The Russian Paradigm of Lacking Freedoms in the Context of the Global "Inversion" of Human Rights

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"Violence is fed with obedience, like fire—with straw."
(Vladimir Korolenko, a Russian writer, 1853–1921.)

I

In the last few years I have been working closely with the Russian journalistic community and mainly with the Independent Institute of Communicative Studies and the Commission for the Free Access to Information, organized by well known analytical journalists Joseph Dzyaloshinsky, Yuri Kazakov, Alexei Simonov, Alexander Verkhovsky, a number of human rights activists, experts and leaders of various NGOs. There were several

book projects (Dzyaloshinsky, 2004a) and the bulletin *Right to Know* (Dzyaloshinsky, 2003, 2004), as well as a number of conferences on tolerance, social violence—in reality and in media-images—, on human rights and the freedom of speech in media and in society. However, I have to admit that gradually almost all of these projects have been effectively discontinued and brought to an end using various means—from an almost open state censorship to financial measures. In the last few years, many events have demonstrated a considerable toughening of the Russian state politics in relation to human rights: the recent state campaign against all Western NGOs, especially those with the human rights component, officially linked to an espionage scandal, a wide campaign against all ethnic Georgians, which seems to be a rehearsal of the looming bigger ethnic cleansing, the increased frequency of the bloody pogroms in all parts of Russia, aimed against any Non-Russians; particularly, the people from Caucasus and Central Asia, as well as the foreigners with a "wrong" color of skin, supported by the connivance of the judges and the executive power. The human rights activists from Amnesty International, Human Rights Watch and other NGOs are aware of still more alarming facts that are usually hidden from the public: the mass disappearance of people and political murders without trial, the tortures and death squadrons in Chechnya etc. All of this proves that the pendulum of Russian politics has once again leaned towards the

repressive, closed and violent system of lacking rights and freedoms. This general sentiment has culminated in Vladimir Putin's Munich speech on February 10, 2007, which was later repeated during his visit to Jordan. This speech signalizes the leaning of the Russian State policy towards the all too familiar intimidation and militant isolationism, which in today's situation of the collapsed Soviet empire seems to be ridiculous and dangerous, mainly to Russia itself.

The intellectual community in today's Russia and the post-soviet states either has to make itself accept and promote the predominant paradigm of violence,[1] or go back into the underground of contestation and disobedience, which, traditionally, has never been legitimized in Russia and has been interpreted by the public opinion as marginal, or dangerous and needs to be eliminated. A sad example of the latter is the tragic murder of the journalist and human rights activist Anna Politkovskaja several months ago.

A number of remaining non-conformists Russian intellectuals openly speak of the coming fascism and of a drastic change of priorities—from formally democratic to latently totalitarian. Thus, Victor Yerofeyev in his essay "A coup in invisible hats" reflects on the sinister change of the state climate in Russia and links it to the chronic problem of lacking freedom, and the concomitant fear and hypocrisy of the common people, who pretend that nothing is happening:

> It is raining cats and dogs and you still walk without an umbrella, because you are told that the sun is shining; but you know that it is not shining; you have already bought an umbrella, just in case, and may even walk under it, but you pretend that you walk without it. (Yerofeyev, 2006.)

Boris Strugatsky openly calls the enfolding regime a Fascist one in his "Epidemiological instructions" (Strugatsky, 2006).

Russian laws seem to guarantee the human rights to everyone, but in reality they are formulated in such a way that it becomes almost impossible to punish anyone for the enkindling of national hatred or propaganda of violence against various social, ethnic and religious groups.[2] Many politicians and public figures openly defend militant nationalism and xenophobia, and remain unpunished. In today's pre-election campaign it is precisely the populist slogans, such as "Russia for Russians," that attract large numbers of potential voters who, at other times and with other slogans, would remain extremely apathic and not interested in politics at all. The most elementary rights of national minorities, and especially the Muslims and people from Northern Caucasus, which still remains a Russian colony, the non-Slavic migrant laborers and refugees, are being systematically and openly violated. This refers to the right to work, to medical help, education, social security, the right to leave the country, to property rights and even the fundamental right to live. A contemporary citizen of Non-Slavic origin suffers from this lack of most funda-

mental rights on at least three levels—as a Russian citizen, as an internal other, and also globally. For example, for a Chechen it is equally difficult to get a passport with a registration in Moscow, to find a job in any part of Russia, or a visa to Europe (Sokolov, 2002). A typical Moscow policeman scans with a poisonous blue glance all dark-eyed and dark-haired people who pass him. To be stopped by this policeman means very weapons and drugs put stealthily into your pockets, your valuables and money stolen, the fabricated charges or the knocked out teeth or brains. Such actions are almost legitimate in today's Russia and cannot be regarded as only excesses of post-traumatic syndrome of those who went insane at the Chechen war. Such actions and views are supported by the congressmen, the state functionaries and often the government which, along with mass-media, uses the basest crowd instincts and the old Russian principle of the dispensability of human lives to its benefit.

I am talking here about Russia, mainly, but the violation of human rights and the distortion of their meanings are typical of all post-Soviet countries, both European or aspiring to be European, such as the Baltic States, and Non-European, such as Southern Caucasus or Central Asia. I mean the disappearing journalists and human rights activists in these new "silence zones," the gigantic scale of human trafficking, the discrimination against non-citizens and the violation of various ethnic minorities' rights. All of the given examples signalize

that the poisonous shoots of the specific Russian lacking freedoms paradigm have rooted themselves in the ex-colonies, as well. But, along with this sad diagnosis, a questions arises: can we really use the Western idea of human rights as a "traveling theory"? Can it be applied to other locales? How universal is it? And, do we really want to universalize the idea of human rights the way it was formulated in Western Europe in second modernity? The basic Western liberal human rights model, taken as a norm all over the world today, wheel-spins when it is being applied to other spaces. And the problem lies not in these locales alone. Thus, the cartoon juxtaposition of Russia as a police state and the free West, which is used as a basis of nation-building programs in many post-soviet states, or a logically similar opposition of equally demonized Russia and the sanctified ethnic-national tradition in others, is too simple because it ignores a number of common roots of today's distortion of human rights in the West and in Russia, that lies in the project of modernity itself, and falls into the fallacy of idealizing the respective projects of liberalism and nationalism, by blackening their opposites and projecting them onto Russia as still a horrifying other.

II

No one in the West would be surprised to hear that Russia is a country where freedoms and rights chronically lack, because it is a stereotype that continues to

exist in the minds of the First World, often helping its inhabitants to define themselves positively, as opposed to the negative example of Russia. However, this binarity collapses with the first critical blow. And, here I am not going to either join the lively chorus of Western intellectuals routinely condemning Russia, or take the position of the no less lively Russian patriots, also acting as the proverbial hunchbacks who do not see their own humps, but are happy to point to the real or imagined humps of their Western companion's. I would like to understand, instead, how and why the lacking freedoms paradigm is a complex and hybrid product of many influences, not simply a paradigmatic feature of Russian archaic mentality, as it is often presented in the West, but also a consequence of the Western modernity discourses, including the human rights, which were digested in Russia in particular ways.

The inversion of human rights that I used in the title of my paper is a term that was used by Frantz Hinkelammert (Hinkelammert, 2004) in his skilful deconstruction of the Western paradigm of human rights. Hinkelammert states:

> Human rights are destroyed in the name of preserving human rights themselves and that constitutes what we named the "inversion of human rights." This inversion has a long history. In fact, the history of modern human rights is precisely the history of their inversion, which transforms the violation of those rights into a categorical imperative for political action (…) This formula (…) erases the human rights of the human person that are prior to any social system, and substitutes them for rights of the

> system that are declared human rights. (…) Human rights were transformed into humanitarian aggression: the violation of the rights of those who violate rights. Behind this transformation is another conviction according to which those who violate human rights forfeit their own. The violator of human rights becomes a monster, a wild beast to be eliminated without the minimal questioning of its human rights. It loses its character as a human being. (Hinkelammert, 2004.)

Hinkelammert criticizes the Western paradigm of human rights in general, but in case of Russia with its chronic and normalized lack of any freedoms, the human rights even in such interpretation, which is criticized by Hinkelammert, remain an unattainable ideal, rather than a target of criticism and, therefore, for the Russian configuration, Hinkelammert's analysis would be incomplete.

Those few remaining critics of the lacking freedoms paradigm in Russia tend to be positioned entirely within the Western human rights liberal model, which is based on the logical substitution described by Hinkelammert. A large number of phenomena, in this case, inevitably remain unaddressed or distorted. I do not mean to criticize the Russian human rights activists, because in the general context of the unrestrained racism, xenophobia and the culture of violence, as well as chauvinism in today's Russia, their position on terrorism, the war in Chechnya, their attitude to prisoners, women, foreigners and migrants—looks still much more attractive than the state or public opinion. These people, at least, do not strive to translate the cultural and value differences into

the paradigm of conflict and clash of civilizations. But their discourses demonstrate a typical modernity paradox of stagism that lost its Marxist face, but remained essentially the same in contemporary Russia. The western understanding of human rights and humanity remains as one of the unshakeable universals for the Russian progressive intellectuals today. They remain blind to the difference and diversality, as the necessary condition of any equity, as well as to the power asymmetry marked by race, ethnic, religious and other overtones, to their leveling within the frame of Western liberalism. Often they find themselves in the position of a puzzled liberal described by Jean-Paul Sartre in his introduction to Franz Fanon's *"The Wretched of the Earth"*—a liberal who is afraid of seeing in the mirror a distorted image of his own violence, which comes back to him as a boomerang, and who is not able to accept violence as a revival of the human dignity of those who have been systematically deprived of it for centuries (Sartre, 1963: 17).

The real criticism of the human rights situation in Russia has to be a double critique, which would be pointed against both the distorted Western understanding of human rights, which is based on the exclusion of the large groups of people, who do not fit the Western ideal of Man, and against the fundamentalist and ethnocentric totalitarian values, which Russia got as a legacy of its historical and cultural matrix. This is a difficult, although necessary task for the Russian mind, which is chroni-

cally marked with duality and lack of mediation. Therefore, it is necessary to make a step further and see what happens with the Western paradigm of human rights in the transmuted intellectual and ideological space of the Russian and Soviet empires and in today's Russia; and, how the constantly reproduced lacking freedoms' model becomes simultaneously a continuation of the Western circular inverted human rights principle, Eastern Christianity interpretation of this question and a result of the remaining pre-modern basis.

III

The understanding of human rights cannot be disentangled from the general cultural and existential priorities of Russia throughout the centuries. Many famous and not very Well-known intellectuals referred to this problem: Yuri Lotman in his book *Culture and Explosion* (Lotman, 2000), Eugene Ivakhnenko in *Russia on the Thresholds* (Ivakhnenko, 1999), Alexander Akhiezer in *Russia: the Critique of Historical Experience* (Akhiezer, 1997), Emil Pain in *Ethno-Political Pendulum* (Pain, 2004) and others. Their arguments can be summarized in the following statement: Russia has lived for several centuries in the situation of pendulum, swaying from the predictability and smoothness to the explosion, from the period of power dominance to the threshold situation, from the attempt at mediation (always unsuccessful) to

the inversion and dissidence, from ethnic nationalisms to the ethnocratic chauvinist state.

Lotman conceptualizes the problem of the explosive and gradual development from the semiotic point of view, seeing the two models of the dynamic (explosive) and gradual processes through the metaphors of "the mine field, with the unpredictable points of explosion and the spring river carrying its powerful, but guided stream" (Lotman, 2000: 18). According to him, today we live in the post-explosion era, which is accompanied by the efforts to conceptualize and legitimate the unavoidability of the explosion and its conformity to the laws of universal history. In Lotman's view, the lacking freedoms paradigm in Russia can be explained through the logic of the binary systems, such as Russia, which try to replace law with moral and religious principles. This is what the Russian religious philosophy of the late 19th and early 20th century attempted to do in its strive to offer an alternative to the Western liberal idea, Marxism and the Russian authoritarian tradition. In this respect, it was a utopian hybrid theocratic system, Westernized and Byzantine at the same time; a bridge between the Western reason and Russia's own newly rediscovered spiritual tradition. Russian Christian socialism attempted to combine the absolute value of the individual and the priority of the other-worldly God, which led to double standards in culture and thinking—the high moral value

of the individual, but the highest moral value of transcendence.[3]

Lotman, along with other philosophers, reflects on the fact that conscience for Russia has been always more valuable than law, pity and compassion—more important than justice (Lotman, 2000: 142). But what to do today, when conscience and pity evaporated, it seems, forever? They were discredited first, by the Soviet ideology, and then, by the neo-liberal capitalist ethics that flooded the unprotected immature Russian mind, which was forcefully deprived of its former idols. While law and justice, as absolute categories, have never become the real values in the public opinion and again, it seems, will never become such. What to do today, when the unrestrained will to power—more and more often—becomes the only criterion in politics and social life, and the Nietzschean overtones are heard openly even from the presumably "progressive" politicians? Today, Russia has nothing to oppose to that, except for the next roll back into the state fundamentalism. Lotman finished his book, which was published in 1992, with the appeal to finally get to the European ternary system. This is not surprising, because Lotman was always a passionate adherent of the West who, similarly to many intellectuals of his generation, idealized Europe and saw the salvation of Russia only in and through Europe. In other words, he stated the diagnosis correctly, but prescribed the wrong remedy. Yet, Russia did not take the way suggested by Lotman.

It turned to the next historical catastrophe, instead, and continued to flounder in the tenets of its binarity. (Lotman, 2000: 148). Today, the country is at a stage, which was predicted by A. Akhiezer as far back as 1991, as the coming of "moderate authoritarianism" (Akhiezer, 1997) and which was called by E. Ivakhnenko the next "dominant period" (Ivakhnenko, 1999). In my opinion, such authoritarianism is not particularly moderate, either. But, what is supposed to come after it, if we agree with both scholars, is the collectivist or collectivist-liberal stage, which in contemporary Russia—more and more often—takes the openly fascist forms. The irresolvable duality and the antinomian nature of Russia that Nikolay Berdyaev stressed a century ago in *The Soul of Russia* (Berdyaev, 2002), eventually inclines towards reaction and lack of human rights; and, after the period of sedition and unrestrained freedom, there always comes the frightening Russian "order." The latest edition of this order is what we have to deal with in Putin's Russia.

IV

Long before the modern idea of human rights was formulated in the West, the Russian civilization went into a different direction, which was linked, among other things, with the specific development of Christianity in this region. Today, the West often misrepresents Islam as the epitome of lack of individual rights, but in compari-

son with Russia it would become clear that the Russian variant of Christianity, which strongly determined its cultural specificity, is much more repressive towards the individual than any kind of Islam. As A. Davydov points out, in contrast with the West, Russia "did not have the experience of overcoming the other-world-ness." Taken from the Byzantine tradition, which was moving farther and farther away from the West and linked with the Russian authoritarian collectivist ideal of "sobornost" (particular kind of sanctified communitarianism), the monotheism created in Russia a different religious and moral basis of culture—the communitarian religion. It led to the ideal of the other-worldly God as the protector of the clan; as an incomprehensible and unfathomable wonder-worker. But, what was created as well was the special kind of anthropology, which did not correspond to the New Testament at all. Its essence can be summarized in the following formula: "I am a worm, not a man." This formula pulled apart and separated the God and the Russian man; one, in the direction of Heavens, and the other, in the direction of earth; it forced the Russian man to kneel in front of the church and the state; it made him prostrate himself in front of the tradition, and this was one of the crucial factors concerning the preservation and deepening of the schism, as the main cultural model of Russia's historical development" (Davydov, 1999: 31).

If we add to this the solid integration of the church and the state, as well as the interpretation of the Czar as the anointed sovereign and not a normal human being, we would have a complete picture of the specific ecumenical and universalist Russian Orthodox vision. In 1877, F. Dostoyevsky expressed its essence in his diary:

> Europe is almost as dear to us as Russia; in Europe, there residesthe whole Japheth race, and our goal is to unite all the nations of this race and even further, to Sem and Ham. (Dostoyevsky, 2002:161.)

This is a manifestation of the typical, rather aggressive Russian Orthodox universalist ideal of a particular spiritually taking over the whole humanity. The darker side of this ideal is the fundamental lack of rights and freedoms as a cultural matrix, and a specific kind of sanctified expansionism not of economic, but rather of existential and spiritual nature. This tendency was later reproduced at every stage of the society's development in Russia and its colonies. Throughout the history "the weak Russian liberalism,"[4] which did not go through the stage of a complete acceptance of the human and that of "god who was made man," still has had as its sacred reference point, either the other-world-ness of the leader, or of the communitarian collective group. This liberalism has not been able to justify the human and individual as an absolute value and, hence, has not been able to cope with the task of overcoming the chronic schism in Russian culture" (Davydov, 1999: 32). Russia chose the apophatic (negative) variant of Christian theology, which slowed down the development of anthropocentric

and, later, ego-political culture. Davydov stresses that, as a result, there was no alternative to the idea of the ultimately other-worldly God, which a human being could not possibly approach; but, at the same time, without which this human being could not exist. This idea of the completely transcendental other-worldly God, forever torn away from the human being, later led to the religious justification of the despotic ideal and regime, as a representation of the principle of peculiar alienation—the alienation of a human being from God (or the leader) and the idolizing of the imperial sovereign idea in society" (Davydov, 1999: 33–34).

This imperial sovereign idea has remained particularly dangerous up to now, because it measures the ethical values by the space and quantity criterions, by the dimensions of power, as well as absolute truth and absolute justice, interpreted through and by this power. All of this, automatically justifies the sacredness of the ideals of authoritarianism and the specific transcendental communitarianism. This diagnosis, correctly stated by A. Davydov, is still true today. And, here lie the reasons for the essential lack of the very idea of civil society and the lacking popularity of human rights, as the higher value in Russia.[5]

Today, under the pretext of fighting the Western human rights model, the familiar apology of complete lack of rights is being dragged into the mass consciousness as the norm. But, a lot of people in modern Russia—approximately half of the population, according

to the latest polls—know that they lack human rights; they do not trust the legal institutions of any level, and consider themselves unprotected in front of police, the public prosecutors and the trials (*Indexes*, 2006). But, this awareness does not lead to any action, because of the sober realization of the meaninglessness of any actions or, as people would say in the West, because of the lacking civil society in Russia.[6]

V

This crucial cultural-political-religious aspect was later developed into a specific gene of violence, in Yuri Kazakov's words (Kazakov, 2004: 144); into an apology of violence against the individual, both from above and from the bottom, from the state and from the political opposition. This model would be revived in the immorality and cynicism of Bolsheviks and later, in the Soviet idea of proletarian dictate, which replaced the social justice and justified any violence against the human being and sacrificing of millions for the idea; while in the late Soviet time the idea was simply replaced with the mercenary interests of the people in power. It is also reproduced today in neo-liberally tinted forms, but its essence remains the same—the totality of violence cancels the question of ethics in political actions.

Speaking of violence, we cannot avoid discussing the other side; for example, is the violence of Chechen insurgents a challenge, or a reply? It is in the answer

to this question that a boundary lays between the real few human rights defenders in modern Russia, and the moderate liberals and adherents of the state, for whom the people are still divided into those whose rights it is necessary to defend; and those who somehow must, by definition, remain with no rights; or those, whose rights are more important (the Jews, the Russian minorities in Estonia) and those whose rights can be neglected (the Central Asian labor migrants, the Gypsies). In the few cases of the righteous violence from the bottom in Russia today, we find the similar dialectics to what Franz Fanon spoke about (Fanon, 1963). We cannot justify Chechen terrorism by any means, because the innocent civilians die as a result of these terrorist acts, but we can and should at least attempt to understand it. It is the violence that makes the insurgent turn from a passive victim into an active fighter for his human rights and dignity. As Fanon pointed out,

> at the level of individuals, violence is a cleansing force. It frees the colonized from their inferiority complex and from their despair and inaction: it makes them fearless and restores their self-respect. (Fanon, 1963: 73.)

VI

Analyzing the general situation today, we must admit that race and racism are definitely the major sphere of the violation of human rights in Russia. In this respect, it has finally caught up with the West, albeit in this

negative aspect of modernity. Because up to relatively recently, race had not played such an important role in the dehumanization in Russia, as it did in the West. In Czarist time, racism certainly existed, and the people of the "wrong" religion and ethnicity were seriously disenfranchised. But, this racism was not openly biological like today, and it was not so closely connected with economics, as it was the case in Europe or America. The racial difference was blurred while, at the same time, the racialization of the whole population took place. A Russian—by origin—peasant easily turned into an equivalent of an African American slave—not because of the color of skin, but because of his function in society and the way he was interpreted by the elites, who replaced the Rousseau ideal of the noble savage with the Russian serf. The serf was dehumanized often in very similar terms to those in Europe. And yet, this was a transmuted, blurred and partly unconscious racism.

If in the Western inversion of human rights, everyone who is not European becomes automatically sub-human, in Russia and its colonies the situation was slightly different. Here, the initial adoption of Eastern Christianity with its worm-like status of the individual and later, the intellectual and cultural colonization by Europe, which led to the self-deprecating realization of Russia's chronic deficiency in comparison to the West, along with the ultimately erased pre-modern cultural layers; all worked for the total dehumanization, marked by peculiar color-

blindness. This is no longer true, as in the post-soviet Russia there is a big difference between the so-called "person of Caucasus nationality" and a Russian, who often calls himself a "European," meaning the color of skin and not just culture. But, as much as this Russian strives to see himself as a European and freed from being the target in the global inversion of human rights, it does not work, both externally and internally. In Russia, everyone, at any point, can be crashed by the system for which individuals are not valuable at all, crashed not in the name of freedom or democracy, but in the name of sadly recognizable values of nationalism, sovereignty, the state and the "people." A good example here is the way the state power behaves during terrorist acts. It is more important to destroy the terrorists than to release the hostages.

In the 19th century, at the Russian colonization of Non-European territories, one could already hear the racist overtones much closer to the Western ones than before. The administrative nationalism of the late Russian empire described by Benedict Anderson and based on complete russificaiton (Anderson, 1991), changed to the false Soviet proletarian internationalism, where racism still played an important role but acted again, in transmuted forms, grounded in the general dehumanization of all people—in economic, gender and social sense—and on the additional distribution of the welfare,

in accordance with the loyalty to the regime and the degree of assimilation. But, again, the communist bosses divided the world, not into Whites and Non-Whites (with the exclusion of Siberia, the Caucasus and Central Asia), but into those who were with them and those who were against; later, into the party nomenclature and common people who were not lucky to become its part and whose human status was under question—no matter what color of skin, religion or language they had. It is only today that Russia rapidly becomes an openly racist country where the xenophobic discourses flourish with no restrain. When the previous Soviet ideology was erased, the wave of internal racism, which had been suppressed to some extent before, and the freshly imported racism from the West, came together in contemporary Russia, reasserting and reformulating the principle of dispensable human lives, now based more and more on economic terms. In Soviet years, there was a peculiar insane logic of totalitarianism, which defined a specific legal category for those who lost their human and civil rights—"lishenets" (a person who was legally deprived of his/her status). Today, the situation is different, because a person who legally seems to enjoy all the rights and freedoms stated in the Constitution as a citizen, in reality, often turns out to be treated as a subhuman and can easily disappear from earth, while no one would ever take responsibility for that.

This is not a chance, but rather a conscious state policy of implanting hatred between various groups of the "*damnés*," a policy of hunting for the enemies and the guilty to clash them against each other in order to avoid or postpone the violence against the state. Today, this tactic acquires more and more openly racist overtones. In the present insane hierarchy, the Russian population that is deprived of its rights, hates the Non-Russians, whose rights are infringed upon even more, while the state skillfully uses these oppositions to constantly reproduce the very lacking freedoms paradigm, where the aggression from above is socially institutionalized and taken as a norm. Unfortunately, this policy is successful; not just because it fertilizes the abundant soil of Russian chauvinism, but also because of the global situation of the more and more inverted human rights, and the creation of the civilization of fear, which Russia becomes a part of.

VII

The systematic development of human rights discourses started in Russia quite late—in the second half of the 19th century. Before that, there was only a superfluous and eclectic adoption of mainly French enlightenment and its adjustment to the Russian absolutism, trying to justify monarchy by means of the enlightenment ideals. In the mid 19th century, certain changes started to take

place—the peasant reform, the military reform, the judiciary reform, the district council reform etc. But, the new social and economic rights were not backed up by the political freedoms, while all constitutional efforts came to nothing in the end. The reform period soon ended, and the next reactionary stage arrived in the 1880s with its well known slogans of the autocracy, the communitarian unification of the Russian lands, the Orthodoxy and the truly national culture. The state terrorism generated, at that time, the political terrorism from the bottom, although it was not then tinted racially, as it happens today. What happened in Russia after the 1880s reaction? The society that was artificially frozen by the reactionary state, finally exploded in the unrestrained riot that eventually buried this power.

The Western circular individual ideal that still left out large numbers of people, who were coded as sub-humans, was eventually adopted by Russia, as usual, in caricature forms, and led to the unimaginable combination of authoritarianism, within which a human being is a worm, and purely Western double standards in the inversion of human rights. The difference is that the Western mind, at least starting from the enlightenment, has needed some justification for its own violation of the rights of others—be they African slaves, national minorities, Native Americans, people of other religions, while Russian mentality has not required such a justification. Violence is regarded as the norm, both by the state and—what is

more threatening—by the society at large. In the words of Lyudmila Alexeyeva, the Moscow Helsinki Group chairperson,

> the state power in Russia does not have as its goal the defending of our basic right—the right to live; it regards each of its operations, as a military campaign on the territory where—unfortunately for us—we all dwell. (Alexeyeva, 2004: 208.)

In the moral sense, this position does not bring any sympathy, although tomany people it seemed and seems today more honest than the elaborate double standards of the West.[7]

This idolizing of territory and, simultaneously, the neglect of people who inhabit it, is a typical feature of colonialism—both Western and Russian. Such an appendage to the "new" lands were equally the Native Americans and the peoples of Siberia. But, what is crucial here is that this attitude in Russia has been systematically transferred onto the whole population, not just the colonized. It is not a uniquely Russian situation, of course, but it is certainly one of the constitutive factors in the shaping of its lacking freedoms paradigm. Practically anyone in this situation feels unprotected, but unfortunately it is easier for the insulted and humiliated to buy the xenophobic slogans, offered by the state power, and, by hunting for the enemy in the other, to get an illusory semblance of the protection for themselves. The state and the society are ready to make major sacrifices in the name of the

"wonderful" future—communist before, or capitalist today—, while the enormousness of sacrifices is presented as a natural conformity to make the citizens accept the unavoidability of these sacrifices and the idea that there are interests, which are more important than those of the individuals; as well as values that are more important than their own lives. It is according to this logic that, in Soviet years, the political prisoners were taken outside of the human and today the federal troops in Chechnya kill and torture the innocent civilians, also taken outside of the human—the same way as in the 19th century it happened with the Caucasus fighters for the independence from the Russian empire.

VIII

After one of the many Russian-Turkish wars that ended unfavorably for the Russia-Berlin peace treaty, a Russian religious philosopher, Vladimir Solovyev—one of the very few intellectuals who opposed the outbursts of nationalism in the second half of the 19th century—pointed out the double standards of the Russian empire:

> We wanted to liberate Serbia and Bulgaria but, at the same time, we continued to oppress Poland. This system of oppression is bad in itself, but it becomes much worse due to the crying discrepancy with the liberating ideals and disinterested help, which the Russian politics always claimed to be its style, as well as its exclusive right. These politics are necessarily drenched in lying and hypocrisy, which take away any prestige. (…) One can-

> not—with perfect impunity—write on his banner the freedom of all Slavs and other people, simultaneously taking the national freedom away from the Polish, the religious freedom—away from the Uniats and Russian religious dissenters, the civil rights—from the Jews. (Solovyev, 2002: 247-8.)

These words were written in 1888. Has anything changed since then? Not really. In accordance with this double standard, Russia continues to "liberate" the nations, in order to colonize them, take their territories away, establish or reconfirm its geopolitical dominance etc. These transmuted Western double standards are manifested today in the tortures and deaths in Chechnya, in the dehumanization of labor migrants in Russia, in the sickening discourse of the "liberation" of Abkhazia and South Osetia, in the stubborn unwillingness to give the Kuril Islands back to Japan. Over a century ago, Solovyev pleaded Russia to repent its historical sins. But, it has not happened until today. In Yuri Kazakov's words, the

> post-soviet Russia has not become a country of mass repentance; the blame for the internal phlebotomy has been always shifted by the mass consciousness to some "elites" at best—with the resolute taking of the personal responsibility off their shoulders. As a result in mass consciousness, in public opinion we have an explosive mixture of social (civil) dystrophy and the national and inter-ethnic annoyance; and finally, the total and all-penetrating sense of injustice. (Kazakov, 2004: 144.)

This has been especially clear in the imperial-colonial relations, where Russia has never offered any repentance or any attempt at de-imperialization. The unofficial parallel suppressed history of the violation of human rights

of various colonial others—in case of the Russian empire is truly cruel and largely undocumented. The figures of the genocide of aboriginal peoples in Siberia, Caucasus or Central Asia, either remain a secret even today, or continue to be ignored by the etatist state.

The lacking freedoms paradigm that infected the Russian/Soviet ex-colonies as well, created there a kind of internal racism and self-destructing colonialism; and yet, for the ex-colonies, it seems to be easier to imagine a way out, because the colonial difference offers a clearer and natural response from the colonized who have nothing to lose; who were openly treated as inferior from the start, while the imperial difference creates a permanent and hidden inferiority complex, a constant blocking of dependency in a moral and existential slave, who cannot make a step from the traditional culture of servility to the culture of human dignity; who clings to his illusory superiority at any price. This kind of slavery is much more difficult to get rid of inside yourself, than to change a political and legal status from slavery to citizenship. Thus, the way out for the ex-colonies lies in the hybridization and trans-culturation of the pre-modernity ethics and cosmologies; in many cases, the pre-Islamic ones as well, and necessarily the epistemic and existential creativity that is aware of the Western modernity, but does not take it as the only point of reference anymore; that is based on the multiplicity of various cosmologies and their creative inter-play. It is a difficult task because the

Russian and the Soviet empires managed to destroy the majority of traces of other thinking and seeing the world in the aboriginal peoples. And, yet, these traces are still there.[8]

IX

Starting from the second modernity, the idea of the equality of all people, which in principle acted as a protection against discrimination, quickly became a platitude, which could easily be passed round by the European subject, as Hinkelammert demonstrates in his work. The idea that all people were created equal, but not all people can be defined as people, continues to be viable today, as we can see in both neo-liberal terrorism of like-mindedness and unanimity imposed onto the world and the multiculturalism, exoticizing the difference and making the "sub-human" forever a boutique wonder; an exhibit in the national park. It is only if we discard this understanding of the human and humanity and start thinking that all humans are fully human, that we can eventually drift to the idea that the differences and diversity are not a source of conflict or a challenge; not an impediment in being considered human, while the right to being different is one of the indispensable human rights.

The difficulty in the positioning of Russia in this respect is that Russia itself turns to be fallen out of history, from the victorious march of modernity, and hence, its rights are also inverted on the global scale. Starting at

least from Kant and Hegel, onwards the Russians are not considered quite White/European and, therefore, not quite human.[9] Similarly to what happened in case of the colonized nations, the Russians were given a hypothetical chance to change their status from the sub-human to the human by remodeling themselves according to the Western European standards. But, it is an illusory and unreachable goal that has always moved away like a horizon. The European rejection has molded into a peculiar self-assertion technique in Russia itself, which for the last several centuries has been busy proving its own Whiteness/European-ness, not only culturally, but also, by association, by the color of skin.

European philosophy has been interpreted in Russia for several centuries as its own. Moreover, there has been also a prevailing sentiment that Russia understands better than Europe the meaning of the Enlightenment; the same way as several centuries before, Russia claimed to understand better than Byzantium did what was meant by the Orthodox Christianity. The inversion of human rights also gets to Russia from the West, but then it is transmuted, distorted and projected onto the Russian internal and external others in the processes of colonization, zombification, political repressions, racialization and unrestrained exploitation of the large groups of people—from the serfs, to labor migrants today. The Western model is reproduced with distortions in Russia's own internal imperial space, when it claims no less than

creating a smaller model of the world inside its own enormous country. On the one hand, it is the uniqueness of the Russian empire that gobbles and assimilates the peoples and the spaces around it, that is at work here—in contrast with the different strategy of the maritime Western empires of modernity, whose colonial spaces were always overseas. On the other hand, it is isolationism that is also at work—not just geographic isolationism, but a mental one as well, a strive to create Russia's own way, parallel to the West, but better; and then, force (or, in milder variants, persuade) the rest of the world to follow this way. Russia is a target of the global inversion of human rights and the double standards, as well as a generator of similar strategies, which is a perfect illustration of its specific status of subaltern empire, marked with imperial difference. I do not mean to justify Russia because, there, the lacking freedoms paradigm grows into a national idea or even a civilizational tradition, which today turns against everyone who is not Russian, depriving them of their human status. Russia becomes both the recipient of violence and its mimicking generator. It is a distorted mirror of Western ideologies of conservatism, liberalism, Marxism, nationalism; a mirror that inverts and transmutes their essence but, at the same time, makes the paradoxes, the absurd logic and the irrational darker side of these ideologies—particularly obvious. In this complex configuration of distorted mirrors, it is extremely difficult to take a mediating position, which

would not bend either in the direction of the inversion of human rights "à la Lock," or to a Dostoyevskian stance with its sugary strive to refuse the happiness of humankind at the expense of a poor child's tear.

X

For Lock, the equality and the right to freedom of all people did not contradict the justification of slavery and the colonial annexations, because behind them all there stood the sanctified principle of the right to private property. The property of those who were taken outside the human realm, could be legally seized by the invaders, not by means of loot alone, but by its legalizing in the form of reparations for the damage or the expenses of the colonizer. But, this is a capitalist and, hence, the Western logic. In Russia, the private roperty could never be the main and official aim and justification in the legitimating of violation of human rights. Thus, the 19th century—the silver age of Russian absolutism, was also the bloody age of the genocide of Caucasus peoples. This policy was expressed in the mass elimination of the civilians by the army, in their violent deportation into the Ottoman Empire, which can be compared to the "trail of tears" in the history of Native Americans, as a result of which in folklore songs there appeared a line: "It became possible to cross the Black Sea on foot, stepping on the corpses."[10] From 1861 onwards, the Caucasus was turned into a real reservation and there is

a revival of the same tactic today. All of it was justified, not by the sanctified private property, but by the typical Russian imperial discourses, where the quantitative and spatial criteria played the crucial part and behind which, one can discern the slightly circularized, but essentially religiously interpreted idea of the global dominance. In circular terms, these discourses also played around the widening of territories, the tactical and trade necessities of getting to the sea, to better lands, the strive to create the buffer zones between Russia and the Ottoman empire (in case of Caucasus), the Great Britain (in case of Central Asia) and in Soviet years, the world of capitalism in general. Thus, Russia strove to demonstrate its power and smooth out its chronic inferiority complex due to the imperial difference.

In Soviet years, the logic of juxtaposition of us and them was realized in the famous formula of "the enemies of the People" (the People here acting as a false sacred category), who were automatically deprived of their human status. It is only logical that the many-million army of these political prisoners in Stalin époque performed economically meaningless tasks; the same way as it happened in Nazi concentration camps. This irrational logic has been preserved up to now, as in economic sense almost all of Russia's imperial projects turn out to be failures. At the same time, we cannot completely ignore the mercenary interests, although the economic gains in case

of Russia become a side product, rather than a goal. Thus, having eliminated and deported the local people who were transformed—in the imperial discourses—into the savages, the colonizers did in many cases become much richer.[11] In Soviet years, the division of labor was openly and massively racialized only in Central Asia. But, today these principles are being actively revived in Russia, in relation to all labor migrants and internal others alike. Here the darker side of modernity with its focus on a revived racism flourishes unrestrained through, both the imperial and the colonial difference.

XI

Working out the new concept of human rights and a new understanding of humanity that would finally be a stage after Man and towards the human, to use a Caribbean philosopher, Sylvia Wynter's definition (Thomas, 2006) is an important task not just for Russia, but globally today, if we want to leave behind the blind-alley left by several centuries of the systematic inversion of human rights. A large number of dissenting intellectuals throughout the world refer to this problem in their works. Thus, Robert Bernascony, while reflecting on the positive part of Franz Fanon's program, on his vision of the new humanism, points out that it remained unnoticed by Jean-Paul Sartre, although Sartre himself wrote in the *Critique of Dialectical Reason* that "humanism is a

counterpart of racism: it is a practice of exclusion" (Bernascony, 1996: 115), thus being aware of the hidden and indispensable side of modernity—the coloniality. Fanon states that, instead of "inviting the sub-men to become human, taking as their prototype western humanity, as incarnated in the western bourgeoisie" (Bernascony, 1996: 115), it is necessary to adopt a new understanding of the human and humanist, which presupposes the liberation of both the colonizer and the colonized. He does not simply call for violence. In his understanding of violence there is a goal of liberation and self-creation of the human being, the creation of a new man, free from the colonialist manicheism. And the violence itself in this case is an act of restoring the violated human dignity.

The duality of colonialism and the projection of violence, which "the wretched" receive from the oppressor onto the even more disenfranchised groups of population (in case of colonial countries, it would be the women and the children of the colonized), is typical not only of the relations of the First and the Third World. As I attempted to show, in the history of Russia we find the same manicheism, the same colonial duality, the same pendulum of either the blind repetition of Western models, or the reactionary traditionalism, the same projection of violence and violation of human rights onto those who are dependent on or subservient to the Russian intellectually and culturally colonized elites. The only difference is that these strategies have been inverted and directed

inside Russia's own totality. That is why, in Russia, the boundary between us and them is crucial, and yet—always blurred to a larger extent, than in the relations of the West and the non-West. Everyone can easily become an "other" in this country—a peasant and an aristocrat, a Russian and a Tartar; a party boss and a political dissident, and people realize this ever present threat and cling to the simple and clear duality of division, to the psychology of the crowd, which destroys everything that is different. The liberation from this manicheism is a precondition for the fulfillment of Fanon's dream of the new humanity and the new human being, which will not repeat the Western way, and will not come back to the authoritarian way in the vein of the Russian tradition either, but will be an unpredictable and creative path of fulfillment of the new man in this creative process—the evolvement of the new world and the new self in this world. Fanon discusses this in the end of his book:

> There is no question of a return to nature. It is simply a very concrete question of not dragging men toward mutilation, of not imposing upon the brain rhythms, which very quickly obliterate it and wreck it. The pretext of catching up must not be used to push man around, to tear him away from himself or from his privacy, to break and kill him. (Fanon, 1963: 314.)

Further, he adds that "if we want humanity to advance a step further, if we want to bring it up to a different level than that which Europe has shown, then we must invent and we must make discoveries" (Fanon, 1963: 315). "(…) we must work out new concepts and try to set afoot a new man" (Fanon, 1963: 316).

Russian intellectuals did think about this, as early as in the 19th century. The Russian religious philosophy was such attempt at mediation. But, the way it offered has remained utopian for Russia, which did not have then—and does not have now—the social forces that would support such a spiritual mediating project, except for the decolonial groups, the internal others of Russia. So far, their subjectivity remains dormant, with very few exceptions of the people, whose human rights are systematically violated in an almost legitimized manner in contemporary Russia. But there is hope, although rather vague and illusory, that with the coming of the next threshold period, the next schism, the next explosion, these groups will finally wake up and make themselves politically and intellectually visible. This could help both Russia and those dispensable lives whose rights it is systematically violating, in its constantly reproduced lacking freedoms paradigm.

Notes

1. Moreover, the state power attempts to tame the human rights activists and the experts today, in the recent establishment of the so-called Public Chamber, which was created entirely from above, by the personal initiative of the president, who even proposed a list of those who must be invited to this Chamber. We cannot blame all of its members for the dependence on the power and hence the insipidness of their criticism, but there is no question that the Public Chamber is legally helpless (it can only attract the attention of the Congress to certain problems, but it does not have the right to influence its decisions in any serious

way), while being an attempt at the total control of the civil society or, rather, of what is presented as such, from above.

2. The 282 article of the Russian Criminal Code is a good example of a typical hypocrisy, when it refers to racial and inter-ethnic conflicts and hate crimes. It states that the enkindling of the national and racial hatred can lead up to five years in prison. But, such case would be proven only if there are certain particular actions (e.g. writing the racist slogans on the walls), or verbal offences that were proven to summon other people to promote racial hatred and violence, and that were witnessed by other citizens. In reality, of course, it is impossible to prove anyone guilty under such conditions and, in the majority of cases, the hate crimes go under the name of plain hooliganism and seldom lead to imprisonment (Mnazakanyan, 2006).
3. Vladimir Solovyev, the author of the modernized concept of "Sofiynost"—the wisdom of the God, claimed that the individual, although valuable, can be realized only and always through his aspiration to the other-worldly God, or to its this-worldly image—the Czar, the People, the unified Russia etc. Russian religious philosophy rejected the Western liberalism on the grounds of its betrayal of democracy and called for the active state interference into economy instead of the free market. The representative democracy and the legal foundations of the state were considered by the religious philosophers only as a compromise on the way to the building of the real guarantees of human rights in the future; the same way as the economic socialism was for them too vulgar and ignored the spiritual dimension.
4. Even over a century ago, the first Russian liberals realized the impossibility of the mass acceptance of the civil society model in Russia, where in M. Speransky words, "only philosophers and beggars were free" (Serbinenko, 2001). Russian liberalism has always stood closer to the etatist state and ready for a dialogue with this state, than any Western liberalism would ever do. Any liberal programs and any claims to have wider freedoms and rights were essentially limited and mild in all 19th century Russian liberal programs—the state liberalism, the social liberalism and the conservative liberalism. None of

them attempted to reject the institute of monarchy, or the idea of strong power. The Russian liberals wanted to use both the monarchy and the state power. along with the specific Russian communitarianism to build the future civil society—instead of grounding themselves in the (non-existent) social institutions or individuals. If then there were such self-contradictory hybrids, as "legal monarchy" and "autocratic republic," today, within the same tradition, we have a no less contradictory word combination of the "controllable (or manageable) democracy."

5. Thus recently, in April 2006, this predominant sentiment was revived in the declaration approved by the Russian Church Synod. This declaration of human rights and dignities said that we cannot accept the situation when the fulfillment of human rights would suppress the belief and the ethical tradition; would lead to the aggravation of religious and national sentiments, of sacred places and objects, would threaten the existence of the Fatherland. This document openly claims that it is dangerous to "invent such rights," which make lawful the behavior that is not approved of by the traditional morality and all historical religions… In other words, it is an attempt to use the clergy authority to persuade the citizens that fighting for the rights and freedoms stated in the Russian Constitution is nothing but helping the enemy, in this case, once again, the West. In other words, it is a criticism of Western paradigm of human rights, but a criticism from the fundamentalist position. This criticism is aimed at further narrowing of human rights and not at their application to those categories, which—before—were not even considered human (Mnazakanyan, 2006).
6. It would be erroneous to link this only with the Soviet years. In the late 19th century, N. Berdyaev already doubted the possibility of fulfilling in Russia of the liberal ideal and the independent autonomous individual, sliding into the peculiar resignation—why fight for the freedom and the rights if the world would always be marked with suffering and lack of human dignity (Serbinenko, 2001).
7. In the 19th century Abraham Lincoln, defending the right of the catholic immigrants and native Americans, sarcastically stated that the Americans would have to change the text of the

Declaration of Independence to say that all people were created equal except for the Blacks, foreigners and Catholics. He also added that if such laws were ratified in the United States, he would emigrate into some other country where there are no empty pledges for the love of freedom, for example, to Russia where despotism acts in its pure form, without any hypocritical covers (Lasser, 1992: 197, 205).

8. In the late Soviet years, the Central Sociological Center conducted a poll under the title "A common Soviet man." Its results demonstrated that the majority of Soviet people thought that any form of deviance had to be destroyed, that prostitutes, homeless, mentally retarded etc. must be killed or imprisoned. But, the most interesting detail was that in Central Asia and South Caucasus no one thought this way, while the more Western the republic (the Baltic), the higher were the figures of intolerance to otherness (Yenikopov, 2004: 139).
9. In Kant's classification of the world in a decreasing order of meeting the requirements of the enlightened Reason, Russians held a very modest place, to put it mildly (Kant, 1996). Hegel, reflecting on the universal history, was writing about the Slavs who, in his opinion, were a historical people: "This entire body of peoples remains excluded from our consideration, because hitherto it has not appeared as an independent element in the series of phases that Reason has assumed in the World" (Hegel, 1956: 350).
10. Nowadays, about 80 thousand descendants of the so-called makhadzhirs—the Cherkess refugees from the Russian rule, who preferred exile to slavery—live in Jordan, which in the long run turned out better for their status, than that of those who stayed in Russia.
11. A certain general Eudokimov received 16 000 acres of former Adygean land, from Alexander II, for his project of deporting the insurgent Adygs to the Ottoman empire, and today the descendants of the Kazaks who supported the general over a century ago regard this land as originally theirs; they try to eliminate or deport such unwanted groups of migrants and refugees, as the Meskhetian Turks in Krasnodar region (Osypov, 2002).

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