Committee Begins Its Work – December 4, 1970 (Russian and English)³⁶⁸



Комитетом госбезопасности принимаются меры по выявлению практической роли каждого из членов "Комитета" и локализации их политически вредных действий.

АНДРОПОВ

119

Translation into English (Appendix H)

THE CENTRAL	SPECIAL FOLDER
COMMITTEE OF	DECLASSIFIED
CPSU	Top Secret
4140	Of special importance
DECEMBER 7, 1970	
1ST SECTION	December 4, 1970
TO BE RETURNED	#3300-A/ov
TO THE GENERAL	MOSCOW
DEPARTMENT	
OF THE CENTRAL	
COMMITTEE	
OF CPSU	

To pass around

I request to have it discussed in the Politburo
Andropov
TO THE CENTRAL COMMITTEE OF CPSU

The Committee for State Security of the Council of Ministers of the USSR reported, in its 3163-Ts/OV dated November 18, 1970, that Academician Sakharov , CHALIDZE and TVERDOKHLEBOV had organized a so-called "Human Rights Committee."

They have prepared the "Principles of the Human Rights Committee" and "Rules and Procedures of the "Human Rights Committee," which they intend to circulate to various public organizations in the USSR and abroad in order to "establish working relations and exchange information and publications."

Both documents have been sent to the UN Association of the USSR (copies are enclosed). Sakharov extols, among his followers, the creation of the "Committee" and explains that its exclusive goal is allegedly "studying the problem of human rights in the USSR". At the same time, he considers it possible to protest, as a private person, the conviction of particular citizens on charges of anti-Soviet activity (PIMENOV, AMALRIK, and others).

Also, information has been received that the Committee's organizers have enlisted VOLPIN-ESENIN, a junior scientist at the All-Union Institute of Scientific and Technical Information, and TSUKERMAN, a scientist at the Institute of Chemical Reagents, as the "Committee experts."

The Committee for State Security is taking measures to determine the practical role of each member of the "Committee" and to contain their politically harmful actions.

CHAIRMAN OF THE COMMITTEE FOR STATE SECURITY
OF THE COUNCIL OF MINISTERS OF THE USSR - ANDROPOV

APPENDIX I

Andropov to the Central Committee: Establishment of the Moscow Helsinki Watch Group – November 15, 1976 (Russian and English)³⁶⁹


СССР
КОМИТЕТ
ГОСУДАРСТВЕННОЙ БЕЗОПАСНОСТИ
при СОВЕТЕ МИНИСТРОВ СССР
«15» ноября 1976 г.
№ 2577-А
гор. Москва

Секретно *06*
Ст-4
ЦК КПСС
15.Ноя76 52269
ПОДЛЕЖИТ ВОЗВРАТУ
В ОБЩЕИЗДАТЕЛЬСКИЙ ОТДЕЛ ЦК КПСС

ЦК КПСС

О враждебной деятельности
так называемой "группы со-
действия выполнению хель-
синкских соглашений в СССР"

В последние годы спецслужбы и пропагандистские органы противника стремятся создать видимость наличия в Советском Союзе так называемой "внутренней оппозиции", предпринимают меры по оказанию поддержки инспирируемым антиобщественных проявлений и объективно содействуют блокированию участников различных направлений антисоветской деятельности.

Так, в 1969 году антиобщественные элементы во главе с ЯКИРОМ и КРАСИНЫМ в целях организационного сплочения участников так называемого "движения за демократизацию" создали "инициативную группу".

В 1970 году для активизации антиобщественной деятельности враждебно настроенных лиц ЧАЛИДЗЕ создал так называемый "комитет защиты прав человека", в который кроме него вошли академик САХАРОВ и член-корреспондент Академии наук СССР ША-ФАРЕВИЧ.

В 1973 году функции организационного объединения антисоветски настроенных лиц взяла на себя так называемая "русская секция "Международной амнистии", возглавляемая ТУРЧИНЫМ и ТВЕРДОХЛЕБОВЫМ.

Члены указанных организаций устанавливали контакты с некоторыми зарубежными антисоветскими центрами и в целях дискре-

³⁶⁹ See, "KGB File of Andrei Sakharov," Joshua Rubenstein and Alexander Gribanov (eds.), in *Annals of Communism* of Yale University, http://www.yale.edu/annals/sakharov/documents_frames/Sakharov_017.htm (last accessed on July 10, 2008).

литации советского государственного и общественного строя занимались сбором и распространением клеветнических материалов.

В результате принятых Комитетом госбезопасности мер "инициативная группа" и "комитет защиты прав человека" полностью себя скомпрометировали и практически прекратили свое существование, а деятельность "русской секции" была локализована.

Однако, несмотря на неудачи с попытками создать в СССР "внутреннюю оппозицию", противник не отказался от этой идеи.

12 мая с.г. по инициативе ~~члена~~-корреспондента Академии наук Армянской ССР ОРЛОВА Ю.Ф., 1924 года рождения, нигде не работающего, антиобщественные элементы объявили о создании "группы содействия выполнению хельсинкских соглашений в СССР".

В "группу" входят следующие лица: неоднократно привлекавшиеся к уголовной ответственности ГИНЗБУРГ А.И., 1936 года рождения, еврей, нигде не работает, ГРИГОРЕНКО П.Г., 1907 года рождения, украинец, пенсионер, профессиональный уголовник МАРЧЕНКО А.Т., 1938 года рождения, русский, отбывающий ссылку в Иркутской области; еврейские экстремисты РУБИН В.А., 1913 года рождения, еврей, выехавший в Израиль, ШАРАНСКИЙ А.Д., 1948 года рождения, еврей, нигде не работает и СЛЕПАК В.С., 1927 года рождения, еврей, нигде не работает; участники различных враждебных акций жена САХАРОВА - БОННЭР Е.Г., 1922 года рождения, еврейка, пенсионерка, БЕРНШТАМ М.С., 1949 года рождения, еврей, выехавший в Израиль, ЛАНДА М.Н., 1918 года рождения, еврейка, пенсионерка, АЛЕКСЕЕВА Л.М., 1927 года рождения, русская, нигде не работает, и КОРЧАК А.А., 1922 года рождения, украинец, сотрудник Института земного магнетизма ионосферы и распределения радиоволн Академии наук СССР.

Созданием "группы" указанные лица преследуют провокационную цель поставить под сомнение искренность усилий СССР по выполнению положений Заключительного акта Совещания по безопасности и сотрудничеству в Европе и тем самым оказать на правительство Советского Союза нажим в вопросах реализации хельсинкских договоренностей, прежде всего по "третьей корзине".

Члены "группы" осуществляют сбор материалов о якобы имеющих случаях невыполнения Советским правительством Заключительного акта, в частности, о "нарушениях основных прав советских граждан", "преследованиях за инакомыслие" и т.п.

Собранную по этим вопросам информацию они передают по различным каналам правительствам стран, подписавших Заключительный акт. По замыслу членов "группы", в особых случаях они будут обращаться к этим странам с просьбой о создании международной комиссии для расследования обстоятельств дела. При этом "группа" делает ставку на давление западного общественного мнения на Советское правительство и не стремится, по словам ОРЛОВА, "искать опору в народе".

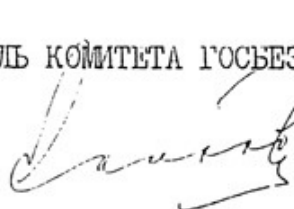
Антиобщественные элементы выступают с призывом к главам государств, принимавшим участие в хельсинкском совещании, учредить в их странах подобные неофициальные группы контроля, которые в последующем могли бы быть объединены в международный комитет.

За период своего существования "группа" предприняла ряд попыток добиться ее официального признания правительственными органами США. Так, в беседе с первым секретарем политического отдела посольства США в Москве РИЧАРДОМ КОМБЗОМ в сентябре с.г. ОРЛОВ настаивал на официальном признании "группы" госдепартаментом США и использовании американцами передаваемой "группой" информации на уровне правительств и глав государств, в том числе и на предстоящем совещании в Белграде.

Комитетом государственной безопасности принимаются меры по компрометации и пресечению враждебной деятельности участников "группы".

Сообщается в порядке информации.

ПРЕДСЕДАТЕЛЬ КОМИТЕТА ГОСБЕЗОПАСНОСТИ

 АНДРОНОВ

В архив
Решение 29 X 77

Translation into English (Appendix I)

To:CC CPSU
USSR Committee for State Security
At the USSR Council of Ministers
15 November 1976
No. 2577-A
Moscow

About the Hostile Actions of the so-called
Group for Assistance of Implementation
of the Helsinki Agreements in the USSR

In recent years, the intelligence services and propaganda organs of the enemy have attempted to create the apparition of a so-called "domestic opposition" in the Soviet Union. They are taking measures to support the instigators of antisocial manifestations and objectively to assist the participants in various currents of anti-Soviet activities to form a bloc.

Thus, in 1969, antisocial elements led by IAKIR and KRASIN founded an "Initiative Group" for the purposes of creating an organized association of those who participate in the so-called "democratization movement."

In 1970, to stimulate the antisocial activities of hostile elements, CHALIDZE created the so-called "Human Rights Committee," which was joined by academician SAKHAROV and a corresponding-member of the Academy of Sciences, SHAFAREVICH.

In 1973, the so-called "Russian" section of "Amnesty International," headed by TURCHIN and TVERDOKHLEBOV, assumed the function of providing an organized association of anti-Soviet individuals.

The members of these organizations established contacts with certain foreign anti-Soviet centers and, for purposes of discrediting the Soviet state and public order, collected and assembled libelous materials.

As a result of measures taken by the Committee for State Security, the "Initiative Group" and the "Human Rights Committee" compromised themselves totally and, for all practical purposes, ceased to exist. The activity of the "Russian Section" was contained.

However, despite all the failures to create a "domestic opposition" in the USSR, the enemy has not abandoned this idea.

On 12 May 1976, at the initiative of Iu.F. ORLOV (corresponding member of the Armenian Academy of Sciences; born 1924; unemployed), antisocial elements announced the creation of a "group to help implement the Helsinki Agreements in the USSR."

The "group" includes the following individuals: Those who have repeatedly been subjected to criminal prosecution—A.I. GINZBURG (born in 1936; Jew; unemployed) and P. G. GRIGORENKO (born in 1907; Ukrainian; pensioner); the professional criminal A.T. MARCHENKO (born in 1938; Russian; serving a sentence of exile in Irkutsk Oblast); Jewish extremists—V.A. RUBIN (born in 1923; Jew; emigrated to Israel); A.D. SHCHARANSKII [Sharansky] (born in 1948; Jew; unemployed), and V.S. SLEPAK (born in 1927; Jew; unemployed); participants in various hostile activities—the wife of SAKHAROV, E.G. BONNER (born in 1922; Jew; pensioner); M.S. BERNSHAM (born in 1949; Jew; emigrated to Israel); M.N. LANDA (born in 1918; Jew; pensioner); L.M. ALEXEEVA (born in 1927; Russian; unemployed), and A.A. KORCHAK (born in 1922; Ukrainian; researcher at the Institute of Terrestrial Magnetism of the Ionosphere and Radiowave Distribution at the USSR Academy of Sciences).

In creating this "Group," these people pursue the provocative goal of questioning the sincerity of attempts by the USSR to implement the Final Act of the Conference on Security and Cooperation in Europe, and thereby to put pressure on the government of the Soviet Union in questions pertaining to the realization of the Helsinki agreements (above all, in the "third basket").

The members of the "Group" are collecting information about alleged instances where the Soviet government has failed to implement the Final Act, in particular, through "violations of the fundamental rights of Soviet citizens," "persecution of dissent," etc.

They transmit the information collected on this question, through various channels, to the governments of countries that signed the Final Act. According to the conception of the "Group's" members, under special circumstances they will appeal to these countries to create an international commission to investigate the facts of a case. Moreover, the "group" is counting on Western public opinion to put pressure on the Soviet government and will not seek, in the words of ORLOV, "to find support among the [Soviet] people."

Antisocial elements appeal to the heads of states that participated in the Helsinki conference to establish similar unofficial control groups in their own countries. The latter can then all be united in an international committee.

During the period of its existence, the "group" has undertaken a number of attempts to obtain official recognition by governmental agencies in the USA. Thus, ORLOV held a conversation with the first secretary of the political section of the U.S. embassy in Moscow, RICHARD COMBS in September 1976. ORLOV insisted that the U.S. Department of State grant official recognition to the "group," and that the Americans use the information from the "group" at the level of governments and heads of state (at the impending conference in Belgrade as well).

The Committee for State Security is taking measures to compromise and interdict hostile activities by the participants of the "group."

Submitted for purposes of information.

CHAIRMAN OF THE COMMITTEE FOR STATE SECURITY - ANDROPOV

