Introduction

No text has a more prominent place in the global human rights imagination than the Universal Declaration of Human Rights (UDHR). Its adoption on December 10, 1948, an influential account has it, forever transformed the "moral terrain" of international relations.[1]

Yet when the UN celebrated this very moment 10 years later, the general mood was one of resignation about a human rights project "deep frozen" by the geopolitics of the Cold War. In 1968, two years after the adoption of two international human rights covenants, the UN even organized an International Year of Human Rights to commemorate the UDHR's adoption, culminating in the First World Conference on Human Rights. Held in Tehran, dominated by authoritarian states, the conference left the UDHR's few remaining admirers desperate about the future of human rights in the world.[2]

Over 20 years later, in August 1988, a town in the suburbs of Poland's ancient capital of Cracow called Nowa Huta, witnessed a celebration of the UDHR which could not have been more different from the proceedings in Tehran. A group of social activists had braved the country's still repressive regime to organize an international conference in and around a Catholic parish church. Over 800 people from Europe, the Soviet Union, and the Americas attended the meeting. Convened under the patronage of Nobel Peace Laureate Lech Wałęsa, its plenary sessions featured addresses and letters by veteran members of the Soviet bloc's dissident movement. Its resolutions and speeches all dismissed the principles of sovereignty and noninterference as excuses of tyrannies and dictatorships, calling for a global social movement holding states accountable to human rights norms. Outside the church, young peace

[1] Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), xv.

[2] Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Harvard University Press, 2010), 126–129; Roland Burke, "Human Rights Day after the 'Breakthrough': Celebrating the Universal Declaration of Human Rights at the United Nations in 1978 and 1988," *Journal of Global History* 10 (2015), 1.

activists from around Central Europe shared experiences and sold their movements' buttons and T-shirts at tables lining the church walls. Representatives of Western human rights groups like the International Helsinki Federation and Freedom House had come, as had the chairmen of the world's two largest non-Communist labor federations. West German pacifists rubbed shoulders with US Cold War liberals while listening to a talk by a Chilean human rights lawyer.[3]

The conference's festive atmosphere was reinforced by its gray backdrop. Founding Nowa Huta in 1949, Poland's Communist rulers had wanted to create a socialist model city, an urban utopia anticipating the creation of a new society. As the Cold War wore on, however, urban planners abandoned the neoclassic architecture of revolutionary socialism for the architectonic hallmark of really existing socialism – cheap panel-built high-rise settlements whose dark facades testified to the ecological havoc wrought by Nowa Huta's namesake steel mill.[4]

Yet exciting though it must have been for those attending the conference, an emergent new historiography of human rights suggests that the meeting of 1988 was a mere coda to developments from over a decade earlier. The conclusion much of this literature gravitates toward is that in the years around 1977 human rights were suddenly catapulted from a long dormant or even stillborn project into the global phenomenon they have been ever since.[5] Reconstructing the experiences, struggles, and

[3] Padraic Kenney, *A Carnival of Revolution: Central Europe 1989* (Princeton, NJ: Princeton University Press, 2002), 236–237; Eric Chenoweth, "Poland Today: Democracy Aborning," *Freedom at Issue* (November–December 1988). For the participants see "Lista zagranicznych uczestników," not dated; see also Petr Uhl, letter to the participants of the Human Rights Conference, dated August 11, 1988, Maximo Pacheco, "Obecna sytuacja w dziedzinie praw człowieka w Chile," undated translation of speech manuscript, Jerzy Turowicz, "Prawa człowieka," undated speech manuscript, all in Ośrodek KARTA, Warsaw, Archiwum Opozycji, (hereafter: KARTA), AO IV/191; "A Resolution of the International Human Rights Conference in Cracow – August 1988," Archiv Grünes Gedächtnis (hereafter: AGG), Petra-Kelly-Archiv (hereafter: PKA), Mappe 461.

[4] Katherine Lebow, *Unfinished Utopia: Nowa Huta, Stalinism, and Polish Society, 1949-56* (Ithaca, NY: Cornell University Press, 2013).

[5] The now classic formulation of this thesis is Moyn, *Utopia*. For two of the finest studies applying this thesis to the United States and Latin America respectively see Barbara Keys, *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Cambridge, MA: Harvard University Press, 2014); Patrick William Kelly, "Sovereignty and Salvation: Transnational Human Rights Activism in the Americas in the Long 1970s" (PhD thesis, University of Chicago, 2015). See also Jan Eckel and Samuel Moyn, eds., *The Breakthrough: Human Rights in the 1970s* (Philadelphia, PA: University of Pennsylvania Press, 2013); Joe Renouard, *Human Rights in American Foreign Policy: From the 1960s to the Soviet Collapse* (Philadelphia, PA: Universiry of Pennsylvania Press, 2016); William Michael Schmidli, *The Fate of Freedom Elsewhere: Human Rights and U.S. Cold War Policy toward Argentina* (Ithaca, NY: Cornell University Press, 2013). For two major studies

beliefs of a wide array of people from Europe and the United States and pushing the narrative of human rights history beyond the human rights moment of the 1970s, this book suggests a different interpretation.

In its colorful internationalism, political diversity, and defiance of a repressive regime, I will show, the gathering in Nowa Huta aptly reflected a wider transnational network of activists working for human rights in Poland and elsewhere in the Soviet bloc. When we look at the contemporary history of human rights through the prism of their experiences, a picture emerges which is characterized not by a single breakthrough of human rights – whether in the 1970s or after – but by their repeated reinvention, their continuous adaptation to new circumstances. More than once, Western governments were willing to abandon their pledges to uphold human rights. Those who did support East European dissidents were still figuring out what human rights were and what kinds of communities – "dissidence," "the Left," "the US," "the West," "the international community" – could be built around them. A politics of human rights is at the center of this book – an ongoing struggle over the meaning of human rights and their role in legitimating domestic and international order.

Human Rights History beyond the 1970s

This book makes four contributions to the historiography of human rights. First, it argues that we need to rethink the way in which the history of human rights has come to be written. The new historiography of human rights has convincingly demonstrated that the sudden popularity of human rights during the 1970s was not the inexorable outcome of seeds planted in antiquity or the Enlightenment. It was the result of a reinvention of human rights in a time of ideological change and political crisis. Yet convincing though these findings are this new historiography also tends to be characterized by what Mark Bradley has usefully called a "take-no-prisoners competitive sweepstakes" between different chronologies, a desire to pinpoint the moment, decade, person, cause, or state

representing a different approach centered respectively around different "human rights vernaculars" and "multiple chronologies" see Mark Philip Bradley, *The World Reimagined: Americans and Human Rights in the Twentieth Century* (Cambridge, MA: Cambridge University Press, 2016); Jan Eckel, *Die Ambivalenz des Guten: Menschenrechte in der internationalen Politik seit den 1940ern* (Göttingen: Vandenhoeck & Ruprecht, 2014); for studies on the relationship between anti-colonialism and human rights, see Roland Burke, *Decolonization and the Evolution of International Human Rights* (Philadelphia, PA: University of Pennsylvania Press, 2010); Fabian Klose, *Human Rights in the Shadow of Colonial Violence: The Wars of Independence in Kenya and Algeria* (Philadelphia, PA: University of Pennsylvania Press, 2013).

that turned human rights into the moral lingua franca of our time.[6] As a result, the broader implications of the human rights moment of the 1970s for the history of human rights before or after this time are usually only stated in sweeping terms rather than demonstrated.[7] Having set out to overcome ahistorical origin stories, we have come dangerously close to writing one ourselves.

The events described in this book, by contrast, bring to light how contingent, at times even accidental, the rise of human rights was and how tenuous their position remained even after their seeming breakthrough. In the late hours of December 12, 1981, the Polish government imposed martial law on the country to save the Communist system from imminent collapse. Fifteen months earlier, in August 1980, a nationwide strike movement had forced the authorities to allow the creation of the independent trade union Solidarność, or Solidarity. Within months it evolved into a mass movement of 9 million people demanding democracy and human rights.

In the previous years, human rights had exploded onto the world stage. Repression in Chile had become a global cause célèbre, Jimmy Carter had pledged an absolute commitment to human rights, Amnesty International had won Nobel Prize fame. On August 1, 1975, the superpowers and almost all European countries had come to Helsinki to sign the Final Act of the Conference on Security and Cooperation in Europe, or CSCE. These "Helsinki Accords" set out provisions to foster East–West economic cooperation but also obliged its signatories to respect human rights – a fact that the Dutch and US governments would turn into a central issue of East–West relations.[8]

[6] Mark Philip Bradley, "American Vernaculars: The United States and the Global Human Rights Imagination," *Diplomatic History* 38 (Jan. 2014), 1, 4. Even studies critical of narratives focused on the 1970s adhere to the historiography's approach of locating a point of origin. See, for instance, the otherwise brilliant study by Steven L.B. Jensen, *The Making of International Human Rights: The 1960s, Decolonization and the Reconstruction of Global Values* (Cambridge, MA: Cambridge University Press, 2016). Sarah Snyder has recently suggested to see the "long 1960s," the period from 1961 to 1977, as the decade in which human rights originated.

[7] Tellingly, the one study that does go significantly beyond the 1970s, Jan Eckel's *Ambivalenz des Guten*, rejects the idea that there is one breakthrough decade.

[8] On the CSCE, see Sarah B. Snyder, *Human Rights Activism and the End of the Cold War: A Transnational History of the Helsinki Network* (Cambridge, New York: Cambridge University Press, 2011); Hermann Wentker and Matthias Peter, eds., *Die KSZE im Ost-West-Konflikt: Internationale Politik und gesellschaftliche Transformation 1975-1990* (München: Oldenbourg, 2012); for a still much cited work see Daniel C. Thomas, *The Helsinki Effect: International Norms, Human Rights, and the Demise of Communism* (Princeton, NJ: Princeton University Press, 2001).

But despite all these developments and while a meeting to review the CSCE Final Act's implementation was taking place at that very time, the arrests of thousands of Polish activists in December 1981 failed to trigger what Daniel Thomas has called the "Helsinki effect" – the denouncement of Warsaw for violating the Helsinki Accords human rights provisions. To the contrary, whereas NATO's West European members saw events in Poland as an internal affair, shielded by the Helsinki Accords' principle of noninterference, the USA considered pulling out of the CSCE process altogether. In the face of mass repression in Poland, NATO was thrust into a crisis that very nearly derailed the human rights aspect of the CSCE process.

If the suppression of Solidarity was eventually framed as a human rights issue that obliged the West to respond, it was largely thanks to a rather strange and almost accidental coalition – the transnational network which the conference in Nowa Huta reflected so vividly. Two of its most outspoken members were the celebrated French philosopher Michel Foucault and the anti-Communist US trade union boss Lane Kirkland. If they made for rather strange bedfellows, the list of Solidarity's Western supporters also included US president Ronald Reagan and West German peace activist Petra Kelly, Pope John Paul II and Italian Communist leader Enrico Berlinguer. A broad variety of actors from Europe and the USA, from East and West came together in a campaign to support Solidarity – secular ex-Marxists and devout Catholics, French left-wing intellectuals and their US neoconservative counterparts, international trade unionists and early neoliberal thinkers, Western politicians of all stripes, peace and human rights activist.

But even after this coalition emerged the Polish activists and exiles could never take international support for granted. In the years after 1981, they had to navigate a transnational world of professional Cold Warriors and East European diaspora communities, human rights activists and trade union functionaries, government bureaucrats, and intellectuals. Locked up in prison, hiding underground, living on welfare support in Western countries whose languages they often did not speak, the Poles could achieve nothing without the help of people who had little or no stakes in the political struggles of Eastern Europe. Solidarity's emergence and repression briefly thrust Poland into the international limelight, but Western interest in Poland quickly waned or wandered off to other instances of human rights violations. The most precious resource for any human rights campaign – international attention – proved to be scarce and highly contested. Moving beyond the 1970s, it becomes apparent rather quickly that we need to reexamine some of the more expansive narratives based on studying this momentous decade.

Political Human Rights

If the finality of a seeming human rights breakthrough in the 1970s is one aspect that this book assesses critically, its second contribution is to the question of why human rights exploded onto the world stage in the first place. An emergent consensus suggests that the human rights moment of the 1970s was at least partly the result of the collapse of ideologies and political programs of large-scale social transformation and revolutionary change. Focused on specific and obtainable goals, the release of prisoners, or the abolishment of torture, human rights appeared to be a fresh source for political idealism – a new path to improving the world that avoided the violent pitfalls into which other such paths had led. As social activism was brought from the level of grand ideological schemes down to such basic emotions as responsibility and compassion, human rights became the center of a minimalist, even anti-political, program. This project was primarily about alleviating pain abroad not political change at home, about the human rights of people in distant countries not the civil rights of fellow citizens. Amnesty International, the foremost human rights organization of the 1970s, even forbade its activists to work for prisoners of conscience in their own countries. The "suffering stranger" emerged as a crucial symbolic figure for the Western human rights imagination of the time.[9]

This anti-political moment, I argue, waned rather quickly and it may have always been the matter of a small group of privileged Western activists. Almost everyone in the transnational campaign for Solidarity mimicked the anti-political style of Amnesty International but they all did so for more or less overtly political purposes. Chief among them was the very group who is most clearly associated with anti-politics – Soviet bloc dissidents. Despite their rejection of traditional politics and ideology, the dissidents understood their activism always in a profoundly political way – and it is difficult to see how it could have been otherwise, as I shall show below. The middle-class Americans and West Europeans who swell the ranks of Amnesty International may have been motivated by a vague sense of powerlessness in the face of worldwide injustices[10] – the dissidents *were*

[9] Moyn, *Utopia*, 121; Kelly, "Sovereignty," 4–5; Keys, *Virtue*, 88–89, 178–213, 270–271; Eckel, *Ambivalenz*, 394–411; on Amnesty see also Tom Buchanan, "'The Truth Will Set You Free:' The Making of Amnesty International," *Journal of Contemporary History* 37 (October 2002), 4; Kenneth Cmiel, "The Emergence of Human Rights Politics in the United States," *The Journal of American History* 86 (1999), 3; Stephen Hopgood, *Keepers of the Flame: Understanding Amnesty International* (Ithaca, NY: Cornell University Press, 2006).

[10] Eckel, *Ambivalenz*, 402.

powerless in the face of a state that could revoke their rights at will. Setting off human rights from civil rights may have made sense in the United States – in Communist Eastern Europe, claiming one's human rights meant to become a citizen, an active participant in the collective affairs of one's countries. In the thought of the dissidents, human rights were never separated from questions of democracy and self-determination.

One of dissidence's best-known documents, the Czechoslovak Charter 77, was about the suppression of civil liberties at home, freedom of expression chief among them.[11] In Poland, the creation of a trade union was perfectly in line with a human rights activism that was as much about social self-organization as about international treaties. For the dissidents, the release of a political prisoner was no aim in itself, no substitute for broken utopian promises, but part of a wider struggle in which they sought to reclaim public discourse from a regime that suffocated it under a transparently meaningless ideological language.

The dissidents were not the only ones who do not fit the narrative of "human rights as anti-politics." American neoconservatives never made a secret out of the fact that, for them, human rights was about the political struggle between Communism and the West. Other admirers of Solidarity – French anti-totalitarian intellectuals, trade unionists, West German peace activists – shared with the Polish movement the idea that human rights were meant to empower individual human beings to associate and communicate with one another, to join forces and shape their collective lives. The most fundamental human right, labor activists argued, was freedom of association because it allowed people to establish organizations that helped them to protect all other rights. For the French anti-totalitarian intellectual Claude Lefort, freedom of opinion was the central right because he saw it as "man's right … to step out of himself and to make contacts with others, through speech, writing, and thought." Freedom of opinion was "a freedom of relationships."[12] In these discourses, human rights were meant to be the foundation of a new form of politics. This was, to be sure, a political vision whose contours always remained vague and whose vehicles would not be parties and states but the nebulous aim of society's self-organization. Meant to empower

[11] "Declaration of Charter 77," English translation confiscated by the Czechoslovak authorities, probably prepared for Western correspondents, dated Jan. 1, 1977, available at www.libpro.cz/charta/docs/declaration_of_charter_77.pdf (last accessed May 2013).

[12] Claude Lefort, *The Political Forms of Modern Society: Bureaucracy, Democracy, Totalitarianism*, trans. John B. Thompson (Cambridge: Polity, 1986), 248–251, 257–258, quotations on 250, 257; see also Claude Lefort, *L'invention démocratique: Les limites de la domination totalitaire* (Paris: Fayard, 1981), 27–30.

individuals to take control of their common fate, it was a political vision nonetheless.

As this book moves the historiography of human rights into a new decade, then, it appears that Amnesty International's world-weariness, its claim to "not work against any government, only against repressive policies and practices," to being agnostic about "the merits of the views of the victims," may have resonated with the sensibilities of some Western activists but proved unworkable for those actually suffering human rights abuses.[13] It is also doubtful whether these sentiments sustained human rights discourses in the following years and into our own time.[14] While some people focused on human rights as such, many more discovered them as a means to an end – the formation of a trade union or the freedom to publish one's thoughts. Only by being coupled with such substantial aims could human rights survive and thrive beyond their 1977 moment in the limelight. Human rights' association with the worldwide promotion of Western political and economic institutions – a project born, among others, in the Reagan administration's response to the suppression of Solidarity – thus emerges as a major reason why human rights became the global moral language of our time.

Contested Icons

Human rights were also political in a less overt sense. Addressing the international community, the dissidents became icons. Through the repression they suffered, they were powerful witnesses to the moral authority of human rights, to the idea that the universal and absolute dignity of individuals should trump geopolitical considerations and utopian projects. Much like the sacred images of Byzantine spirituality, they came to be seen as reflections of the sacred core of the secular religion of human rights.

This "iconization" of the Polish dissidents greatly empowered them. Recast as "prisoners of conscience," inmates of Polish prisons acquired the moral authority to appeal to the powerful in the East and the West, even from within their cells. Receiving the Nobel Peace Prize in 1983,

[13] *Amnesty International Report 1981*, Oct. 1, 1981, 2. The Amnesty International reports cited throughout this book have been accessed at www.amnesty.org/en/latest/research/?contentType=2564&documentType=Annual+Report&sort=date&p=4 (last accessed June 2016).

[14] Jan Eckel's work suggests that it may not even have sufficed to sustain the work of Amnesty itself. See Eckel, *Ambivalenz*, 423–434.

Wałęsa became a larger-than-life figure whom Western political leaders treated as one of their own. But as the Polish activists became symbolic representatives of absolute values they were also divorced from the actual political goals they fought for. Iconization empowered prisoners to appeal to the international community, but also stripped them of a political identity. But precisely as universal icons, the Polish activists became even more of an empty canvass unto which Western supporters could project their own desires. Iconization inducted Solidarity into an international "pantheon" of morally unassailable causes, but also exposed it to competing interpretations according to the political beliefs of the movements' international admirers. Solidarity became a contested icon.

As icons, the dissidents gave concrete shape to the still abstract notion of human rights, showing what political projects could be based on them, and they provided legitimacy for these visions: Embracing such human rights icons allowed Western activists to reframe their projects in terms of the values that it embodied. The specific political projects Solidarity came to be associated with could not have been more different. In the United States, support for the Polish movement became enmeshed in a conflict between President Ronald Reagan, who sought to redefine the Cold War as being about the universal struggle with the modern state and traditional Cold War liberals from the American Federation of Labor and Congress of Industrial Organizations, or AFL-CIO, who wanted to salvage basic tenets of consensus liberalism by reframing them in a human rights language. In France, solidarité avec Solidarité became a vehicle for debates about a democratic socialism that avoided the perceived totalitarian potential inherent in this project.

Reconstructing these debates, Solidarity emerges as a unique case to bring out the full variety of human rights vernaculars that emerged at the time. The Polish movement defied all Western political categories. Built on a coalition of labor activists, intellectuals, and Catholic clergy, Solidarity employed the new vernacular of human rights, but it did so to frame classic labor demands; it adopted the traditional organization of a trade union, but used tactics like those of Western civil rights and social movements; it was staunchly anti-Communist, but advocated nonviolence and workers' self-management of factories. Cutting across these diverse ideas were discourses of Polish nationalism and a rather traditional Catholicism. Describing the same factories or shipyards, some international observers were struck by seeing workers who knelt confessing to a priest; others drew parallels to the founding of the Second Socialist International in 1889, Barcelona in

1936, or Paris in May 1968.[15] Where other human rights icons in the late twentieth century, such as the Soviet dissident movement or Chile, seemed to appeal to specific political groups, Solidarity was a movement whose appeal cut across traditional political divides.

The politics of meaning around Solidarity played out in both domestic and global contexts. At the United Nations, US politicians tried to turn the Polish movement into a symbolic counterweight against another global icon of human rights – Chile. While resistance to the Chilean dictatorship was a focal point of left-wing human rights activists, American neoconservatives saw in it a double standard that highlighted human rights violations among America's allies while ignoring them in the Communist world. Poland promised to change this. While these debates again reveal the ambiguities of human rights culture they also show that the Polish activists proved surprisingly savvy in using their symbolic power to further their goals, even by striking a symbolic coalition with Chilean human rights activists and thus undercutting attempts to use their cause for Cold War purposes. Activists from Eastern Europe and Latin America shaped human rights discourses as much as they were shaped by them.

Human Rights in an "Age of Fracture"

If this book argues that the seeming 1970s breakthrough of human rights was much less final than is often assumed and that human rights discourses remained much more diverse than the historiography suggests, it is not in order to argue that it was during the 1980s and in the activism of the dissidents and their supporters that human rights "really" experienced their breakthrough and came to mean what they mean today. The story of this book, in fact, is one of tragic heroes and bittersweet victories. The dissidents, trade unionists, French intellectuals, and to some extent even the American neoconservatives that are at its center all saw human rights as a means to empower citizens to organize themselves and to confront the issues that concerned them most, economic injustices chief among them. Instead, they got a neoliberal economy and the transfer of Western political institutions. The revolutions of 1989 had created a sense of "Ex Oriente Lux," a Polish intellectual recalled, the expectation that the experience of totalitarianism would enable Central and East

[15] Anthony Kemp-Welch, *Poland under Communism: A Cold War History* (Cambridge, MA: Cambridge University Press, 2008), 320; David Ost, *Solidarity and the Policits of Anti-Politics: Opposition and Reform in Poland since 1968* (Philadelphia, PA: Temple University Press, 1990), 10.