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United States Department of State

Washington, D.C. 20520

"HUMAN RIGHTS IN EASTERN EUROPE"

Statement by Richard Schifter, Assistant Secretary for Human Rights and Humanitarian Affairs, before the Committee on Foreign Affairs, Subcommittee on Human Rights and International Organizations, October 11, 1989

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Between 1945 and 1949, Stalin's Soviet Union installed Communist governments in Bulgaria, Romania, Hungary, Czechoslovakia, Poland and East Germany. These governments, put into place against the will of the people (as expressed in free elections held throughout the area immediately after World War II), remained in power for more than forty years. In four of these six countries efforts to change the status quo were brutally suppressed by Soviet intervention or, in one instance, by the threat of Soviet intervention. These efforts at change include the sometimes forgotten uprising in East Berlin in 1953 as well as the better-known attempts at change in Hungary in 1956, Czechoslovakia in 1968, and Poland in 1980 to 1981.

At long last it now appears that a peaceful transition to more open societies is finally coming to Eastern Europe, with two of the countries moving appreciably toward the goal of democracy.

Interestingly, the two countries, Hungary and Poland, have traveled along different roads toward the objective which they both seek. In Hungary, courageous dissidents kept the cause of freedom alive through the dark years that followed the brutal repression of November 1956. But when change did come, it came from within the Hungarian Communist Party. At the beginning, that change was almost imperceptible, much of it focusing on the economy, on what later, in the Soviet Union, became known as Perestroika. But recently, since the advent of Glasnost in the Soviet Union, remarkable changes have taken place in the outlook of the Communist Party of Hungary on political reform to the point of actually dissolving the party and recreating it as a fundamentally altered organization. Sensing the mood of the people, a younger generation of leaders took hold of the party and is steering it and the country away from the forms of political control and economic management which for decades we have identified with Communism.

Thanks

Dan!

-- JAG

That is not to say that democracy has now been established in Hungary. To be sure, there are no political prisoners, freedom of expression is now respected, there is increasing freedom of assembly and association, and there is now freedom of religion. But a secret police with a long history of violations of privacy is still in place. And the country's present leadership, forward-looking though it is, does not have a mandate from the people. There is reason to hope, though, that the present plans for free elections will be carried out and that before long, Hungary will indeed have a government deriving its mandate from the consent of the governed.

Poland, as I have already noted, traveled a different route. There, a workers' movement, growing out of the factories, mines and shipyards, but reaching out to all segments of the population, was able to capture the support of an overwhelming majority of the country's population. Its efforts to wring political and economic concessions from a recalcitrant, Communist government came to an end in December 1981 when that government, threatened with the possibility of a Soviet invasion, decided to invoke martial law and use military force to repress the people.

There were times when there were some who thought that the crackdown of December 1981, which continued into 1982, 1983 and beyond, would set Poland's freedom efforts back for a long time to come. But Poland's party bureaucrats ultimately proved no match for the popular Solidarity movement and its charismatic leader, Lech Walesa, both supported by most of the leadership of the country's strongest institution, the Catholic Church.

The difficult economic circumstances in which Poland found itself prompted the government into negotiations with Solidarity for a comprehensive agreement and elections which, even though stacked in favor of the Communist Party, were nevertheless lost by it.

The upshot is that we have in Poland freedom of expression, freedom of the press, freedom of assembly, freedom of association, freedom of religion, and for the first time in more than forty years, government by consent of the governed. To be sure, its geographic location has resulted in limits being placed on the country's freedom to run its own affairs as it wishes, but it surely has come a long way.

Nothing like the developments in Poland and Hungary or, for that matter, in the Soviet Union, can be observed in the four other countries which I have mentioned. Though they differ significantly from each other in history, culture, experience with democracy, and popular attitudes, they all continue to be governed by leaders who hold office as successors to the regimes installed by Joseph Stalin, or, in the case of Czechoslovakia, more recently by Leonid Brezhnev. None of these countries respect such basic rights as freedom of expression, of the press, of assembly, of association. The secret police remains all-powerful in each of these countries, able to intimidate the great majority of the population into political silence. The only significant change for the better to occur in recent years has been a gradual relaxation in the repression of religion. East Germany may very well have gone further than any of the others in allowing major denominations to function without oppressive government interference.

As far as expressions of popular dissent are concerned, Czechoslovakia stands out as the country which, next to Poland, has the best-organized and most outspoken and consistent opposition group. In spite of the Czechoslovak Government's continuing efforts to suppress the organization and the punishment of its leaders, Charter 77 continues to function, as an inspiration to lovers of freedom everywhere.

In the GDR, as we have vividly seen in recent weeks, large segments of the population have used their feet, their cars, or whatever modes of transportation were available to express their vivid dissent from the government imposed on them. The message sent by these refugees to the Old Guard Stalinist leadership as it celebrated the country's 40th birthday was clear and unmistakable. And let me add an important point: look at the age and the background of the people who are now fleeing the GDR. These are men and women who from childhood onward were indoctrinated with Communist ideology, who went through years of membership in the FREIE DEUTSCHE JUGEND, East Germany's youth organization. Also, as East Germany is reasonably well off, when compared to other members of the Warsaw Pact, residents have some earthly possessions, such as an apartment and a car. They also have jobs and the opportunity to a reasonably successful career. They are not necessarily great crusaders for democracy. They are simply people who are looking for breathing space, for a chance to lead their own lives, rather than be guided by the all-powerful state.

In Romania and Bulgaria, we note not only the continuation of political repression, but also an effort by the dominant ethnic groups in forcing the assimilation of ethnic minorities. In Romania the brunt of cultural repression is borne by the Hungarian ethnic minority, whose independent cultural activities have been curtailed and whose educational opportunities in their own language are being limited. In Bulgaria the repressive measures against the Turkish minority are severe. Names have been forcibly changed from Turkish to Bulgarian. Turkish-language newspapers and other publications have been suppressed. The Turkish language has been outlawed as has been Turkish dress and certain Moslem religious practices. It is no surprise, therefore, that when two months ago the Bulgarian-Turkish border was opened, about one-quarter of the ethnic Turkish population of Bulgaria, a total of 300,000, left their possessions behind and fled the country in which they and their ancestors had lived for centuries. Although the Bulgarian government has indicated that some of these repressive measures will cease, we are still waiting to see evidence of change.

Though severely repressed, there are brave souls even in Romania and Bulgaria who speak up for the cause of human rights. They, too, deserve our respect and recognition.

Those of us who were around at that time may remember the early months of 1945 when it became clear that the collapse of the Nazis was imminent. We thought that Europe's nightmare was about to come to an end, that there would indeed be a new birth of freedom on the European Continent. For reasons which are clear in retrospect, the optimistic assessment of that time was far off the mark. More than 44 years have passed since then. But now, at long last, there seems to be a chance that change for the better will finally come to those countries which lost out after Hitler's defeat. With democracy on the march in Hungary and Poland, and the Soviet Union turning over a new leaf, it is hard to believe that East Berlin, Prague, Bucharest and Sofia will be able to hold out indefinitely as the sites of regimes of repression.

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AN INVENTORY OF SOVIET HUMAN RIGHTS DEVELOPMENTS

Statement by Richard Schifter, Assistant Secretary of State for Human Rights and Humanitarian Affairs at the Annual Meeting of the International Bar Association in Strasbourg, France, October 4, 1989.

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On December 9, 1986, those of us concerned with human rights conditions in the Soviet Union received the sad news that Anatoly Marchenko, a well-known Soviet dissident, had died in Chistopol prison. Throughout much of his adult life he had been in and out of Soviet prison camps, repeatedly punished for his outspoken criticism of the Soviet system. He had most recently been on a hunger strike and now he was dead, one of the latest of the millions of victims of Soviet totalitarianism.

Shortly before Marchenko's death, the third follow-up meeting of the Conference on Security and Cooperation in Europe had convened in Vienna. Human rights conditions in Eastern Europe in general and in the Soviet Union, in particular, were high on the agenda of the Vienna meeting. The head of the United States delegation, Ambassador Zimmermann, took the floor to denounce this latest outrage. He was joined by many of his colleagues from Western Europe. Note was taken of the fact that a new leader, Mikhail Gorbachev, had been in office in the Soviet Union for close to two years, that there had been a great deal of hope that he would inaugurate a new era of greater liberality in the Soviet Union, but that the system of repression had continued. The GULAG had not been liquidated. The KGB continued to generate fear. And Andrei Sakharov, the living symbol of the call for freedom and democracy was in his seventh year of internal exile in the city of Gorky.

What I have just described was the state of affairs regarding Soviet respect for human rights less than three years ago. Then, shortly after Marchenko's death, a few workmen appeared at Andrei Sakharov's door in Gorky. To his great surprise he was told that a telephone would be installed in his apartment. And then, a few days later, that telephone rang and when Sakharov picked it up, there was the General Secretary of the Communist Party of the Soviet Union inviting him to return to Moscow.

I must confess to you that when I heard of this interesting new development, I thought that it was worthy of note but believed that what we were witnessing was little more than a sop to Western public opinion. It is clear to me now that I underestimated the importance of that event. The phone call to Sakharov ushered in a new approach to human rights by the Gorbachev leadership. What was not announced and what only became evident some time later was that toward the end of the year 1986 a whole series of steps were taken by the Soviet government which suggest that a basic high-level decision had been taken to turn the corner on the issue of respect for human rights.

There was no formal announcement of a fundamental shift in policy. Only in retrospect did it become evident that around the time in issue here, the end of 1986, the Soviet authorities had stopped enforcing the infamous articles of the Criminal Codes which inhibited political and unauthorized religious activity. From that time onward no one was prosecuted for "anti-Soviet agitation and propaganda," "defamation of the Soviet system," or unauthorized religious practice, all violations of Articles 70, 190-1, 142, and 227 of the Russian Criminal Code and corresponding sections of the Criminal Codes of the other republics.

Also, beginning in February 1987 we began to hear that long-term political prisoners had their sentences shortened to the time already served. Pale, emaciated former residents of the GULAG were, at long last, returning home. It was a process which was to continue for approximately two years. By December 31, 1988, as far as we know, no person convicted solely under Articles 70, 190-1, 142 and 227 was still serving a prison sentence or a sentence of internal exile.

Though no longer enforced, the political sections of the Criminal Code still remained on the books. This year, however, Article 190-1 was repealed. We are also told that Article 227 is scheduled to be repealed. Article 70, dealing with anti-Soviet agitation and propaganda, was amended to provide for the punishment of attempts to overthrow the government.

Article 70, more than any other provision of the Soviet Criminal Code has symbolized the repressive nature of the Soviet system. That is the Article in the Criminal Code under which persons who speak or write words of which the government disapproves could be sentenced to seven years of hard labor plus five years in internal exile. That was the Article under which Irina Ratushinskaya was, at the age of 28, sentenced for the poetry she had written. Fortunately, the change in policy

occurred not long thereafter and she was released short of four years. In her exit interview at her labor camp in 1986, the KGB officer in charge expressed to her his profound disagreement with the decision by his superiors to release her. This expression of dissent was, I suppose, another side of the new policy of Glasnost.

Twelve years out of a person's life is a heavy price to pay. It is no surprise, therefore, that when the Soviet Union embarked on an effort toward political reform, the issue posed by Article 70 was high on the list of changes that reformers wanted to effect even if the Article was, for the time being, not enforced. The changes urged by these reformers were drastic. They wanted to end the practice under which a citizen could be severely punished for mere expressions of opinion, and urged that the Article be re-written and should punish only those who committed acts designed to overthrow the government by violence. But, as it turned out, opponents of reform were able to engage in an effective rearguard action. When, in April of this year, Article 70 was amended, the changes were far less substantial than had been expected. There was an outcry from the reformers and, once the Congress of Peoples' Deputies met, quite a number of them pledged themselves to further amendment of Article 70. We are still awaiting such action.

While the struggle over the text of Article 70 continues and while the threat that Article 70 poses to free expression should not be underestimated, we should nevertheless keep in mind, in our assessment of Soviet human rights conditions, that, as I have noted before, for close to three years no one has been tried under Article 70 and that all persons previously incarcerated under that provision of law are now free.

Incarceration, hard labor, and internal exile were not the only forms of punishment meted out against political dissidents or religious activists. The most severe and surely most frightening form of punishment was the commitment of perfectly sane persons to psychiatric hospitals for their political or religious activities. This form of punishment was aggravated by the administration of drugs that produced pain or serious discomfort.

During the years now known in the Soviet Union as the "period of stagnation" I believed that if we kept calling attention to this most egregious violation of human rights, the abuse of psychiatry, we would get to the point where the members of the Politburo would turn to the head of the KGB and say: "Comrade. It isn't worth it. Let's cut it out." As it

turned out, these stagnationists were impervious to criticism from the outside. There was no change in this policy until the Gorbachev reforms began in late 1986 and early 1987.

In January 1987, a retired Aeroflot navigator of Russian ethnicity, who had insisted on emigrating from the Soviet Union with his family and who had been committed to a psychiatric hospital demonstrated in the streets of Moscow once again, appealing for support of his request for permission to emigrate. For Jews to want to emigrate from the Soviet Union was apparently deemed understandable. But for an ethnic Russian to want to leave his homeland was viewed as insanity. So the navigator was once again detained and once again committed. This time, however, a great deal of publicity surrounded the event. And within a few days, the Soviet authorities reversed themselves. The navigator was again set free. Later that year he and his family were, without any fanfare, allowed to emigrate. It was a high-profile reversal of positions. It looked as if a low-level decision had drawn the attention of persons at a higher level and had been reversed.

Here, too, we did not recognize a change in policy immediately. However, from the summer of 1987 onward we began to hear official announcements of changes affecting the operations of psychiatric hospitals. The feared special psychiatric hospitals, we were told, would be transferred from the jurisdiction of the Ministry of the Interior to the Ministry of Health. By the end of 1987, in the dialogue between Soviet and United States officials on human rights, we began to be informed of the release of patients from psychiatric hospitals.

Significantly, these names were given to us together with the names of persons released from prison. There was no claim that these ex-patients had undergone a miraculous mass cure. The unstated message that was being conveyed was that the release of patients from psychiatric hospitals was analogous to the freeing of political prisoners as a consequence of "the new thinking."

Throughout 1988 we received further information about individuals who had been committed for political reasons and were now being released from psychiatric hospitals. Furthermore, in our US-USSR human rights dialogue the Soviet side suggested that American psychiatrists come to the Soviet Union and see for themselves whether the practices to which we had so strongly objected were continuing. On our side, there was, of course, concern about the possibility of a Potemkin village tour. To avoid that possibility, the trip by an

American psychiatric group to which we agreed, was prepared with extraordinary care. It took place in February and March of this year.

There has been some controversy over precisely what it is that the US psychiatric delegation found as to the state of Soviet psychiatry. Let me state my own conclusions. First, I believe that all available evidence suggests that abuse of psychiatry as official government policy was abandoned in 1987. Second, we know of only one person committed to a psychiatric hospital prior to 1987 for what we believe are political reasons still residing in a psychiatric hospital, although he was transferred from a special to an ordinary psychiatric hospital. Third, there are occasions when local officials fall back to the old practice of trying to intimidate oppositionists by threatening them with psychiatric commitments.

But the cases are few and are usually quickly resolved.

If the situation has changed so radically for the better why should there be continuing controversy about the state of Soviet psychiatry? My own impression is that the principal reason is the understandable and fully justified resentment of those who have in the past suffered abuse or have been concerned with the abuse of Soviet psychiatry, over the Soviet profession's failure to remove past abusers from positions of leadership in their association.

Let me now move on to the issue of freedom of assembly. Here, too, the year 1987 marks the watershed. In the summer of that year hundreds of Crimean Tatars demonstrated in Moscow for permission to return to their Crimean homeland from Uzbekistan, to where they had been deported in 1944. They did not achieve their goal and their demonstrations were ultimately broken up. However, they were allowed to demonstrate for a period of weeks and when they were ultimately detained, they were simply sent back to their places of residence. A year or two earlier they would have received years of punishment in Siberia.

After the Crimean Tatars came the demonstrations in the Baltic States of Lithuania, Latvia and Estonia, then the Armenians. Though there were serious setbacks, such as the brutal excesses of the special troops in Tbilisi, the general trend has been in the direction of greater freedom of assembly.

To be sure, conditions as to freedom of assembly are somewhat murkier than they are with regard to freedom of speech. This is so because in addition to existing statutory restrictions, demonstrators are confronted by informal policies and with decisions made at the local level. It is the local militia officials who decide when to break up a demonstration and how

much force to use. Local officials also determine afterward whether a person will be punished "administratively" by serving up to 15 days in prison. What is clear is that if the demonstrations are peaceful, there are no subsequent serious criminal proceedings and that, in many instances, what in the past would have been prohibited, is now tolerated.

Freedom of the press remains severely restricted because all the resources for the dissemination of information, be it print or electronic, remain under government control. Sergei Grigoryants, who scrounged around for paper and equipment, has been able to make at least a slight dent in this government monopoly. But there are clear limits to his impact. A greater impact since the lid of oppression on Soviet media began to lift in 1987, has been made by the independent spirits who are in some of the most influential media positions. These persons, who for many years had borne the yoke placed on them by the system, began to be increasingly aware of the fact that they could now speak or write what was on their mind and get away with it. The newspaper Izvestia and the magazine Ogonyok are examples of the new freedom of the press, a freedom in which views sharply deviating from Communist Orthodoxy are set forth without fear of censorship or punishment.

One of the long-established hallmarks of a free society is freedom of religion. It was one of the freedoms totally repressed immediately following the Bolshevik revolution. Atheism became the form of belief sponsored by the government. And here, too, we have seen significant changes in attitude since 1986. A new law is being prepared on what the Soviets call "freedom of conscience." This new law seems to be more controversial than had been originally anticipated, for, at this stage, it is still under discussion rather than having been scheduled for action.

But, as in other areas, here too, changes in practice have occurred in anticipation of changes in statutory provisions. At some time during the last 2-1/2 years the authorities stopped interfering with adult religious gatherings which before then would have been deemed unauthorized. More recently it has been indicated that the law that permits religious education only in the home and only by a child's parents would no longer be enforced and that private homes may now be the place where children from a number of families may gather to receive religious instruction from a clergyman or other religious teacher. The only religious denomination which to this date has been denied the opportunity of exercising its religious beliefs freely is the Ukrainian Catholic Church. But here, too, there is now some expectation of change for the better.

One of the distinctive features of a totalitarian state is that it restricts freedom of movement, that, generally speaking, emigration is disallowed. The prohibition of emigration was, indeed, for many decades the thoroughly established policy of the Soviet Union. Under strong pressure from the United States and clearly as part of an effort to advance detente, the Soviets began to allow Jews, ethnic Germans, and Armenians to emigrate in the early Seventies, only to end that policy when detente came to an end with the invasion of Afghanistan.

As we all now know, there has once again been a drastic change in Soviet emigration policy. More than 100,000 ethnic Germans, Jews, Armenians, Pentecostals, Greeks, and others were given exit permits in 1988. That figure is likely to climb beyond 200,000 in 1989. Most of the barriers to free emigration which still exist are scheduled to be removed under a new law, a draft of which has been submitted by the leadership to the Supreme Soviet.

When the political prisoners arrived back from the GULAG in early 1987, it did not take long for them to form themselves into activist groups. But at the outset there were only a few such groups and all of them experienced harassment by the police. By the time we moved into 1988, these private associations began to multiply rapidly while police harassment declined substantially, in part, because there were too many groups to keep track of and also because the country's leadership probably had decided to surrender the monopoly on organized group activity which since the early 1920's had been held by the Communist party.

And that brings me to the very basic question of the gradual devolution of decision-making authority from a tight, self-selected leadership group to a much broader base. Here, as in the other settings which I have described, there has been no sudden break with the past. We cannot say that on a day certain the dictatorship came to an end, to be succeeded by government based on the consent of the governed. What happened instead was that over a period of time, beginning in 1988, power began to shift gradually from the party to organs of the state. Then, within the state structure, a genuine legislative body, the Supreme Soviet was created. And in March of this year, for the first time since November 1917, Soviet voters were given an opportunity to play a meaningful role in the election of that legislative body. To be sure, in many districts the electorate was simply not organized to take advantage of this new opportunity, but in a surprisingly large number of legislative districts, the rank and file voters were

offered a real choice and overwhelmingly cast their vote against the old guard. The Communist party, to be sure, is still the only recognized political party. But that statement, true as it may be, masks the new reality. The Communist party of the USSR ain't what it used to be.

Finally, the Soviet head of state today is a man who indirectly and partially has a mandate from the people. As imperfect as the process of selection may be from a democratic point of view, it is still a first for the Soviet Union. So is the fact that he has a limited term of office of five years, and a constitutional limit on the number of terms he may serve, which is two.

What I have said up to this point is upbeat. It reflects my impressions on the positive changes which have occurred in the Soviet Union since late 1986. But we need to note that there is unfortunately no assurance that the trend which we have recently witnessed will continue. There is a continuing danger that it might be reversed.

For there is a deep division in the Soviet establishment and in the general population on the issue of democratization. The top leadership is now dominated by reformers. But at lower levels of the State and party bureaucracy there is strong opposition to change. Continuing efforts at thwarting reforms can be noticed. Also while the Intelligentsia strongly supports reform, there are many Soviet citizens who are basically conservative in outlook and concerned about instability. They felt comfortable with the Soviet czars and boyars and are troubled by the notion that their fate should be placed in their own hands. Oddly we see a joining of forces between Russian nationalists, who may still long for the Romanovs, and Orthodox Communists, who long for Joseph Stalin, all in opposition to what they view as Western-inspired reforms. And then there is the great mass of citizens whose primary concern is with the daily problems of life: with food, housing and clothing. The principal objective of the present Soviet leadership is necessarily to pull the country out of the economic morass into which it began to sink in the Brezhnev Era.

President Bush has spoken for the American people in expressing hope for President Gorbachev's success. Putting more food on the table of the average Soviet citizen, making more consumer goods available, finding ways of changing the country's economic structure so as to begin to meet the people's needs are the essential ingredients of such success. It is in that way the human rights gains of the last three years can be effectively secured.

But there is more to the task of securing human rights in the Soviet Union. President Gorbachev has spoken of the goal of establishing state based on the rule of law. Another leading Soviet personality has said to me: "We need a legal culture."

I have thought about this last remark and have reflected on what it might mean. Let me now offer to you the conclusions with which I have come up, which would spell out the institutionalization of human rights guarantees:

- (1) Laws written with clarity and precision, including cases which guarantee human rights;
- (2) Administrative regulations written with equal clarity and precision and made known to the public;
- (3) A process available to the average citizen to assert his rights against the government;
- (4) A citizenry prepared to assert its rights through legal process and able to do so without fear of governmental retribution;
- (5) Counsel available to the citizenry to provide legal guidance in asserting these rights;
- (6) An independent judiciary capable of rendering an impartial judgment in a dispute between a citizen and the government.

If the foregoing is a fair assessment of what still has to be done, the task before the Soviet Union's legal reformers is indeed daunting, but the benefits to be obtained, the rule of law, is recognized by them as worth striving for.

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HUMAN RIGHTS AND PERESTROIKA

Remarks by Assistant Secretary of State for Human Rights and Humanitarian Affairs Richard Schifter at a Seminar sponsored by the Helsinki Commission of the Soviet Friendship Societies in Moscow, U.S.S.R., on February 1, 1990

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This is the year in which we shall mark the 15th anniversary of the signing of the Helsinki Final Act. It is a document which has played an extraordinarily important role in the changes which have occurred all around us in recent years. And it can make a critically important positive contribution to the future relations between the participating states. That is why this meeting, on the role of public opinion in the context of the human dimension of the Helsinki process, is of special significance and the organizers, the Helsinki Commission of the Union of Friendship Societies and Madame Tereshkova, do indeed deserve to be congratulated.

It is not only the fact of the meeting and the timing which are significant. It is also the place. Would such a meeting have been called in Moscow in the year of the 10th anniversary of the Helsinki Final Act? If it had been called, would anyone have taken it seriously? I leave it to you to answer these questions. But times have changed, changed significantly for the better, and this meeting, as we can see, is taking place and it is being taken seriously.

There was a time when it was argued that we have differing ideas about the human dimension, that we have differing notions as to what the words "human rights" mean. What many have come to recognize and acknowledge is that we are all part of the same civilization, that our notions about the ideal relationship between governments and the people are quite similar, even though they may not be identical.

We should not be surprised by this similarity. Cultural exchange is not a new invention. Even though it was in the past not run by government agencies, it did take place. It has taken place for centuries. Irrespective of the religious label which we affix to ourselves, including the label "atheist", we draw our ethical values from the same religious tradition. We read each other's literature. We benefit from each other's contributions to science and technology. And we have also exchanged political ideas. Ideas, as they say, do not know any borders.

As I have earlier suggested, a meeting such as this one would not have taken place in Moscow five years ago. But that does not mean that the principles on which this meeting is based were then foreign to this soil. To be sure, there were those who contended that the ideas of freedom propagated by the Enlightenment of the 18th Century were inappropriate for what was called the Soviet social system. These defenders of the old order, I submit, were betraying the heritage of this country's great exponents of freedom, such as Pushkin and Tolstoy, and denying to the Soviet people a role among those nations of the world which were committed to social progress. What they desired for the Soviet Union was the perpetuation of the social philosophy of Ivan the Terrible.

I have mentioned Pushkin and Tolstoy because not only their names but also their writings are part of the heritage of the civilization to which we belong. But they did not stand alone in their affirmation of a belief in a free and open society. There are many others who kept the spark of a belief in liberty alive even under the most adverse circumstances. It is, therefore, appropriate on this occasion to pay tribute to those courageous people, both in Czarist Russia and the Soviet Union, who risked imprisonment and exile, who sacrificed their careers, sometimes even their lives, to stand up for the principles of liberty and against the rule of autocrats, both of the pre-1917 and the post-1917 variety.

And I also want to pay tribute to those who hold high office in this country today, beginning with the man who has captured the world's imagination, the Chairman of the Presidium of the Supreme Soviet. Perhaps some historians will be able to point out a similar set of circumstances. I, for one, do not know of any other example in history in which a leadership group in which absolute power and a capability of total repression was vested, voluntarily relinquished its power and instead of governing by coercion resorted to use of the power of persuasion.

It is probably fair to say that Kim Il Soong and Fidel Castro cannot be counted among the most fervent admirers of Perestroika. There may even be a few other persons outside the Soviet Union who hold similar views. But with these few exceptions, the world outside your country fervently wishes for the success of Perestroika. This, too, is a historic first. I cannot recall another situation in which the world was so unanimous in applauding the leadership of a country as it tries to effect domestic change. One of the revolutions of recent times has been the revolution in attitudes toward the Soviet Union. You now have friends in many places.

One factor in this revolution of attitudes has been the personality of Mikhail Gorbachev. But another factor has been the policy change which he has effected. The Soviet Union is recognized in the world as a powerful military force. That is why the world has responded so enthusiastically to Soviet domestic changes which have logically gone hand in hand with changes in foreign policy and which have thus caused the threat of international conflict to recede significantly. As has often been said, a government which is not a threat to its own people is not likely to be a threat to its neighbors. But the opposite is true as well. A country which mistreats its own citizens is likely to be a threat to international peace.

Yet, we all must recognize that a basic change in approach at the highest level of government is only the first step. It is necessary for the "new thinking" at the highest level to permeate the bureaucracy and for institutions to be created that guarantee the operation of government on the basis of "new thinking". Bringing the bureaucracy along is a challenge to any government in any country and the Soviet Union is no exception. It takes time. So does the creation of new institutions.

And that is not all. We have come to know the term "command economy". We should also recognize that there can exist a mind set of what we can term a "command society". What is critically important is to help the average citizen move from his role in a command society to the assumption of a role in a voluntary society, in which he asserts his rights but also voluntarily recognizes and discharges his responsibilities.

In all these undertakings, calling attention to the problems of bureaucracy, building institutions to protect individual rights, educating citizens as to their rights and their moral responsibilities in a free society, nongovernmental organizations can play an invaluable role.

I said at the outset that the people of the Soviet Union have the world's good wishes for the success of Perestroika. Good wishes, you might say, are insufficient in these difficult times and you are undoubtedly right. Let me, therefore, say that you also have the sincere willingness of others to cooperate so as to help Perestroika succeed. President Bush has pledged the cooperation of the Government of the United States. But it is not only the Government that is willing to cooperate. Over and over again do I receive inquiries from private groups and individuals who want to know how they can be of assistance. You would be truly amazed at how many people are interested in giving tangible expression to their attitude of good will toward

the new Soviet Union, the Soviet Union led by Gorbachev. Here, too, nongovernmental organizations can be of help by finding ways for such volunteers to play a useful role.

But, as we all know, the success of Perestroika will ultimately depend not on outsiders but on the energies and the spirit of the people of the Soviet Union themselves. As a veteran of World War II, I am well aware of the fact that you have triumphed in times of adversity before. I am confident that in this peaceful struggle for a better life you will triumph again. Your goal, as the goal of all of us, is in Pushkin's words,

Narodnov vol'nost i pokoy.

[People's liberty and peace.]

# # # # #



"SOVIET REFORM EFFORTS: CATCHING UP WITH REALITY"

Remarks by Richard Schifter, Assistant Secretary of State for Human Rights and Humanitarian Affairs, at a Conference sponsored by the American Council of Learned Societies & the USSR Academy of Science, at the University of California at Berkeley, August 10, 1989

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For many decades, the Soviet Union's political drama was played off-stage. There would be an occasional public announcement as to the final moments of a particular scene, such as news of the death of a General Secretary, but neither the potential domestic nor the foreign audience knew what was really transpiring. All we knew was that the cast performing in this drama was small and highly select.

And now, it would seem, we are treated to a truly public spectacle, much of it in living color on television. The cast is one of thousands, with the audience joining the act.

The response to this spectacle outside the Soviet Union has been varied. There are those who, like Fidel Castro, view these developments as a betrayal of the cause. Other apologists for the ancien regime prefer to avert their eyes or to offer some embarrassed and incomprehensible explanation for this most recent turn of events in the motherland of socialism. At the other end of the political spectrum are those who say it is all a farce, a huge Potemkin Village designed to mislead the West, to cause it to end its vigilance against Soviet aggressive designs.

To lay the foundation for another interpretation of current developments in the Soviet Union, let me take you back to the year 1903. A relatively obscure group of Russian revolutionaries holds a convention in Brussels. It styles itself as the leadership of the Russian Social Democratic Party. Concerned about the scrutiny of the Belgian police, it recesses and reconvenes in London. Like other Social Democratic Parties throughout Europe, the Russian Social Democrats are inspired by the teachings of Karl Marx. Like these other Social Democrats they have internal disagreements and argue over the proper interpretations of Marxist teachings. But unlike the others, their differences are so

profound that they divide the Party. It is a split that will cast a shadow over the remainder of the century.

In spite of all the blood and thunder in the writings of Karl Marx and his colleague Friedrich Engels, Europe's Social Democrats were, by and large, a rather benign lot. Though committed to end the rule of the bourgeoisie, they had wished to do so in keeping with the principles of social organization developed by the Enlightenment, that is by majority vote and with respect for the rights of the individual.

But the Russian Social Democratic Party leadership had a member who marched to a different drummer. Vladimir Ilyich Ulyanov, whom the world came to know as Lenin, did not believe that the better world envisaged by Karl Marx could be attained if Marxists played by democratic rules. Iron discipline, the total disregard of what he referred to as bourgeois morality, the seizing and maintaining of control by force, and the imposition of dictatorial rule, both in the party and the Socialist-led state were his prescription for the attainment of the Marxist utopia of a just and fair society.

Lenin's theses divided the Russian Democratic Party in 1903 and, after the Bolshevik accession to power in Russia, the world Socialist Movement. It is the sharp difference in the evolution of the two wings of world socialism in the last eighty years which may shed light on the recent developments in the Soviet Union.

It was as long ago as 1908 that the term "revisionism" was coined to describe the modifications in Marxist precepts advocated by German Social Democrats such as Kautsky and Bernstein. To see how far revisionism has taken the Social Democrats, we need only to take a look at today's France. France is, after all, governed by the Socialist Party, the ideological descendants of the men and women who in 1903 were the comrades of Russia's Mensheviks.

What revisionism has meant has been the continual testing of doctrine and principle against experience and reality. When reality taught that nationalization of the means of production and distribution did not necessarily improve a society's productive capability, it was abandoned. So, ultimately, was any identification with the teachings of Karl Marx. What remained of the original program was a commitment only to the ultimate objective to use the state to advance the general welfare of the population. This goal came to be shared with other democratic parties. Today, programmatic differences between Social Democrats and non-Socialist parties are over the extent of state involvement in economic management, not over

fundamental principles concerning the basic relationship between the state and the individual.

The other wing of the movement, by contrast, remained frozen in time. Lenin's precepts became immutable doctrine. Their elaboration took on the form of articles of faith. Leninism developed its own hierarchy, its own rituals, and committed itself to total intolerance of all other beliefs.

There are those who contend that this is not what Lenin had envisaged, that there is evidence that toward the end of his life he wanted to steer a somewhat different course, that his new economic program is evidence of his pragmatism. But Lenin was incapacitated by a stroke in 1923 and died in 1924. Whether he would have modified his prescriptions is an interesting question for students of Communist history, but objectively speaking, irrelevant. It is in his name and on the basis of his theories that the Soviet Union has for decades maintained a system of government and economic management which has not only been brutally repressive but also increasingly out of touch with the reality of worldwide economic and social development.

There were past efforts to break out of this iron mold. The first of these is associated with the name of Nikolai Bukharin. The second with Nikita Khrushchev. Both efforts as we know, failed. And now, I submit, we are dealing with the third attempt to align the precepts governing the politics and economics of the Soviet Union with events in the real world.

Today's gap between the stubborn convictions of the Communist Orthodox and the generally-accepted understanding of what works in the field of economics and politics and what does not is far greater than it was during the days of Bukharin and of Khrushchev. Bukharin was a believer to the very end. So was Khrushchev, who predicted that the communist system would "bury" the capitalist. That is no longer the prevailing sentiment.

Much of the recent change in the Soviet Union is, of course, associated with the name of Mikhail Gorbachev. And rightly so. His most significant role, to date, can be equated with that of the young child in the fairy tale of the "Emperor and His New Clothes." He came forward to say bluntly that the command system had failed. Those who knew all along that the Emperor had no clothes but were afraid to say so, are now speaking up. And others who had talked themselves into believing that the Emperor was wearing clothes or that they were not seeing too well, are now joining the chorus. (In this analogy, I have, to be sure, omitted the role of the

dissidents. But the general Soviet public began to pay new attention only when the General Secretary started to say what Andrei Sakharov had been saying for decades.)

As the reformers among Soviet political scientists and economists now seek to break out of the Marxist-Leninist mold in which they had been encased, they resort to differing verbal formulas. But they all seem to have the same idea in mind. What most of them are fully aware of is that mere tinkering with the system will not do, that a total overhaul is required. The term which has been used to describe this commitment is "radical perestroika." Critics of radical perestroika contend that the reformers are abandoning socialism and are intent on reconstructing the Soviet Union in the image of the West. As far as one can tell, the reformers have stopped arguing the point. They have also stopped using old-time terminology. They have clearly discarded old-time doctrine. They are looking around to see what works. With all its problems, its warts and its blemishes, the democratic West works. And that is what these reformers see and what now guides their thinking.

Leninist theory did not see any inherent good in the dictatorship by a single leader or a small group and in the suppression of human rights. These were all means to an end, the end being the Communist Workers' Paradise. Now that it has become clear that the road traveled these last 72 years did not lead to that end, there is clearly no justification for the use of the means employed heretofore. Thus, we see Soviet reformers aligning their views with those of ours whose notions on the role of government are founded on the ideas of the Enlightenment, as reflected in such documents as our own Declaration of Independence.

But these reformers are by no means home free. The Soviet population is in many respects socially conservative. The challenge to authority, sense of uncertainty, and the increase in criminality which are associated with the reduction in state authority is unsettling to a great many Soviet citizens. There is also fear of a private-incentive system by those who believe that they will not be able to hold their own if the state stops guaranteeing employment for all. All of these supporters of the status quo form the natural base of support for those in leadership positions who do not want to surrender their power and their privileges.

And so the drama is acted out, the contest between the reformers and the standpatters, or to call a spade a spade between democrats and adherents of Communist orthodoxy.

Much has been accomplished during the last two years in loosening the shackles of Soviet citizens. Political prisoners have been released. There is now greater freedom of expression than at any time in more than 60 years. The campaign against religion is being brought to an end. And last spring we witnessed in some parts of the Soviet Union honest-to-goodness free elections.

But, regrettably, political reform has not as yet been accompanied by economic reform of the kind that would really matter. The goal, the introduction of a market economy, is clear, but how to get there is not. Effecting the changes which make a sluggish system of production function efficiently has proved far more difficult than the advocates of perestroika initially believed. Yet, success in improving the performance of the economy is of critical importance if the political moves toward a more open society are to be sustained.

Whether the Soviet reformers will succeed is not at all clear. What is clear is that if they do, it will bode a better future for the Soviet people, for the United States, and given our respective roles in the world, for the rest of humanity.

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A PERSONAL REVIEW OF THE SOVIET CHANGES

Statement by Assistant Secretary of State for Human Rights and Humanitarian Affairs Richard Schifter to a Conference sponsored by the Ethics and Public Policy Center, on November 29, 1988, in Washington, D.C.

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I need to emphasize at the outset that these remarks are not intended to be a statement of official position. I am here to share with you my own thoughts as to developments in the Soviet Union in the course of the last two years.

To underline the highly personal nature of my remarks, let me share with you my thoughts as I stood in line, exactly two weeks ago, in Red Square, about to enter the Lenin Mausoleum. I was travelling with a Congressional delegation and it was the entire delegation that had arranged for this ceremonial visit. As the line moved along, I could not help but think that my father and mother would have disapproved of my presence there. Living in Eastern Europe at the time, they had followed Lenin's rise to power and had been strongly opposed to the Bolsheviks.

I recall being told, while I was still a small child, a story involving relatives of my mother's. During the war of 1920 between the Soviet Union and Poland, as it was related to me, the Soviets had occupied a Polish town, in which one of the relatives, a young woman, was placed in charge. Before long, she received a visit from her brother, who called her attention to the fact that their father had been imprisoned. He asked for her help. "A Bolshevik has neither father nor mother," was her response.

This was the message impressed on a youngster at the same time that he was taught, in keeping with the precepts of his culture, that what in the Jewish religion is known as the Fifth Commandment, to honor thy father and thy mother, is by far the most important rule governing one's life. As you can see, I came to my anti-Communism early.

As I observed developments in the Soviet Union over the decades I have time and again been struck by the validity of my parents' early assessment of the Bolsheviks. At the same time, I have asked myself, as so many others have: "How long will it last?"

I remember putting this question about 20 years ago to an acquaintance of mine who is one of Israel's outstanding Sovietologists. His answer was that change would come only when the post-Stalin generation would ascend to the top level of the Soviet hierarchy.

I thought back to that exchange in March 1985, when that event finally did occur. I wondered then whether the Soviet Union would now, at long last, break out of the totalitarian mold in which it had been cast for so long. But as the months passed, we heard appeals from the new leadership of the Soviet Union for harder work, for greater efficiency, and above all, we witnessed a campaign against "demon rum" worthy of Carrie Nation.

But nothing else changed. Those who did voice dissent continued to be sent off to the Gulag, religion remained repressed, abuse of psychiatry continued, and the exit doors remained closed to those who had years earlier given up all contacts with the society in which they lived in the forlorn hope that they would be allowed to depart.

There was no doubt that the Soviet Union's new leader was energetic and assertive, but there was no indication, as he completed his first year in the office of General Secretary of the Communist Party of the Soviet Union, that he was committed to fundamental change in the Soviet system. Some day we may perhaps find out what Mikhail Gorbachev's frame of mind was at the time he ascended to the Soviet Union's highest office. Did he at that time believe that it was inherently wrong to send a person to Siberia for 12 years for the mere expression of dissenting views? Did he consider it wrong to commit a sane person to an institution for the mentally ill because of his religious activism? Did he come to these realizations later? If so, what caused him to begin to view matters differently? Does he, today, consider it morally wrong for a person to be deprived of freedom of expression, or of the freedom to practice his religion? Or does he consider it merely inexpedient for such repression to take place, as it interferes, on the basis of the evidence, with economic progress or with the Soviet Union's standing in the world?

Perhaps we shall find out in due course what it is that caused Gorbachev to bring about a significant change of course in the Soviet Union in the second year of his leadership. Perhaps we shall never know.

The first whiff of change came to be noticed in 1986. When we first heard of Glasnost, it seemed that it was a device to strengthen Perestroika. As long as mistakes of lower-ranking officials, inefficiency, corruption, drunkenness were all swept under the rug, the leadership seemed to have recognized, it would be unable to bring about improvements. Only if the average citizen were enabled to speak up, to expose wrong-doing by low-level officials would the leadership be made aware of the problems that required correction. This very pragmatic objective of letting the leaders know about defects in the operations of the system seemed to be the principal reason for

Glasnost but also seemed to set its limits. Questions reserved for decision by the leadership were not going to be the subject of discussion by the general public.

As Gorbachev's second year in office began to draw to a close, Glasnost seemed to sprout new wings. In December 1986 there came the startling news that Andrei Sakharov had been allowed to return to Moscow. A few weeks later, the wholesale release of prisoners of conscience began. Plays and films critical of the Stalinist past were now shown and there were reports that literary works which had heretofore been proscribed would soon be printed. And, as another indicator of change, the number of exit permits issued to would-be emigrants began to rise. As we entered Gorbachev's third year in office the conclusion that a good many of us had reached was that Gorbachev had committed himself to strip once again from the Soviet system those elements of repression and brutality associated with the name of Josef Stalin. For the second time, the ghost of Stalin was to be exorcised.

Those of us who welcomed this development as a step in the right direction warned, however, that all that the Soviet leadership was trying to achieve was to return to the approach to government which characterized the Soviet Union prior to the rise of Stalin, the system of rule put in place by Lenin. And Lenin, we pointed out, had not acquired fame for his espousal of civil liberties and government by consent of the governed. In fact, we noted, it was Lenin who laid the foundation on which Stalin built his despotic rule.

As we settled down with our new explanation of developments in the Soviet Union, we began to note in the second half of 1987, something that we had not seen in Soviet society for close to 60 years: an increasingly open division of opinion in the country's leadership. There had, of course, been splits before, but we used to find out about them only after the losers had been removed from office. Now we noted different signals from different incumbents in leadership positions. The General Secretary was all in favor of Perestroika, Glasnost and democratization. But if you listened carefully to what his colleague, Mr. Ligachev, had to say and if you also paid attention to the views of the head of the KGB, Mr. Chebrikov, you could note, that these gentlemen were all in favor of Perestroika, but that is where their enthusiasm stopped.

Which way, observers both inside and outside the Soviet Union asked themselves, was the wind going to blow? When, in the fall of 1987, Boris Yeltsin made his fervent plea for greater openness and found that that cost him his leadership position, it seemed that we had reached a new plateau in the Soviet Union's development toward a more open society, a plateau on which the Soviets were going to stay for quite a

while. In fact, it seemed as if the advocates of greater openness were now in retreat. That impression was confirmed when, on March 13, 1988, the newspaper Sovietskaya Rossiya printed a purported letter from a Leningrad schoolteacher critical of the new liberalizing trend and calling for a return to the old verities associated with Leninist, and possibly Stalinist orthodoxy. It sounded like an authentic statement of policy, reflecting a return to "old thinking."

From what I heard afterwards, many Soviet citizens, including those in responsible governmental position, were holding their breath at that time. Was it all going to come to an end after only three years? Was there really no hope for a better future?

And then, on April 5, 1988, in the pages of Pravda, came the counterblast, a strong reaffirmation of Glasnost and a commitment to further progress toward a more open society. There followed, in June, the 19th Party Conference, with its resolutions on such subjects as the rule of law, and then, in September, we witnessed the retirement of Gromyko and the sidelining of Ligachev and Chebrikov.

It is in the course of this year, I must confess to you, that I finally began to take the Gorbachev changes seriously. It seemed significant to me that the leadership had split and that those who had opposed further openness had evidently lost. Increasingly, our human rights concerns were discussed seriously in the Soviet Union, not just to be rebutted or to be accommodated for the sake of an improved international image, but because at least some persons with leadership roles in Soviet society seemed to recognize that we were making valid points, that Soviet society had to reform itself for its own sake. And as we look at the statements which have emanated from high places this year, we are beginning to see deviations from Leninist doctrine.

Though Lenin continues to be revered, though the speeches of Soviet officials continue to be sprinkled with quotations from him, though the changes that are now being effected continue to be justified by citing one or the other of Lenin's precepts, the approach to the relationship between government and the governed seems no longer to reflect the core of Leninist teachings. What he would have derided as bourgeois liberalism is beginning to take hold in Soviet society.

Will it last? That is something that none of us can predict. What we can do is observe the changes that have come about. We can also take note of what has not changed. Though the KGB appears to be under instructions to behave differently from the way it did heretofore, that organization has not been dismantled and still wields a great deal of power. It also

continues to intimidate a great many people, particularly in regions distant from Moscow. I have frequently heard of warnings issued by KGB personnel to those who act or speak more freely than the KGB deems appropriate, warnings that the country's leadership will change again and that the KGB will then "get" those who made use of the freedoms now allowed. There is no doubt that if the Soviet leadership truly wants to turn the corner, wants to reassure the people that the present course will continue, it must begin to dismantle the apparatus of internal repression, the Secret Police.

That organization, incidentally, has been in existence for close to 300 years, having been established by Peter the Great in 1702, when it was called the "Secret Office." Known as the Okhrana under the last Romanov Czars, it was abolished after the democratic revolution of 1917, only to be reestablished in December of that year, following the Bolshevik coup.

The KGB remains undoubtedly a powerful force in today's Soviet Union. Its domestic arm is probably needed in the war against corruption. To allow it to function in a manner which advances the goal of clean government and yet have it respect civil liberties is the challenge faced by the Soviet Union's reformers.

Given the relatively recent origin of the Soviet Union's move toward greater openness, given the limits of the success achieved thus far, and given the powerful anti-Glasnost forces at work, we cannot say that the Soviet reform movement is bound to succeed. But those of us who believe that "governments are instituted among men, deriving their just powers from the consent of the governed" in keeping with what Thomas Jefferson called "the laws of nature and of nature's God," should view the trends now in evidence in the Soviet Union as natural, understandable, in the interest of the Soviet people and, in fact, in the interest of people throughout the world. What is now critically important is that we try to follow developments in the Soviet Union, that we recognize the forward movement that is taking place while, at the same time, being aware of its limits.

It is in this context that we also need to ask ourselves how we can be of help. In 1987, we saw, for the first time in years, that Soviet dissidents were no longer prevented from functioning, at least on the fringes of Soviet society -- harassed, but not prevented from functioning. We applauded them. We gave them moral encouragement. Now in 1988, we see reformers operating within the Soviet system, persons in position of authority sticking their necks out to enlarge civil liberties, to respect religious belief, to institute the rule of law. We need to extend a helping hand to these reformers, conscious of the fact that we must avoid lording it over them,

conscious of the fact that we must avoid lording it over them, that we must respect their dignity. As I heard one Soviet official put it: "We are prepared to learn, as long as we are not being taught."

Whether or not the Soviet Union will ultimately join the world's democracies will be decided within the Soviet Union and not outside it. But to the extent to which we can encourage that highly desirable result, we should surely do so. Just how we can effectively provide encouragement for democratic change in Soviet society is the question with which we need to concern ourselves in the period ahead.

# # #

Richard Schifter

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# The Soviet Constitution: Myth and Reality



United States Department of State  
Bureau of Public Affairs  
Washington, D.C.

*Following is an address by Richard Schifter, Assistant Secretary for Human Rights and Humanitarian Affairs, before the American Bar Association (ABA), San Francisco, California, August 10, 1987.*

If we were asked to identify the passage or passages in the Constitution of the United States that best characterize the nature of our government, I would assume that a good many of us would point to the Bill of Rights, particularly the First and Fifth Amendments. If the same question were asked with regard to the Soviet Constitution, I, for one, would select four key provisions.

First and foremost, I would direct attention to Article 6, which states:

The leading and guiding force of Soviet society and the nucleus of its political system, of all state organizations and public organizations, is the Communist Party of the Soviet Union. . . . The Communist Party . . . determines . . . the course of the domestic and foreign policy of the U.S.S.R., directs the great constructive work of the Soviet people, and imparts a planned, systematic and theoretically substantiated character to their struggle for the victory of communism.

I would then move back to Article 3 and note the following words:

The Soviet state is organized and functions on the principle of democratic centralism. . . . Democratic centralism combines central leadership with local initiative and creative activity. . . .

Next, I would drop down to Article 39, which states:

Enjoyment by citizens of their rights and freedoms must not be to the detriment of the interest of society or the state. . . .

I would round out these quotations from the Soviet Constitution with Article 59, which reads as follows:

Citizens' exercise of their rights and freedoms is inseparable from the performance of their duties and obligations.

Citizens of the U.S.S.R. are obliged to observe the Constitution of the U.S.S.R. and Soviet laws, comply with the standards of socialist conduct, and uphold the honor and dignity of Soviet citizenship.

## The Role of Lenin

The Soviet Constitution is a lengthy document, containing altogether 174 articles. A number of them would, at first blush, remind us of guarantees of individual freedom which are the hallmark of basic charters in true democracies. To understand their meaning and significance in the Soviet setting, we need to comprehend fully just what the role of a constitution is in the U.S.S.R. and how constitutional provisions must be read in the context of the Soviet Union's basic notions of the relationship between the governing and the governed.

In seeking to construe our own Constitution, we often refer to the *Federalist Papers* and other writings of the Founding Fathers. Similarly, the Soviet Constitution should be inter-

preted in light of the writings of the Soviet Union's Founding Father. That person is, of course, Vladimir Ilyich Ulyanov, whom the world has come to know as Lenin.

In using the term Marxism-Leninism, we often lose sight of the individuals to whose teachings we thus refer. They were, in fact, persons who differed markedly from each other. Karl Marx was a theoretician, who proclaimed to the world his purportedly scientific analyses of economics and history and who predicted future historic trends on the basis of his analyses.

Lenin, by contrast, was an activist. His writings are free of abstruse theory. They are how-to-do-it kits on seizing and holding power. To be sure, these writings were not entirely original. Their basic theses can be found in Machiavelli's *The Prince*, written close to 400 years before Lenin put pen to paper.

After having become familiar with Marx's writings, Lenin committed himself to helping history along by seeking to establish first in Russia and then throughout the world his own notion of Marx's vision of an ideal society. With single-minded devotion to his cause, he applied himself to the goal of taking power in Russia, a goal which he reached in the fall of 1917.

Lenin, we must note, had competition among the revolutionaries who, like he, tried to depose the czar and Russia's ruling aristocracy. His competitors included advocates of capitalist

democracy as well as leftwing revolutionaries, some of them fellow Marxists. What distinguished most of them from Lenin was that, in one way or the other, they subscribed to the ideas of the role of government and of the dignity of the individual which were the essence of the teachings of the Enlightenment. These teachings, let us recall, are, indeed, the teachings to which our Founding Fathers subscribed and which provided the ideological base on which our system of government is built.

Lenin rejected these teachings, derisively referring to them as "bourgeois liberalism." His basic precepts were that the power of the state must be seized and held by an elite group, which he viewed as "the vanguard of the revolution." That vanguard was the Bolshevik faction of the Russian Social Democratic Party, which later renamed itself the Communist Party. Not long after the Bolsheviks had taken power, one of Lenin's disciples and a principal leader of the new Soviet state, Grigory Zinoviev, had this to say in his report to the 11th Congress of the Soviet Communist Party:

[W]e constitute the single legal party in Russia; . . . we maintain a so-called monopoly on legality. We have taken away political freedom from our opponents; we do not permit the legal existence of those who strive to compete with us. We have clamped a lock on the lips of the Mensheviks and the Socialist Revolutionaries. We could not have acted otherwise, I think. The dictatorship of the proletariat, Comrade Lenin says, is a very terrible undertaking. It is not possible to insure the victory of the dictatorship of the proletariat without breaking the backbone of all opponents of the dictatorship. No one can appoint the time when we shall be able to revise our attitude on this question.

Within the party, decisionmaking, according to Lenin, was to be concentrated at the very top. As semantic games are often played by the Soviets and as the term "democracy" is assigned an important role in that context, let me share with you the following quotation from Lenin:

Soviet socialist democracy is not in the least incompatible with individual rule and dictatorship. . . . What is necessary is individual rule, the recognition of the dictatorial powers of one man. . . . All phrases about equal rights are nonsense.

It is against this background that we must read the term "democratic centralism," as it appears in Article 3 of the Soviet Constitution. It means that the people in the central position call the shots. Lenin made no bones about his intention to establish a dictatorship.

### The Soviet Constitution as an Educational and Propaganda Instrument

We must understand, therefore, that the Constitution of the U.S.S.R. is not, like our Constitution, a document that spells out the powers and form of government as well as its limits and the inalienable rights of the individual. In a Leninist state there are, by definition, no limits to the power of government. There are no inalienable rights of the individual. Law is made and altered at will by the leadership. The powers of the leadership cannot be limited by an overarching document that would deprive a leadership group of its freedom to act as it sees fit. Nor can the assertion of the right of an individual stand in the way of the leadership's determination of what is good for society.

The Constitution of the U.S.S.R. is, therefore, an educational and propaganda instrument. Any provisions contained in the Constitution which might facially suggest that freedom of the kind that we know exists are effectively modified by the key phrases in Articles 3, 6, 39, and 59 to which I referred earlier.

Let me offer an illustration of what I mean. The equivalent of our First Amendment is contained in Article 50 of the Soviet Constitution, which reads as follows:

In accordance with the interests of the people and in order to strengthen and develop the socialist system, citizens of the U.S.S.R. are guaranteed freedom of speech, of the press, and of assembly, meetings, street processions and of demonstration.

Starting from our notions of civil liberties, we might read this article to mean that citizens of the U.S.S.R. are guaranteed freedom of expression and that that grant of freedom accords with the interest of the people and strengthens the Soviet Union's system of government. But that is not the way Article 50 is understood in the Soviet Union. The way Article 50 is applied, freedom of speech, of the press, of assembly is granted *only if it accords with the interest of the people and if it strengthens and develops the socialist system*. And who is to decide what is in the interest of the people and what strengthens and develops the socialist system? The answer is, of course, found in Articles 3 and 6 of the Constitution. What is in the interest of the people is decided by the Communist Party and ultimately by the central leadership, the Politburo. That is why a law that makes defamation of the socialist system a crime is constitutional. Defamation,

which in Soviet practice means speaking unpleasant truths, is presumed not to strengthen the socialist system.

Let us take a look at another constitutional provision dealing with civil liberties. Article 52 reads as follows:

Citizens of the U.S.S.R. are guaranteed freedom of conscience, that is, the right to profess or not to profess any religion, and to conduct religious worship or atheistic propaganda.

Indeed, in the Soviet Union today, anyone may profess a religion. But nothing in the Constitution prohibits the Communist Party of the Soviet Union from banning anyone who professes religion from its membership and, therefore, from advancement to any position of leadership and responsibility in Soviet society. Furthermore, while the right to conduct religious worship is guaranteed, this phrase has not been construed to mean that any group of citizens may conduct religious worship at any time in any place of their choosing. Laws have been promulgated which allow religious associations to form and register with the authorities of the state. If they are registered and if they do receive permission to use a house of worship, worship in that place at times authorized therefor is permitted. Any group which worships without appropriate authority can be and often is punished severely.

How does all of that comport with the constitutionally guaranteed right "to conduct religious worship"? The Soviet answer would be that the right to conduct religious worship exists. The Constitution, they will say, does not guarantee a right to *unregulated* religious worship.

To understand how religion may be practiced in the Soviet Union, we, as American lawyers, should think of the way the securities industry functions in the United States. Just as you may practice religion in the Soviet Union, you may engage in the securities business in the United States. But to engage in the securities business in our country, you must operate within the regulations issued by the Securities and Exchange Commission. If you act outside the regulations, you may, indeed, be punished. That is the way it is with the practice of religion in the Soviet Union. If you act within the regulations laid down by the Religious Affairs Commission, you will not run into any problems. If you act outside these regulations, you violate Article 227 of the criminal code of the Russian Federated Soviet Socialist Republic or the corresponding code sections in the criminal codes of the other republics. Article 227

makes it a crime to participate in a group which "under the guise of preaching religious doctrines and performing religious rituals is connected with . . . inciting citizens to refuse to do social activity or to fulfill obligations. . . ." The penalty imposed upon violators is customarily 3 years of deprivation of freedom. For leaders of such a group, it is 5 years.

### Gorbachev and *Glasnost*

In light of the news that has come out of the Soviet Union within the last 8 months or so, you might ask whether we cannot expect some fundamental changes in the roles of the party and the state under Mikhail Gorbachev and *glasnost*. My answer to this question would be "no." Gorbachev is deeply committed to carry on in the spirit of Lenin and, as I noted at the outset, dominance of the state by a single party, control of the party by a self-perpetuating leadership group, and subordination of the individual to the interests of the state, as defined by the leadership, are the essential elements of the teachings of Lenin. In fact, Gorbachev made precisely that point in his statement to the Communist Party's Central Committee Plenum in January of this year when he emphasized that "the principle of the Party rules under which the decisions of higher bodies are binding on all lower Party committees . . . remains unshakeable."

What Gorbachev and his friends are attempting to strip from the operations of the Soviet system, in the name of *glasnost*, are the features of oriental despotism initially imbedded in the Leninist construct by Joseph Stalin. These include severe punishment for the mere expression of dissenting opinions, rigid limitations upon allowed literary expression, state control over all other forms of artistic endeavor, punishment for criticism of any state official or any official action, etc. Under *glasnost* all of these Stalinist controls

are to be relaxed. The petty tyrannies of local officials are to be ended, as efforts are made to have the lower levels of the bureaucracy operate under the rule of law. But, and this is a point that must be kept in mind, there are to be limits to the relaxation. Nothing is or will be allowed that might threaten the control of the state by the party, as guaranteed by Article 6 of the Constitution. Gorbachev and his colleagues reject, as did Lenin before them, "bourgeois democracy." Their goal is to return to the practices of the Soviet system in the early 1920s, in the time of Lenin and the years immediately after his death. Their notion is to live by Lenin's precepts, not to abandon them.

It is important to note in this context that Stalinism is now being stripped from the Soviet system for the second time. It was initially exorcised by Nikita Khrushchev, back in the 1950s. It evidently sprouted again after Khrushchev's removal, even though not driven by paranoia of the same intensity as under Stalin. What the Soviets really should ask themselves is whether a Leninist system, without any checks and balances, will inevitably, over time, develop Stalinist features and whether, therefore, in the absence of fundamental change, Gorbachev's *glasnost* is not likely to go the way of Khrushchev's thaw, with the country returning to another form of despotic rule.

As I have noted, the Soviet governmental system is characterized by an absence of checks and balances, by an absence of a constitutional framework which guarantees individual rights against the highest state authority. It is for that reason that the operation of the entire system is so critically dependent on the outlook and attitude of the person or persons who at any one time control the principal levers of power in the Soviet Union. As Dr. Koryagin—the Soviet psychiatrist who has recently been released from prison—has had occasion to observe, the somewhat

greater freedom of expression now allowed in the Soviet Union is not *guaranteed*, it is *permitted*, and permission can at any time be withdrawn.

Though the Soviet leadership does not appear to have any present intention of abandoning the basic precepts on which its system of government rests, that does not mean that no change will ever occur. Having gotten in recent months at least a whiff of greater freedom, some Soviet citizens might be willing to learn how other societies go about the task of assuring respect for individual rights. And who would be better equipped to talk to them about this subject than those whose professional responsibility it is in a democratic country to see that the rights of the individual are protected?

It is for that reason that I want to end my remarks with an appeal to you. If the ABA/Association of Soviet Lawyers agreement is renewed, I sincerely hope that American participants will try to learn how the Soviet system works, will learn to understand the facade which the Soviet Constitution presents, a facade behind which any Politburo directive can supersede any alleged constitutional guarantee. I hope that American participants will not be shy about explaining to the Soviet lawyers they meet the difference between a constitution which a country's political leadership can manipulate at will and one which with the help of an independent judiciary can, indeed, shield the individual citizen against oppressive government. In responding to you, a good many of your interlocutors will parrot the party line, but deep down they will understand what you are talking about. ■

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THE SOVIET UNION IN TRANSITION

Remarks by Richard Schifter, Assistant Secretary of State for Human Rights and Humanitarian Affairs, before the Kennan Institute for Advanced Russian Studies, Woodrow Wilson Center, Washington, D.C., April 16, 1990.

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It started with a knock on the door of an apartment in Gorky. As Yelena Bonner opened the door, she faced two workmen. They explained that they had come to install a telephone.

Neither the workmen, nor Ms. Bonner, nor her husband, Andrei Sakharov, nor the rest of the world, which soon heard of this remarkable occurrence, realized then that Mikhail Gorbachev had just made his first move toward the dismantling of the Soviet Union's totalitarian system. As a matter of fact, Gorbachev himself may not at that time have been fully aware of where the process that he had just initiated would lead.

Speaking of totalitarianism, let me share with you an experience which I had only a few days ago. I had listened to a talk in which it was suggested that in light of Russian history it would take a long time for democratic thinking to take hold in that country. After the speaker had finished, I asked whether he had not been unduly pessimistic. I pointed to Spain, which, in spite of its very brief exposure to democracy, was now a fully vibrant democratic state. In response, the speaker became most emphatic. We must remember, he declared, the fundamental difference between authoritarianism and totalitarianism. Franco's government, he noted, was fairly benign. It allowed people to go their own way as long as they did not interfere with what the government wanted to do. Communist totalitarianism, on the other hand, had sought to control all aspects of life through the tentacles of the party bureaucracy, which reached into every community throughout the Soviet Union. Totalitarianism, the speaker added, had destroyed all elements of a civil society, which will now have to be reconstructed, a task which will take time.

The person making this sharp distinction between authoritarianism and totalitarianism was not Jeane Kirkpatrick. He was a Soviet academic. And he was not an emigrant or dissident, but a man holding an important position in the Soviet international affairs academic establishment.

The speaker had not only confirmed the validity of the distinction made by Jeane Kirkpatrick and those who wrote on that subject before her, the distinction between authoritarianism and totalitarianism. He had also presented us with evidence of the fact that now, in April 1990, a Soviet academic can denounce the product of Communist rule in his country without fear of any retribution. He would not have dreamed of doing so three years ago. He would not have dared to do it two years ago. He would have had his doubts about doing it a year ago. I consider it truly amazing how quickly the spirit of freedom has taken hold in, at least, the urban areas of the Soviet Union.

That is not to say that all is well, that the Soviet Union has transformed itself into a freedom-loving country on the model of, let us say, Switzerland. It is far from that. Nor can we be sure that the course on which the Soviet Union embarked in late 1986 will not be reversed. But it is important for us to recognize that Mikhail Gorbachev picked up where the Provisional Government left off in November 1917, bringing the principles of the 18th Century Enlightenment to the Soviet Union, the principles which both the Romanovs and the czars of the post-1917 era sought to fend off.

Some of my Soviet friends tell me that almost immediately following Gorbachev's succession to power they felt that a new, fresh breeze was blowing through Moscow. But that breeze was not felt in the GULAG, nor had the KGB or the OVIR (the office dealing with applications for emigration) received new instructions. Gorbachev had become General Secretary of the Communist Party in March 1985. Not long thereafter, in November of that year, the first Reagan-Gorbachev Summit took place in Geneva. President Reagan and others who met the new Soviet leader were impressed by his personality, and hopes were high that we would now see change regarding the observance of human rights. But as the months passed, we saw nothing in the way of change. On the contrary, the infamous articles of the Soviet Criminal Code, those which made anti-Soviet agitation and propaganda or the defamation of the Soviet system felonies continued to be enforced. There was continuing evidence of the abuse of psychiatry. The unauthorized practice of religion was still a punishable offense. Emigration remained restricted, and the same old tired slogans, the same old misrepresentations of reality filled the media, both electronic and print.

Then came that knock on the door which I mentioned earlier, the installation of the telephone, the call from the General Secretary to Andrei Sakharov, and Sakharov's return to Moscow. A publicity stunt, we said -- no indication of real change. But then, in early in 1987, about the time that Gorbachev was rounding out his second year as General Secretary, pale and emaciated men with close-cropped hair began to arrive in Moscow and other cities in the Soviet Union, the prisoners of the GULAG, who had had their sentences commuted to time already served. Only later did we discover that something else had happened late in 1986 or early 1987. A directive appears to have been issued not to prosecute anyone any longer under the political articles of the Criminal Code: 70, 190-1, 142 and 227.

There were other changes noticeable in 1987, in Gorbachev's third year in office: we were told by the Soviet authorities that psychiatric patients, about whom we had inquired, were being released. Our Soviet interlocutors were not suggesting that these people had been miraculously cured of their "illnesses." The unstated premise was that they had indeed been committed for their political or religious activities. Furthermore, Armenian, German, and Jewish emigration began to rise and, responding to the announced policy of glasnost, Soviet citizens and the media began to speak out. Their language was still cautious. There was no criticism of fundamental policy. But citizens were now expressing themselves freely on bureaucratic inefficiencies within the Soviet system.

Also, in the summer of 1987, a truly unheard of event took place in Moscow: Crimean Tatars, who had been expelled from their homeland in 1944, demonstrated in Moscow for permission to return to Crimea. They were finally dispersed by the police, detained, and sent back to Uzbekistan, where they had been forcibly settled 43 years earlier. But they had been allowed to demonstrate for weeks and when they were finally detained, it was only to return them to Uzbekistan. None of them was put on trial and then sent to Siberia, as would surely have been their fate if they had engaged in the same kind of activity a year earlier. By the fall of 1987, even the most dubious of us Soviet watchers had to agree that the changes taking place in the Soviet Union with regard to respect for human rights were significant.

But, some of us said, let us remember Khrushchev's "thaw." We had high hopes then of fundamental change taking place in the Soviet Union. We were then talking about the genie being out of the bottle. Yet, after Khrushchev's fall, the genie was stuffed right back into the bottle. We had to see what would happen next.

Indeed, by the fall of 1987 it became increasingly clear that the forward movement which we had identified earlier in the year had ground to a halt, that there seemed to be tension among the Soviet leaders and differences of opinion about the pace of glasnost and perestroika.

Then, in early 1988, a letter to the editor appeared in the newspaper Sovietskaya Rossiya. It was signed by a Leningrad school teacher, whose name has since then become a household word; Nina Andreyeva. The letter denounced the liberal trend in the Soviet Union and called for a return to the old Stalinist verities, for discipline, for pride in the country and the Communist system. It also injected an element of anti-Semitism into the debate.

Let us note again the time frame within which we are working. The event which I have just described took place a little over two years ago. My Soviet friends tell me that they found this occurrence truly frightening. Letters of this kind were, in Soviet tradition, statements of official policy. Was the Andreyeva letter the new line, they asked each other. Had the Gorbachev thaw come to such a quick end?

Then, a few weeks later came the response. It appeared in Pravda, the official newspaper of the Communist Party. It was an editorial, which emphatically rejected the Andreyeva thesis and restated the Soviet leadership's strong commitment to glasnost and perestroika; by then well-known terms which stood for the leadership's commitment to the opening up of Soviet society. Years of experience of reading the tea leaves offered by the Soviet media left the public without doubt as to what the official line was: a Pravda editorial trumped a letter in Sovietskaya Rossiya any time of the day.

Following this brief interruption, the march toward a society respectful of freedom and based on democratic values continued. But it was now clear that the leadership, the Party, and the country were divided. Nina Andreyeva was indeed not an isolated individual. Sovietskaya Rossiya had made a correct editorial judgment in printing her letter. The letter was a statement of belief within a significant segment of the Soviet leadership and of Soviet society. It so happened, as the Pravda editorial revealed, that it did not reflect the viewpoint of the dominant group. The monolith shown to the outside world since Stalin had consolidated his power was gone. The differences of opinion were there for all to see.

The process of doing away with what we in the West considered the most egregious human rights violations now continued. By the end of 1988, all persons convicted of anti-Soviet agitation and propaganda or defamation of the Soviet system and all persons convicted for the unauthorized

practice of religion had been set free. By the summer of 1989, all persons whom we had identified as improperly committed to psychiatric institutions had been released. Emigration figures continued to rise, political demonstrations were increasingly tolerated. The discussion of public issues became increasingly unfettered.

During the first year and one-half of glasnost it seemed as if the leadership's goal was to purge all aspects of Stalinism from the Soviet system for the second time, to pick up where Khrushchev had left off, and to try to return the country to what were viewed as the ideals of Lenin.

Those of us who come from a traditional anti-Bolshevik background were quick to point out that, while the rejection of Stalinism constituted a significant step forward, Leninism, though it espoused a less brutal form of dictatorship, nevertheless stood both for dictatorship and for brutality.

It was, therefore, with a great deal of surprise that I read an article in a Soviet publication not long after the Pravda editorial had appeared which seemed to deviate from Leninist doctrine. Shortly thereafter, I encountered the author, Fyodor Burlatskiy, in the United States and confronted him with that observation. I did not get a vehement denial from him. Instead he shrugged his shoulders and said enigmatically: "Lenin wrote different things at different times."

Let me interject, at this point, that about two months ago, on my most recent visit to Moscow, I tuned in Moscow Radio and, by what was indeed a strange coincidence, heard Burlatskiy, who is now the editor of Literaturnaya Gazeta, being interviewed and asked whether the Soviet Union still adhered to Leninism. He now had a more complete answer to this question. He said something to the effect that the Soviet Union had brought itself in line with the thinking of the early and the late Lenin. What he failed to say is that it was the middle Lenin who had produced Leninism. The early Lenin is presumably the 20-year-old idealist who joined the Russian movement for democracy and freedom. The late Lenin is the man significantly incapacitated by a stroke who sent futile messages to his colleagues, criticizing the acts of brutality for which Stalin was responsible and warning them against letting Stalin take over, a man who may very well have had serious doubts not only about the monster he had created but about the entire monstrous system.

Other writers recently have been more outspoken on the subject of Lenin than Burlatskiy has been. The point is increasingly made in Soviet publications that Stalinism was built on the foundation laid by Lenin.

Though Leninism has not as yet been formally repudiated, it is increasingly clear that the Burlatskiy article, which I had noticed in the spring of 1988, did indeed signal the beginning of a second stage of the Gorbachev reforms. The period of de-Stalinization, which began in late 1986 or early 1987, gradually merged by the middle of 1988 into a period of de-Leninization. The first step in this second phase was the Nineteenth Party Conference, which met in the summer of 1988.

Let me pause, at this point, to define my terms. By de-Stalinization I mean the release of political prisoners, the end of prosecutions for the mere expression of dissenting views, and the lifting of the climate of fear which repressed the entire country. By de-Leninization I mean an end to the rule of the country by a single party, an end to rule of that party by a self-selected and self-perpetuating leadership group, and the substitution therefor of government with the consent of the governed -- thus the institution of democracy.

To be sure, Gorbachev had begun to speak of demokratizatsia in early 1987. A good many of us thought at that time that he did not really know what the term meant. But the Nineteenth Party Conference led to changes in the Soviet Constitution toward the end of 1988. This in turn, led to elections in 1989, which in many parts of the Soviet Union were truly democratic. They were the first democratic elections in the country since November 1917, when the Bolsheviks lost, but when the result was simply set aside by Lenin. Whereas Lenin's theory of government had called for the Party -- the Communist Party -- to control the State, thereby effectively cutting the bulk of the population out of the governmental process entirely, Gorbachev began, after the March 1989 election, to dismantle the Party in which he served as General Secretary. Power was transferred from the Party back to organs of the State. And within the State, new organs of power and authority began to function: the Congress of People's Deputies and the new Supreme Soviet. They turned out to be real legislatures, in some respects independent of the executive branch of government.

And in 1990, Gorbachev asked the legislature to create a new office of President, with significant executive authority.

Gorbachev was sharply criticized for that move. His critics pointed out that the powers vested in the new Presidency were vast, and that he had not submitted himself to the voters as a candidate for President.

The criticism that Gorbachev was not elected by the people is, of course, valid. Note should be taken, however, that the Soviet Union now has a leader serving a fixed term of office,

who, under the existing law, must return to the people if his mandate is to be extended. As for the powers of the Presidency, they are not significantly different from those of the President of France under the De Gaulle Constitution. Most importantly, the institution from which the powers were taken that are now vested in the presidency is the Politburo, most assuredly not a product of the democratic process. The creation of the Presidency was merely another, and a most significant, step in the transfer of power from the Party to the State. So were the recent local elections, which have had the effect of sidelining the Party bureaucrats in some of the Soviet Union's major cities.

When the Communist Party finally, a few weeks ago, agreed to give up its monopoly on political organization, it was doing little more than acknowledging a development which had already occurred. Political organizations which did not call themselves parties had sprung up all over the Soviet Union. The official candidates for public office supported by the Communist Party were in many instances faced by opponents who put together personal organizations, which did not call themselves parties but which won elections. The Communist Party of the Soviet Union, I submit, is not leaving the scene with a bang but with a whimper.

That is not to say that democracy in the Soviet Union has clear sailing ahead. Communism, as a political and economic totalitarian philosophy, may very well be damaged beyond repair. But that fact, by itself, might not prevent the reinstitution of an authoritarian regime.

As I noted earlier, from the fall of 1987 onward, we have seen a clear split in the Soviet leadership between reformers and opponents of reform. Since then we have seen the reformers divide between radical reformers, who believe that Gorbachev is too slow in his moves toward democracy and a free market, and Gorbachev and his supporters, who believe that reforms should move at a slower pace, which they believe is necessary to maintain the support of the average citizen. Arrayed against the reformers is a strange mixture of groups espousing what in the Soviet Union are viewed as conservative ideals. They point out that now that authority, including the police, has lost respect, the crime rate is rising. They reject what they view as loose morals. They are also concerned about the decline in the Soviet Union's stature as a world power. As Russian nationalists, they are concerned about the independence movements in the Baltics and the Caucasus.

These opponents of reform are a strange amalgam of Neo-Stalinists, Russian nationalists, and monarchists. Their ranks are augmented by those who have a personal axe to grind against the reformers: party officials who have lost or are in

the process of losing their jobs and privileges, and military officers, some of whom will be required to retire if the army is cut back in size. The influence of the latter group, of Army officers concerned over military cutbacks and a decline in the projection of Soviet power, should not be underestimated. It could be the single most important threat to the Soviet Union's political reform effort.

In support of reform is the great majority of the intelligentsia, which is no longer an inconsiderable force in Soviet society. But the ultimate decision on whether the Soviet Union moves toward reform or returns to its authoritarian moorings will be made by the great mass of average citizens, whose principal concern is, quite understandably, their standard of living.

In the absence of economic incentives, the Soviet economy operated during the Stalin era and thereafter on the basis of fear, fear of punishment for not doing what one was expected to do. But that fear is gone now, and that fact has undoubtedly contributed to a decline in production and a further decrease in the efficiency of the economy. The desperate need at this point is to introduce the incentives which cause the economies in the West to function, which make the Soviet black market function, and which worked wonders for the Russian economy in the period between 1890 and the outbreak of World War I and during the years of Lenin's New Economic Policy. It should be possible for it to happen again. And if it does, there is indeed a chance for the cause of democracy in the Soviet Union.