

## Letter to Friend No. 2 [1977]

Dear friend,

You say you are surprised that I am speaking about the importance of world public meaning (and only about its relative importance) and that I do not mention importance of the attitude taken by the official representatives of other countries. with regard to the problem of observing and respecting of human rights. At the same time you ask if consistent pressure of democratic countries upon the non-democratic ones would not prove the most effective means how to ensure the obligatory character of the General Declaration and both Pacts.

I must confess I distrust all those attempts to widen and deepen human freedom only by the means of power and pressure. The character of power is really strange: human society without power is unimaginable but at the same time we cannot overlook its gigantic innate tendency to grow unlimitedly, to centralize itself, to wrench itself out of subordination to man and society and on the contrary to enslave the man and the whole society disregarding the position that a man holds in the society. In modern history it can be best observed on the development of the state whose power and administrative apparatus became grossly enlarged and whose interventions and measures are step by step infiltrating the whole structure of individual and social life. And the idea of human freedom and rights is undistinguishable from the struggle against fatal effects of emancipated state power which became or is becoming a hybrid element of modern society which is threatening to overrule and absorb completely man in all dimensions of his existence: as a private individual as a thinking and learning being, as a producer, as a member of a family, as a political subject, as a supporter of certain ideas, as a religious person, as a labour power etc., etc. It would be therefore completely naive to think that a state, whether our own or some other, can be the main and decisive power in struggle for human and civil liberties. The merit of democratic countries is not in their being better states than the non-democratic ones (the Absolutism of enlightenment, if it were possible to ensure and control its enlightenment would be probably better than democracy which is necessarily more cumbersome) but rather in the fact that democratic states are imposed by their own laws certain limits which they are not allowed to exceed. And the question of human and civil rights and freedom is exactly the question that is concerned with these limits and the question of their observing and respecting.

Every state which would be taking up the position of a guarantee of human and civil rights and liberties is these already ipso facto violating. A state ought to and must acknowledge and respect human freedom and rights, but never sets, constitutes or bestows them. Execution of basic rights and liberties is sovereign act of an individual or joined individuals and there need not be any special agreement or permission of state organs. State, of course, can persecute such execution of innate rights or liberties, but it is doing so unlawfully and is becoming a state which is allowing iniquity. If a similar iniquity does not happen only accidentally or exceptionally but this lawlessness is even ensured by special laws or at least it became a usual thing, in such case the state is on the best way to become a criminal state. This circumstance however, is not and cannot be an internal affair as it is interfering with those parts of personal and public lives of people which do not belong to any competence of the state or its organs, as they are based upon imprescriptible, inalienable, insuppressible human rights and liberties. A state which encroaches upon these rights and liberties in any way is exceeding its own competence, applying and enforcing its power unlawfully and illegibly in the sphere where it has nothing to do. Such state, therefore, may be revealed, criticized and condemned by anybody if even on the basis of elementary human solidarity which cannot pass by any case of encroaching upon human rights and liberties without offering sympathy and help. Thus all people all over the world have a right a duty to influence their governments so that they would consider whether their partners in international relations are states respecting human rights or states which are violating these rights. Nevertheless, the mutual human solidarity is always decisive: state politics can be regarded only as a result. Measures taken by one country against another can never be neither chief nor the most suitable means of pressure which should help to enforce observation of human rights in another country, not even if the state employing the pressure were

itself absolutely righteous in the matter of human and civil rights. Such pressure is even more questionable if the criticizing country has its own similar problems. Therefore the principle that the struggle against encroachment upon human and civil rights must be in the first place aimed inwards, ie. inside one's own country and own society and only then abroad.

States (and their representatives) tend to place state interest before duty to respect human rights and liberties and often are doing so in spite of people, sometimes even with their consent.. Thus it could happen in the past that democratic Czechoslovakia was sacrificed to the apparent interests of democratic powers (misunderstood). In fact it meant submitting certain sphere of power in the whole of central Europe) to the violent regime of Nazi Germany trampling down human rights at home and particularly in dominated foreign countries. It happened then not in contradiction to but with consent of public majority in England as well as in France; opposition against the agreement signed was at that time rather exceptional. Usually, the internationally political aspect of the whole affair is being stressed. More important, however, was betrayal of human and civil rights of millions of people given up to brutal terror and power without possibility of effective defence. The origin of this betrayal was much older, e.g. in insufficient support of Spanish republicans in civil war. And it continued after the defeat of fascism as a support of fascist regimes in Portugal and Spain and even as a straight assistance to the newly forming fascist dictatorship in Greece (if we are to mention just few European examples; besides these we could remember also support of terrible dictatorships such as the already defeated South Vietnamese regime or the still existing South Korean regime as well as the number of Latin American regimes). Similar experience calls for reserved estimation of the official support offered by the western representatives to the struggle for a civil rights in the countries outside the western sphere of influence. We must consider such voices as delusive as the ardent criticism of western abuses from our side (ie. from the side of our official representatives, our communication media etc.). We cannot be pleased if the criticism of our conditions is misused by someone who is not in the first place interested in human rights and their violation (which can be proved by the fact they do not care about application or on the other hand violation of human rights in their own or associated countries). Criticism of violation of human rights and liberties is plausible only under two conditions: it must be equally sharp wherever it is aiming and it must be first of all concerned with the conditions at home. There are of course special exceptional situations when the criticism of local conditions and defence of human rights and liberties in one's own country is greatly impeded or made impossible by effective measures of power. Then it is necessary to consider every assistance from abroad as highly useful and desirable, even though such assistance may be employing the means of power, economic and political means and propaganda, ie. the means which are at least disputable. Such means are not able to influence directly application of human rights and liberties in the country against which (or rather against the its wrong regime) they are directed, but only to block, neutralize or otherwise countervail the existing wilfulness of power which is internally irremovable or if so, then only under the condition of great human sacrifices. I must say I was neither too impressed by talks in Helsinki nor by their results. It cannot be said that the documents agreed upon would not sound well and they should not be welcomed. But nothing indicated that either of the parties concerned would be taking them really seriously. I recalled e.g. the "Augsburg peace" or "Westfalen agreement". The only difference I could see was that in those days it was possible to announce publicly the principle of non-interference by the slogan "cuius regio, illius religio" (who has the government has also religion), while in Helsinki they managed with some difficulties to carry through so called third basket. But the principle of non-interference was ratified and today we witness attempts to apply this principle against every official reference and every official criticism of non-observation and violation of human rights and liberties, as if these meant interfering. There is no doubt that e.g. in our country the cultural policy follows the unspoken principle "cuius regio, illius ideologia". In that sense ie. articles 16 and 24 of Czechoslovak Constitution are interpreted (in contradiction to article 28 or 32, lately also articles 13, 18 or 19, Bill 120/1976, ie. the ratified Pact about economic, social and cultural rights, from 13 Oct. 1976) in such way that the public educational system is in fact monopolized as a party educational system though run by the state. We, Czech

protestants just cannot help comparing the present situation when we are forced to send our children to schools educating by principles of so called scientific atheism (and when generally in this situation appear all those who are not convinced marxists and do not want their children to be taught and educated in spirit of marxist ideology; and these people are probably in majority) with the past when European peace brought us suppression of religious freedom and all protestants had to renounce their belief or emigrate and if they stayed, they had to expose their children to all forms of anti-reformation pressure and terror. After Helsinki, nothing indicated that so called third basket would play any serious role, as I have already mentioned in my last letter. On the contrary, it seemed that western governments themselves did not wish to complicate their talks with Soviet Union and other socialist countries by upsetting the "third basket". Situation has really changed only as a result of people's initiative in practically all countries of the socialist block. This is a very important and I would even say an epoch-making fact. Since the World War I, democracy and democratic structures have been progressing while totalitarian regimes and dictatorships particularly in Europe but also elsewhere in the world have been proving more and more as non-perspective, economically ineffective, culturally backward and in long run unstable. Democratization, despite various peripetied, is further progressing. The last fascist regimes in Europe have fallen, socialist and communist parties are improving their positions, so called Eurocommunists included democratic principles in their programme and democratization is step by step penetrating into the countries of so called real socialism, which were for a long time unfavourably effected particularly by stalinistic deformations and antidemocratic deviation which has been already recognized as so far the crudest and also greatest revision of the political orientation of Karl Marx. Our real hope must be therefore oriented first of all towards the renovation and revival of socialistic programme led by our own powers and not on the basis of some international political interventions. And it seems to me that such hope need not be hidden in some corner of our consciousness. Today and tomorrow we shall witness this old and now again new hope winning favour of more and more people who do not want any more to suffer by devastating derogations into their own lives, the lives of their children, friends, fellow citizens and people all over the world.

Ladislav Hejránek

Prague, 17 February, 1977