

# Advancing Human Rights in Post-Authoritarian Communities through Education

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## Abstract

For two decades now, the countries of Central and Eastern Europe, as well as Russia, have been transitioning from authoritarian pasts to somewhat more liberal forms of social and political organization. The development of human rights consciousness confronts three core challenges posed by the legacy of twentieth century communism: associational life reduced to niche or clique; lack of trust; and discouragement of individual personhood. Practitioners can meet these challenges through a new approach to civic education. I show how, in four steps: (1) I propose human rights advocacy by means of a 'cognitive style', (2) deployed within civic education, (3) in ways that encourage civic participation. (4) I conclude by sketching three forms of a human rights cognitive style to spur civic education and participation: for professional activists; for non-professional community activists; and for educational deployment.

**Keywords:** Central and Eastern Europe; civic education; cognitive styles; communist legacies; human rights; post-authoritarianism

For more than two decades now, Central and Eastern European countries, as well as Russia, have been transitioning from authoritarian pasts to somewhat more liberal forms of social and political organization. I ask: how does their East bloc legacy impact prospects for advancing human rights in each of these countries by means of civic education and a developing civil society (by which I mean a sphere of social organization positioned between the state and the economy)? To begin to answer this question, I first define three key terms. How can one *generalize* across such different cases? What does civil society mean in these cases? And how can *civic education* in this context transform communities?

*Regarding the first question, on generalizing across very different cases:* While some analytic purposes are best served by distinguishing among the various countries, I identify across countries several important common features of the experience of transitioning from authoritarian to more liberal polities. Any generalization is problematic. Generalization treats diverse

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countries in ways at once vague and totalizing; it draws on them selectively as illustrative examples; it does not specify each country with respect to its particular institutional context and history; it does not treat the influence of its particular mode of exit from communism; it does not treat of each country's particular post-communist international relations (for example, whether it joined the European Union). As a group, these countries do not constitute a distinctive set of cases. And as a matter of practice, efforts to advance human rights need to be context-specific because they are deeply influenced by local contexts.

But generalization aids both understanding and human rights practice by identifying characteristics sufficiently shared by a set of countries to highlight historical patterns and possible future trends. Members of this group certainly display a shared heritage: common phenomena that characterize several of the core challenges faced by the human rights project as it confronts the shared legacy of twentieth century communism. By legacy I mean path-dependence in the sense of beliefs and institutions inherited from the past that, in their continuity with the present, constrain and co-determine the space available for potential change in targeted directions.<sup>1</sup>

*Regarding the second question, on the meaning of civil society:* I examine legacy and change in the context of civic education, primarily as provided by schools. In most countries, schools have long educated for civic membership. One form of membership, conducive to a free embrace of the human rights idea, involves active participation in civil society. Participation here refers to citizen-to-citizen relations distinct in nature from the citizen-state relationship.

Historical legacy, among other factors, discourages civic participation in Eastern Europe. Some of the people who lived through the communist era today regard that system with conflicted emotions. They view it as politically oppressive and economically weak but also as a system with features that functioned well and, to that extent at least, was legitimate. This legitimacy was 'attained by trading political democracy for an egalitarian social welfare system and by the regime's tacitly tolerating the existence of a "second society"', that is, private niches and cliques (Illner 1996: 163). Some 'social groups and strata profited from such conditions and were, for quite a long time, interested in maintaining them' (ibid). While certainly not wishing to

1 On pathways in post-socialist Europe, see Stark (1998). Coffé and Lippe (2010: 492–3) typify scholarship sensitive to distinctions among Eastern European countries even as they generalize across these countries with respect to the 'level of civic mindedness': Polish citizens stress engagement and duty; Hungarians, participation in elections and obeying laws; Slovenians, engagement; and Czechs, who score lowest on citizenship norms. The authors take these four distinct cases together to conclude that the 'communist experience and the penetration of communism within society still influences citizens' views on citizenship'. Similarly, Letki and Evans (2005: 524–5) show comparatively that the 'introduction of market democracy in East–Central Europe has been varied in terms of its rate of success, with countries such as the Czech Republic, Hungary and Poland leading in political and economic reforms, and Belarus, Russia and Ukraine struggling to escape the Soviet legacy.'

resuscitate the socialist state, today they are likely to have high expectations for social welfare and social services:

Though the communist system is often remembered for its repressive nature, many people fondly remember the social welfare aspects of that system, e.g. promises of full employment, free health care, inexpensive housing, and education. Indeed, civic educators often cite nostalgia for the control and social welfare of the former state as a key obstacle to the creation of civil society in Poland. The protective side of communism has caused some Poles to continue to view the state as a caretaker. Such an opinion of the role of the national government inhibits citizens' adoption of active and participatory stances that are essential for the type of liberal democracy that Poland has outlined in its constitution. (Wojcik 2010: 397)

In this way, among others, historical legacy influences current efforts to develop greater civic participation. In part the legacy is cohort-related. For example, 'older people display more of the expectations and value commitments inculcated during the communist era, and they also constitute a relatively disadvantaged group in transition economies' (Evans 2006: 263).

Civic participation sufficient to contribute meaningfully to a local embrace of human rights, in the face of such legacies, requires a robust civil society. I define civil society as the social, legal, and political contexts for such participation. The term *civil society* already has something of a history in East Europe. The notion of civil society played a limited role among domestic opponents of some authoritarian regimes. According to Elisabeth Buk-Berge (2006: 540):

[The] actual term did not come into common usage until 1980, but an idea of it evolved during the 1970s, when the expressions 'independent cultures', 'parallel structures' and 'the independent society' were introduced. The term 'civil society' was used most in Poland and, to a lesser degree, in Hungary and Czechoslovakia. Common to the democratic opposition in those countries was the understanding that civil society was an antipode to the communist state.<sup>2</sup>

*Regarding the third question, on the transformative capacity of civic education:* To seek social transformation through civic education is to attempt social change through the practical consequences of ideas for the behaviour of people who hold them. Education so understood makes significant political claims, above all: social change through persuasion not coercion. It implies several things: that schools themselves can be part of the transition away from authoritarianism; that schools can affect the community to some extent, and be affected by it; that policies of education both reflect and condition the political culture that generated them. Further, education in a broad sense extends

2 See Howard (2003) on the abiding weakness of civil society in Eastern and Central Europe.

beyond the institutional format of education along the various stages beginning with the children aged three to seven and ending with youth between 15 and 19 years of age; it extends beyond formal settings. Other spaces for education include secondary group associations such as labour, church, or trade organizations. Other spaces include non-governmental advocacy groups, collective political mobilization, and adult civic education. Finally, civic education toward political socialization and the transmission of values is possible beyond classrooms. It is possible in the ‘peer group, the mass media, religious institutions’ (Slomczynski and Shabad 1998: 753). And it is quite possible in the family. Indeed, ‘family and peers provide the strongest learning relationships and the most effective community for citizenship learning’, for example in the form of peer-led education for citizenship, or through the involvement in schools of politically active parents (Hoskins et al. 2012: 442).

My answers to these three questions anticipate my proposal toward advancing human rights by overcoming authoritarian legacies. I propose the local development of a human rights consciousness, in part by means of citizen-to-citizen relations. I refer to relations as they became possible after 1989 with the introduction of significant freedom from state control; as they derive from pluralism and tolerance; as they develop out of voluntary associations and social movements.<sup>3</sup> In part I would develop human rights consciousness by encouraging independent, critical thinking by stressing alternatives to the centralized-state legacy of uniformity in curricula, textbooks, and teaching methods.

Developing human rights consciousness in this way confronts three challenges posed by the legacy of twentieth century communism: associational life reduced to niche or clique; lack of trust; and discouragement of individual personhood. I meet these challenges through a new approach to civic education, what I call *cognitive style*. In four steps I address these challenges, emphasizing the importance of path-dependence for success of civic education driven by a human rights cognitive style.

## 1. Cognitive styles

Education is only one of many means to address the specific challenges that an authoritarian legacy poses to the human rights project. Civic education in particular bears no necessary relationship to a human rights-driven curriculum. But civic education remains particularly promising in generating receptiveness to the idea of human rights.<sup>4</sup> It can affect communities significantly—in decision-making, in social responsibility, in conflict resolution—and effect

3 In Western civil societies, voluntary associations, pluralism, and relative freedom from state control are realized at best only imperfectly. Such factors should not be idealized even as they offer something of a standard by which to identify and analyse the absence of alternative spaces beyond the grip of authoritarian states.

4 As empirical research indicates, including e.g. Bache and Taylor (2003), on Kosovo; Uhlin (2010), on Latvia; and Shevel (2011), on Ukraine.

political change specifically by re-framing relevant standpoints.<sup>5</sup> Education is a prominent venue for re-framing. I urge human rights advocates to regard this or that particular frame as a particular cognitive style, which I define below. By constructing human rights consciousness as a cognitive style, my focus on relevant phenomena is sharper than competing conceptions of human rights, which suffer from a certain fuzziness, whether as ‘belief’ (a feeling of certainty in the truth of a claim), ‘worldview’ (a comprehensive, normative way of regarding social and political life), ‘morality’ (a system for the normative evaluation of behaviour), or ‘ideology’ (systematically distorted communication).<sup>6</sup>

Before mapping the deployment of cognitive style, I define its meaning. Cognitive styles are ways of attending to the world. Each is specialized for some purpose or another; each has its own criteria for determining how well it functions and whether it achieves its goals. But none is a homogenizing groupthink that precludes individual perspective; each allows for ranges of interpretations.

I use the term *style* to mark designed, recurring patterns that orient perceptual and intellectual activity and inform a way of doing something. This particular way of doing something becomes typical of an individual as a member of a group that shares this style (no matter how small or fragmented the group).

As for a human rights cognitive style in particular: it approaches human rights with respect to the consciousness that motivates someone to embrace human rights and that orients that embrace in practical ways. I propose deploying it in classrooms as a pluralistic, anti-authoritarian alternative to a legacy of systematic ideological indoctrination controlled by state power in ‘schools, the mass media, the military, companies and institutions, [and] art production’ (Pastuović 1992: 410). I propose it as an alternative to communist-era conceptions of monistic ‘socialist pedagogy’ that promoted what authoritarian systems called the ‘comprehensively developed personality’ (ibid: 411). I propose it as an alternative to a ‘political educational goal aiming at the political homogenization of the population based on communist

5 To frame the world in a particular way is to look for recurring patterns that orient perceptual and intellectual activity and inform a way of doing something. Frames are shared among members of groups and even across groups. Although a shared frame generates shared convictions, it does not require consensus or entail consensus. My notion of cognitive styles draws on cognitive sociology; for an overview of current trends, see Strydom (2007).

6 Systematic distortion characterized the ‘communist manipulation of concepts such as democracy, justice, progress, and conservatism’, constituting a ‘particularly problematic obstacle for civic education in the early years of post-communist Poland’ (Wojcik 2010: 397). In the communist period, textbooks ‘strove to single out relevant words with a positive emotional loading and to steer their meanings so that they could be used as attributes to describe the state of affairs’ in Poland and other East bloc countries. The word ‘democracy’, for example, ‘was applied only to socialist countries; Western countries were called “pseudo-” or “bourgeois-democracies”’ (Andrzej Janowski, cited in ibid: 398).

ideology' (ibid). Above all, however, I propose a human rights style with an eye more to the future than to the past. After all, the 'fact that education increases all forms of participation, many of which are deeply apolitical', underscores the fact that pupils and students of any age are not simple-minded or uncritical receptacles of the information purveyed' (Glaeser et al. 2007: 85).<sup>7</sup>

A human rights cognitive style is oriented to both local circumstances and cosmopolitan goals. On the other hand, human rights are cosmopolitan: they aspire to global embrace and universal validity. Cosmopolitanism in its strongest form seeks to be free of local, domestic, and national convictions, prejudices, commitments and other attachments. Yet human rights have their greatest practical purchase precisely at the local level: to be effective, they need to be effective locally, in terms that resonate locally.<sup>8</sup> A human rights cognitive style pursues cosmopolitanism in just this sense: adaptation of cosmopolitan aspirations to particular contexts and venues.<sup>9</sup> *In its local orientation*, then, it shifts education away from an overriding concern with the sovereign state; away from traditional preoccupations with citizenship; away from state-based goals of fostering *national* citizens. *In its cosmopolitan orientation*, it loosens the tight territorial focus that characterizes modern nation state citizenship. It loosens that focus toward a citizenship oriented more on human rights. *Citizenship oriented more on human rights* means: legal membership in which human rights are an internal feature of national belonging rather than something external and in tension with it.

### *Changing behaviour by changing ideas*

A human rights cognitive style works on developing civic education toward civic participation. The style will be more effective with some members of the community than others, sometimes in expectable ways. For example, it will be more effective among persons with higher levels of education. Indeed, 'highly

7 A simplistic view of political indoctrination is also 'undermined by the peaceful anti-communist revolutions throughout Eastern Europe and the former Soviet Union, dominated by educated people with years of pro-communist indoctrination under their belts' (Glaeser et al. 2007: 85).

8 Hence I examine only one example (in itself large and very complex): post-authoritarian Eastern European states. This model's methodological localism rejects the idea of addressing all post-authoritarian states as such. Each of the various types needs to be treated separately. They include traditional authoritarian regimes (with personal loyalties, such as Ethiopia under Haile Selassie or Spain under Franco); bureaucratic military authoritarian regimes (less ideological, such as South Korea under Park Chung-hee); post-totalitarian (less ideological, less personalized, with little mass mobilization, such as China after Mao); the corporatist forms of authoritarianism in twentieth century Latin America; and racist regimes that deny rights to certain racial or ethnic groups (such as South Africa under apartheid). For a compelling deployment of localism in advancing human rights more generally, see Sally Engle Merry (2006).

9 See Gregg (2012) for examples of human rights pursued in context-sensitive ways.

educated citizens in more repressive countries are more likely to hold a critical view of their country's human rights conditions' (Carlson and Listhaug 2007: 467). And a human rights style will be more effective among persons better integrated into their local networks, and among persons 'more active in other secondary groups and associations' (Finkel 2002: 999).<sup>10</sup>

A human rights cognitive style differs markedly from competing approaches.<sup>11</sup> It grounds human rights in a basic epistemic position. By *epistemic position* I mean an 'ideational' approach: it assumes that the individual's beliefs and behaviour are determined in part by his or her ideas about his or her political community. Ideas are not the only things that matter in doing human rights politics, of course; my approach examines this particular factor among others, and seeks out ways of deploying it effectively. Other factors relevant to increasing, say, the individual's civic participation in light of an authoritarian legacy that discouraged or precluded participation, include a person's occupational status, education, and sex (among other variables of social stratification); the nature of political discussion (open or closed); relationship to the relevant political community (rooted or transient); and quality of the local media (high or low). The individual's skills and knowledge are also relevant to civic participation, such that a lack of knowledge affects the 'quality of the political choices made', for example 'uninformed citizens tend to base their decisions on the personal and social characteristics of political leaders rather than on the content of party programmes. Knowledge has also been associated with wider horizons and a stronger engagement with societal issues' (Hoskins et al. 2012: 423). In Section 4 below I show how a human rights

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10 A smaller, more educated citizenry also contributes to an environment facilitative of a human rights cognitive style. 'Large population sizes are believed not only to place stress on national resources, but also to increase the incidents of state terrorism by expanding the number of opportunities for coercive acts' (Carlson and Listhaug 2007: 472). Indeed, 'citizens' perceptions of human rights issues are more negative when the population size is larger' (ibid). Perhaps, as a general pattern, 'persons with higher education will have stronger human rights values, which will lead them to be more critical in countries with human rights violations' (ibid: 473).

11 For purposes of a very general orientation, consider a short list of differences (in lieu of a very long one): unlike Aquinas (1886–1887), it does not define human rights as goods or behaviours naturally right because God ordained it so; in distinction to Hobbes (1651), it does not posit them as a natural right to self-preservation; contrary to Kant (1795), it does not ground them as necessary for civil society; unlike Donnelly (1989), it does not derive them as needed for a life of dignity; by contrast to Gewirth (1985), it does not view them as necessary to protect the basic freedom and well-being necessary for human agency; unlike Galtung (1994), it does not understand them as necessary to provide what is needed for subsistence. Pogge (2002) as well as Talbott (2010) understand human rights primarily as claims on coercive social institutions; I suggest that they are primarily claims against authorities who uphold such institutions. Brock (2009: 72) argues that 'we must know what our basic needs are before we can sensibly define the entitlement that will be protected by human rights'; I counter that we socially construct our needs no less than our rights, hence that needs and rights are logically coeval, that needs do not ground rights.

cognitive style, in developing the individual's skills and knowledge, might contribute to civic education that encourages civic participation with respect to human rights goals.

### *Delivering the model to its addressees*

How does the proposed cognitive style effectively deliver human rights consciousness, or human rights thinking, to its addressees? By developing that consciousness and thinking locally, and in several different ways. *Developing consciousness locally* means: regarding human rights as socially constructed, and regarding members of one's community as potential co-constructors. To view human rights in this way—as socially constructed—is to assert that a human rights style is always already embedded in particular cultural and historical traditions, locally.<sup>12</sup> Upshot: local actors are core to the human rights project, which proceeds locally even as it aspires to an ultimately global reach. Consider the local approach along three dimensions.

First, because human rights are socially constructed, so is a human rights cognitive style; both are relative not absolute, perspectival not 'objective'. To say that any cognitive style is perspectival is to say that, to some extent, perception corresponds to how the perceived has been cognitively framed by the perceiver. Thus earlier I spoke of pursuing political change specifically by re-framing relevant standpoints.

Second, a cognitive style is shareable because it springs from ways of life shared within a community and sometimes across communities. A human rights cognitive style is not something given universally, metaphysically or theologically; in each case of deployment and in each community of deployment, it is constructed by members of particular communities at particular times, and concerns common experiences, common problems, common goals.

Third, a cognitive approach construes the individual not simply as a bearer of rights but also as an empowered social actor with agency and responsibility to construct rights. It outfits the individual with social and interpersonal competencies relevant to civic participation. On the one hand, by de-emphasizing collective and corporate society, national heritage, and the exclusive sovereignty and authority of a nation state, a human rights style teaches the individual to regard these phenomena as available for critique in the public sphere and as plausible targets of reform. (Other targets include sub-national institutions—from the family, to the religious community, to schooling.) On the other hand, this individualistic emphasis of a human rights cognitive style reflects my emphasis on individual human rights in distinction to group rights or socio-economic rights. While individual rights in a liberalizing society must be

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12 To view human rights as socially constructed is not to deny that society is prior to any individual's experience and understanding. It is to affirm that 'whatever an agent seeks to do will be continuously conditioned by natural constraints, and that effective doing will require the exploitation, not the neglect, of this condition' (Goffman 1974: 23).

balanced with social responsibilities, my proposal shifts that balance more toward the individual.<sup>13</sup> Once I make the model sufficiently plausible at the level of the individual, I can adjust it in ways appropriate for groups as well as for economic dimensions of securing human rights.

## 2. Civic education

Schools across diverse political regimes promote the teaching of social cooperation. A ‘primary aim of education is socialization—teaching people how to interact successfully and productively with others’, such that ‘schooling lowers the costs of social interactions more generally’; ‘indoctrination about political participation’ constitutes a major component (Glaeser et al. 2007: 82). In particular, every political community today to some extent utilizes education to legitimize its social order. Every community seeks to inspire in individual members some degree of identity with the nation and to assimilate individuals into that identity. One form of education is childhood socialization. It can determine the individual to such an extent that the displacement of one set of learned attitudes with another sometimes is possible only through the natural replacement of an older generation by a younger one.<sup>14</sup> Other forms of education target adults, who in any case must constantly relearn what childhood socialization no longer provides: means of coping with changing social, political, and economic circumstances.<sup>15</sup> Civic curricula may be present in all of these various forms.

In their more traditional forms, whether in liberal or authoritarian communities, civic curricula emphasize duties and authority, loyalty and patriotism, nation and family. The socialist countries sought a variation on this traditional approach: ‘authorities expected schools to help build a new social order by instilling loyalty to the Communist Party and inculcating youth with communist values’ (Wojcik 2010: 387) toward developing the ‘good, socially minded citizen of a socialist society who would exemplify in his or her private life the values of a classless, egalitarian, and collective society’ (Kozakiewicz 1992: 92).

After 1989, the various governments ‘turned again to schools to assist the process of societal transformation’ to ‘dismantle communism and cultivate a democratic citizenry’ (Wojcik 2010: 387). Yet current efforts to overcome tradition are stuck in the past. In some cases, ‘civic education follows a centralised and standardised pattern. Students are obligated to study given topics in specific years, students learn about human rights and responsibilities and textbooks often make extensive references to international and national legal

13 But it remains mindful of contexts where only group rights can deliver some human rights, for example in the case of some indigenous peoples (see e.g. Kymlicka (1995)).

14 See Kelly (2005) for a recent example; to be sure, members of a cohort do not experience socialization monolithically; differences in sex, ethnicity, or family position, among other factors, can generate significant differences within a cohort (see Dalton (1994)).

15 See e.g. North (1990). A third approach combines these two perspectives into the idea of life-long learning (e.g. for Russia, see Mishler and Rose (2007)).

texts' (Suárez 2008: 496). Yet the 'study programmes and the textbooks make few references to minorities, marginalised populations and topics involving cultural issues' (ibid).

Within the legacy of associational life controlled by the state through mass organizations, citizens learned not to trust; this lesson has left them with an abiding suspicion of public organizations. People learned to trust instead the private sphere in the sense of informal social networks among friends, relatives, and colleagues. Networks helped participants acquire goods and services not otherwise available—not because they were illegal but due to scarcity and other economic problems.

These networks encouraged social trust<sup>16</sup> beyond state control just as they discouraged trust and engagement in public networks. They constituted a kind of 'second society' or clique, an informal social community operating sometimes inside social institutions, and sometimes outside. They marked a 'retreat from the public sphere into privatism, a distrust of those outside one's immediate family and close social circle, and an emphasis on personal favors and ties' (Slomczynski and Shabad 1998: 750). They integrated individuals at the micro-level toward offering the individual member some degree of autonomy from the party-dominated state. Cliques generally pursued their own goals, irrespective of their relations with formal institutions. They had many clienteles, including citizens who felt compelled to act in illegal ways to defend what they took to be their rights, or at least their legitimate interests. Research indicates that the cliques' 'informal, unofficial values and norms' in many cases were incompatible with 'pluralistic politics, civil society, and a market economy' (ibid).

Public spheres today are not easily established in the face of cliques that exercise informal rules and personal power rather than, say, popular agreement and the rule of law. Russia in particular struggles with this particular legacy. Lyudmila Filipova, Sergey Patrushev and Elena Kondratieva (2012) report that the majority of Russian citizens regard themselves as unable to influence public institutions, let alone transform them: the formal right to vote does not necessarily entail its capacity to be effective. Citizens' associations cannot overcome this problem as long as the persistence of cliques discourages the emergence of public spheres. Russia today displays little differentiated political space for the articulation and coordination of interests and values of various social groups through political parties, social movements, and other organizations. It displays little differentiated political space toward

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16 Current economic and social problems, as well as governmental corruption, also generate distrust in contemporary economic and political elites and general disappointment with post-communist society. No community, regardless of design, can generate trust under severe conditions of significant economic decline, immiseration of the populace, or ethnic strife, let alone civil war or international conflict. Informal networks in the communist era encouraged social trust beyond state control, just as they discouraged trust and engagement in public networks.

formulating common objectives and toward political action to achieve them. Not surprisingly, Filipova, Patrushev and Kondratieva find that many Russians have a negative image of Russian parties. Many believe that the elections are unfair and the results rigged, and that parties do not reflect the views of citizens or otherwise function as institutions of popular representation.

The problem with cliques and niches is that non-formal, personal relationships in private life are unlikely to be oriented on civil rights or on human rights, both of which flourish only with broad public commitment and participation. The ‘persistence of friendship networks’ in post-authoritarian societies likely feeds off the ‘lack of trust towards others outside of those networks’ as well as off the ‘legacy of distrust towards communist organisations’, leading to levels of civic and political engagement lower than in more established democracies in the West (Smith 2009: 488). The persistence of private networks also goes hand-in-hand with contemporary mistrust of, even cynicism about, the possibility of good government, including government constitutionally limited in its powers. Although residents of Central and Eastern Europe today ‘may understand better than many West Europeans the importance of limiting the power of the authorities in ways that help guarantee respect for individual human rights, there is little practical experience and confidence in such mechanisms’ (Tibbitts 1994: 368–9).

### 3. Civic participation

What can a human rights cognitive style contribute to civic participation that would contribute to a local embrace of human rights? First, it encourages the individual to view himself or herself as a ‘sovereign protagonist of rights claims’ (Meyer et al. 2010: 113). To view oneself this way is all the more important for weaker members of the community, often women in general, the elderly, indigenous persons, homosexuals, the disabled, and minorities of various kinds. A human rights style provides its carrier with reasons for taking up the role of civic protagonist: to be an active participant in civil society and to value participatory rights. Allowing carriers to view themselves as human rights-bearing allows them to regard themselves also as claimants to other rights, such as equal membership in political community.

Second, complexity requires a society to individuate its members beyond levels adequate for older, more traditional societies. Individualism of this sort is a resource for developing what might be called ‘participatory personhood.’ Communist Romania, for example, was a ‘mass society. The individual was not taught he was an individual with rights and responsibilities’; rather, ‘Everybody was taught they were part of a collective, with collective rights’ (Georgescu, cited in Tibbitts 1994: 368). Social engineering under authoritarian regimes discouraged individualism, personal responsibility, and self-initiative. Socialist states provided few if any civil and political rights and did not promote rights for many social groups that sometimes found some support in some parts of the West (women, say, or homosexuals; Jews and

other religious minorities). But they did provide social rights, in the form of welfare, and they promoted workers' rights, as well as rights of the poor, certainly more so than Western countries.

The human rights project confronts this legacy today. Residua of the communist period include a 'fear of speaking freely', a fear 'deeply rooted in the political experience of countries with a long history of suppression' (Molnár 2009: 466).<sup>17</sup> Residua also include inadequate encouragement of the individual to 'take initiative and to develop his or her unique ideas and actions' (Bianchi 1997: 116) or to take 'personal responsibility for socially just behavior concerned with the welfare of the society' (ibid). And residua include conservatism or embeddedness, a preference for 'maintaining smooth relations within the in-group and not standing out', for 'maintaining the status quo of mutual obligations', for harmony or 'avoiding interpersonal conflict and fitting into the environment rather than trying to change it' (ibid).<sup>18</sup>

Many of these residua concern an underdeveloped sense of individualism. The underdevelopment discourages an authoritarian community from transitioning to a liberalized one. It perpetuates individuals' civil passivity and their self-protective survival strategies. It hardly spurs people to civic participation and it does not encourage them to assert their individual rights.

By contrast (and as I noted above), a human rights cognitive style emphasizes individual rights; it offers an interpretation of human rights that stresses individual rights over group rights. Individual rights contrast with 'second wave' human rights that animated various socialist and labour movements in the last decades of the nineteenth century and the first decades of the twentieth, and also by contrast to 'third wave' human rights following from decolonization after World War II: notions of collective rights such as a community's right to socio-economic development, a right to a safe environment (for example, one free from malaria), or a people's right to political and cultural self-determination. Of course, individualism does not necessarily preclude solidarity; citizenship does not have to exhaust personal identity; an emphasis on each person's unique identity need not preclude citizenship.

With this individualistic thrust, a human rights cognitive style resists a post-communist agenda of state cohesion, cultural unity, and unconditional loyalty to state and nation. It resists discourses of patriotic education that drive agendas in which nation-building trumps democratization, individualization,

17 Its extirpation requires the 'maximum protection for freedom of speech' as well as a 'special sensibility to identify censorship or the menace of it as a typical backwards regulation' (Molnár 2009: 482).

18 A human rights cognitive style addresses phenomena in post-authoritarian communities that are not themselves residua of that legacy. Uhlin (2006: 56ff), for example, identifies an additional factor: an 'NGO-ization' of civil society in post-communist countries, with few locally available economic resources, where foreign-funded non-governmental organizations (unintentionally) depress local, indigenous participation in civil society, or provide few incentives for the political mobilization of local residents.

civic attitudes, pluralism, and tolerance. It promotes ‘individual autonomy, respect for diversity, challenging authority and standing up for one’s rights’ (Janmaat and Piattoeva 2007: 532). It pursues a de-ideologization of civic education, away from a unitary perspective, toward a pluralist approach—but also away from past curricular policy ‘adjusted to fit predominant political forces’ and nationalist goals or even traditional religious education (Tibbitts 1994: 370). It does so in part by giving regional authorities and parents more say in educational matters. It pursues a pupil-centred pedagogy and promotes general humanistic values that stress the individual’s primacy in more liberal forms of society.

My proposal departs markedly from traditional education for state citizenship that emphasizes ‘responsibility, conformity, national loyalty and service to the community’ (Tibbitts 1994: 370). When pursued in post-communist contexts, education in a human rights style encourages persons who are as distrustful of the contemporary state (and their fellow citizens) as they were of the communist-era state. For post-authoritarian communities, education in a human rights style offers an alternative to intolerant ethno-national identities that substitute for the now defunct, unifying public belief-system of state socialism. In these various ways, a human rights cognitive style facilitates education for an anti-authoritarian, non-nation-building attachment to human rights. It replaces a pedagogy of conformity, loyalty and patriotism with one of pluralism, individual autonomy, active citizenship, and independent thinking.

#### 4. Different models of a human rights cognitive style

Given its localist orientation, a human rights cognitive style does not entail a single form or model of human rights advocacy. Among many possible forms of persuasion by means of different models of education, I conclude by sketching three forms of a human rights cognitive style to spur civic education and participation.<sup>19</sup>

*One human rights cognitive style, for professional activists, provides skill development.* It targets various kinds of relevant professionals, from legal professionals (police, lawyers, judges, prosecutors) to journalists to health and social service workers, from civil servants to military personnel. It targets them for training in monitoring violations, registering grievances with national or international organizations, bringing legal cases, accessing media outlets, lobbying public officials, and promoting accountability in public and private institutions. This model motivates professionals to deploy their knowledge, skills, and networks in procedures defending human rights, in legal contexts

19 In each case I draw on Tibbitts’ (2002) conception of epistemic and practical models, although not in ways consistent with her self-understanding. For example, she does not employ a theory of cognitive style. All three models are oriented on long-term processes of cultural, social, political, and economic transformation rather than on urgent mobilizations of international resources in human rights-emergencies. For an example of the latter approach, see Risse et al. (1999).

and in other venues. It helps them to see their capacity to realize the human rights-relevant potential of their skills in ways likely not anticipated by their formal training or much of their professional experience.

*A second human rights cognitive style serves non-professional community activists.* Perhaps more difficult to implement than the other two styles, it addresses vulnerable populations such as victims of abuse and trauma. It seeks to change beliefs, practices, and institutions that are human rights violative (in the family, in the workplace, in the public sphere, in religious communities). It does so by training participants in leadership, conflict resolution, human rights-relevant vocations, and in other forms of activism. It is community based and focused on changing and building the local community, for example in school settings, refugee camps, women's shelters, soup kitchens, and ghettos of the socially marginalized. This style operates through the therapeutic thematization of participants' experience as victims of human rights abuses. It can equally focus on violators and those at increased risk of becoming future perpetrators, such as young men in a country engulfed by civil war. It focuses on framing traumatic experience in ways to render it a resource for motivating restorative self-regard for victims in a larger context of human rights-supportive behaviour.

*A third human rights cognitive style seeks educational deployment.* It engages in social critique toward identifying the human rights-relevant aspects of institutions, understandings, and practices—toward analysing social, political, cultural, and policy issues in terms of a human rights framework. It attempts to generate widely shared support for human rights within a political community, and to generate opposition to institutions and authorities that violate human rights. Activists transmit it by teaching about human rights (history, for example, or institutions such as international courts, or examples from human trafficking, to child labour, to violations of an individual's bodily and psychological integrity). Participants advance it by integrating the idea of human rights into local public values and understandings (through school curricula, popular culture, and public awareness campaigns). This model is largely cognitive; unlike the other two, it does not aim at developing relevant skills for human rights activism and conflict resolution. It offers itself as a tool of analysis and persuasion.

This third cognitive style is particularly relevant to youth born after the communist period. For this style, we have (unlike the other two, as far as I can determine) concrete examples of particular instances of good practice. Consider two examples, both pedagogical projects of the European Union, each a conception of education for democratic citizenship and human rights education for students, particularly in the later years of secondary education but capable of variations appropriate for children even at kindergarten level, children not yet able to read and write (Krapf et al. 2010: 21, n.4). Both projects display a robust anti-authoritarianism well suited to advancing human rights in post-authoritarian communities through education.

One project, edited by Peter Krapf, Rolf Gollob, and Wiltrud Weidinger, finds expression in *Taking Part in Democracy: Lesson Plans for Upper Secondary Level on Democratic Citizenship and Human Rights Education* (2010). This project resonates with the vision I develop in these pages in at least four ways.

First, it teaches that human rights cannot be realized by law alone: ‘Rules cannot take care of every problem, so the members of a community must share an attitude of responsibility towards each other’ (Krapf et al. 2010: 7). Further, ‘we only learn how to take responsibility under conditions of liberty, which includes the liberty to fail’ (ibid: 78).

Second, Krapf and his colleagues convey the deeply agonistic nature of advancing human rights. The movement for human rights thinking can only be one of abiding disagreement, and therefore core to the human rights project is the capacity of participants to cope with disagreement, and not to be undermined by it: ‘In an open, secular and pluralist society, we cannot take for granted that there is a framework of values that everyone will immediately agree to—but for the stability of a community, such a framework is essential. We must therefore communicate and negotiate the basic principles that we share in taking responsibility’ (ibid: 61). Further, a ‘democratic and secular state depends on cultural conditions that its institutions and authorities cannot produce or enforce. A set of collectively accepted and appreciated values, rules and goals cannot be taken for granted. Rather, it is the citizens’ responsibility to (re)negotiate and (re)define their values, rules and goals’—and human rights education in particular can ‘play a key role in meeting this challenge inasmuch as human rights involve the principle of mutual recognition—the golden rule—but do not promote any particular religious belief or philosophy of ethics and morals’ (ibid: 79).

Third, *Taking Part in Democracy* emphasizes that agreement in the human rights project must be constructed by its participants. A human rights perspective simply imposed on those who disagree with it violates my proposal to understand human rights as self-authored, self-granted norms, but also as norms that can emerge for a political community and across political communities only in a spirit of compromise that rejects absolute certainty: ‘We have to agree on what serves us best. The common good is something to be negotiated’ (ibid: 83). Human rights pedagogy so understood entails, I would argue, four distinct features:

- (a) Human rights understood as something constructed by their own addressees rejects any notion of human rights as elite-directed norms imposed, top-down, by some moral, legal, or political hierarchy. *Taking Part in Democracy* ‘points out that human rights not only have a vertical dimension—the relationship between state authority and the individual citizen—but also a horizontal dimension—the relationship between individuals as members of a community’ (ibid: 73–4).

- (b) The political search for participants' agreement in the process of constructing human rights is best guided by a this-worldly pragmatism (rather than by the absolute, otherworldly certainties of, say, theology or metaphysics):

Pluralism is therefore linked to a constructivist concept of the common good. First all the players articulate their different interests, and then they look for a solution that everyone can accept. [C]onstructivism emphasises that there is an element of learning involved, following the pattern of trial and error. Practice will show how good a solution is, and it may have to be changed or improved—in a new round of discussions and negotiations. (Ibid: 83–4)

- (c) Understood as social constructions, human rights are not otherworldly truths discovered by special persons (in the manner, say, of religions). Rather, participants socially construct human rights for themselves and others, in a fallibilistic spirit, that is, participants must always examine those constructions critically and always be prepared to revise them toward better constructions:

Young citizens who take part in democracy do so as free individuals with equal rights, but unequal opportunities. As members of dynamic pluralist societies that are globally interdependent, they face increasingly complex challenges (e.g. climate change, exhaustion of natural resources, failing states) for which school cannot provide any concrete solutions, but can offer competence training to equip the young generation with tools with which to develop solutions. How such challenges are to be met is a matter of trial and error and negotiation of compromises between different interests. The outcome of such decision-making processes can be understood as an attempt to achieve the goal of the common good. The result is always incomplete, and immediately open to critical discussion and improvement. (Ibid: 2010: 9)

The human rights project is ever open-ended; it will never be exhaustively achieved, and “[l]earning for” democracy and human rights therefore means that the students prepare for their roles as lifelong learners, both as individuals and as a community’ (ibid: 29).

- (d) Accordingly, the agonistic process of participants constructing human rights for themselves can only be pluralistic: ‘Pluralism is a form of competition. The players compete with each other to promote their interests, and negotiation involves both power and reasoning. But this kind of competition also ensures that no player in the field becomes dominant’ (ibid: 84). For the Central and Eastern European countries transitioning from

authoritarian pasts to somewhat more liberal forms of social and political organization, the ‘rejection of pluralism implies giving in to the “authoritarian temptation”. The common good is defined by an authority, and whoever disagrees is oppressed as an enemy. Communist parties are an example in point. They claimed sole leadership on the grounds of being able to define the common good by scientific means. Both liberal and egalitarian democracy was rejected’ (ibid: 84).

Fourth, the human rights project is best pursued as a communal effort, and human rights education does well to explore ways in which students might thematize their own schools as microcosms of society. In just this sense, Krapf and his colleagues conceive human rights education as a ‘community of learners governed by human rights, but also as citizens engaged in decision-making processes’ (ibid: 29). For the human rights project, particularly in the sense of advancing human rights in post-authoritarian communities through education, is deeply participatory: all addressees of human rights should participate in the social construction of those rights: ‘Citizens should have the opportunity to take part in democracy, and to express their views and interests when discussing any issue on the agenda’ (ibid: 29). In this way the pedagogical project reinforces the democratic, participatory features of the human rights project in the former East bloc: ‘Democracy stands and falls with the promise that every interested citizen can take part in decision making. To do so with responsibility requires educated citizens’, and in particular citizens educated in human rights thinking (ibid: 79).

The participatory quality of the human rights project so understood is framed by two concerns for rules themselves guided by principles.

- (a) Participation in the project of advancing human rights, and human rights thinking, must be bounded by rules generally acceptable to the participants—acceptable because participants understand the rules and freely embrace them by their own best lights:

[S]tudents should learn how to exercise their rights to liberty, for example their right to free access to information, and to free thought, opinion and expression. They should also have active experience in interacting with others—for example, promoting their interests, negotiating for compromise, or agreeing on how to define ‘the general welfare’... They should be able to act in a framework of rules and accept the limits that may be imposed on them. They should have developed an attitude of responsibility for the welfare of others and the community as a whole. (Ibid: 9)

This project ‘depends on citizens who are willing and able to take part in decision making, and to take office in its institutions. Students need these competences and skills to be able to exercise their human and civil rights and to perform their roles as active citizens’ (ibid: 19).

- (b) To overcome the communist legacy by advancing human rights by means of civic education and a developing civil society, Central and Eastern European polities need to overcome the abiding residue of authoritarian forms of obtaining compliance:

There are two traps in teaching responsibility—abstract moralising and indoctrination. Moralising means talking about being ‘a good citizen’ without looking at a concrete issue. The students are given the message that taking responsibility is only a matter of wanting to or not. They never learn how difficult this task can be, and how important it is to share their reasons for making a choice. The trap of indoctrination refers to teachers who attempt to impose a certain set of values. They have no mandate to do so, and whatever set of values they choose, it can be questioned and deconstructed. To avoid these traps, this approach ‘gives the students the opportunity to make decisions on their own’. (Ibid: 61–2)

That opportunity is pedagogically provided in part where the ‘teacher is their coach and facilitator. The students discuss how to solve dilemmas. The case stories refer to the students’ everyday experience, which puts the students in the role of experts’ (ibid: 62).

Another project, pursued by the OSCE Office for Democratic Institutions and Human Rights in *Guidelines on Human Rights Education for Secondary School Systems* (2012) in Warsaw, Poland, offers an approach that, in six ways, resonates with other aspects of the proposal I develop in these pages.

First, the book advances a kind of localism: ‘Training programmes are adapted to the particular cultural, educational, regional and experiential needs and realities of the teachers and their students’ ([Organization for Security and Cooperation in Europe \(OSCE\) 2012: 43](#)).

Second, it takes a community-wide, cross-institutional approach:

Human rights education in secondary schools is designed in consultation with key stakeholders, including civil society organizations, and with the direct and meaningful participation of youth. Human rights education is implemented in secondary schools in collaboration with a wide range of stakeholders at the national, sub-national/regional and local levels, including policymakers, educational professionals, teacher-training institutions, students, parents, educational institutions, non-governmental organizations, children and youth organizations and the media, in order to foster a wide and multi-faceted range of opportunities for students to engage with human rights in their community. (Ibid: 20)

Third, the *Guidelines* advocates education in both formal and informal contexts, incorporating human rights issues or themes ‘within existing compulsory subjects’, developing ‘new courses or special subjects’, and

complemented by ‘non-formal learning opportunities in and out of schools, such as extra-curricular classes and clubs, and participation in projects, field trips and other activities, such as seminars and round tables’ (ibid: 16).

Fourth, this project stresses education toward ‘strengthen[ing] the capacity of duty bearers (e.g., legislators, policymakers, educational professionals and teacher trainers) to meet their human rights obligations through improvements in policies, legislation, resource allocation and practices supporting human rights education’ (ibid: 20–1).

Fifth, this approach gives special attention to the vulnerable: the ‘special needs or vulnerabilities of students, such as those learning in conflict, post-conflict and post-disaster situations, or those who are at risk of dropping out of school due to various factors, such as poverty, health conditions or violence’ (ibid: 16), and ‘especially persons who are particularly vulnerable to human rights abuse, for example those with disabilities’ (ibid: 31).

Finally, the *Guidelines* emphasize the importance of the media with respect to free access to information and freedom of the media, but also ways in which the media can contribute to setting a political community’s political agenda, by teaching students to ‘Evaluate information sources, including media and learning resources, and recognize points of view, bias and reliability’ (ibid: 27).

## Conclusion

My three models of a human rights cognitive style—for professional activists, providing skill development; for non-professional community activists; and for educational deployment—associate civic participation with human rights in three ways. First, they represent in concrete ways the abstract claim that social institutions can only be credible if citizens are involved to some extent in the political background conditions for such institutions. That involvement will only become universal when all participants can be regarded as radically equal in ways that exceed the kinds of legal equality offered by civil rights, and in ways that find expression in human rights. Second, popular political participation is a means of holding elected representatives to account. Holding national representatives to cosmopolitan account requires a perspective and commitment larger than domestic justice; human rights offer that perspective. Third, ‘not all political activity deserves the label “virtuous” or contributes to the commonweal’ (Putnam 1993: 88). But activity that advances common interests rather than self-interest, that promotes shared benefits rather than merely private interests, follows a logic of inclusion rather than exclusion, which is precisely the logic of human rights.

Advancing this inclusive logic depends, of course, on more rather than fewer supporters. It depends on supporters whose personal investment in participation is sufficient to motivate participation even in the face of many, constant discouragements. All forms of a human rights style have practical

implications for civic education and civic participation in post-authoritarian communities. First, the development of each form hinges on the acquisition and exchange of information among citizens. Coordination facilitates exchange, and coordination depends on developed capacities of a group to determine its goals, to understand its tasks, to determine how best to accomplish them, and how best to explain those goals to others, with knowledge of and sensitivity toward local conditions. Second, better civic-educated citizens are better able to persuade others to participate in human rights politics. Better educated participants can better express the reasoning, goals, and means of a human rights style, and can better inform and persuade others. Third, civic education is furthered when its addressees are able to form increasingly inclusive groups involved in civic participation. As civic education develops and expands, the capacity of citizens to advance a human rights cognitive style increases.

In all three cases, human rights practitioners in education maximize their effectiveness by deploying a human rights style against the legacy of 50 years of authoritarian rule in Central and Eastern European countries, namely low levels of social trust and social interconnectedness that discourage human rights consciousness. To develop trust and interconnectedness in these societies, practitioners develop civic participation (a) in some cases as a result of a cognitive style and (b) in other cases as a resource for a cognitive style.

- (a) Sometimes civic participation *results* from participants adopting a human rights cognitive style.<sup>20</sup> In this ‘top-down’ scenario, practitioners convey human rights consciousness by participating with citizens in various types of networks and associations. Here the focus is not on explicit principles of human rights so much as on some of the ‘by-products’ of human rights, such as norms of generalized reciprocity and trust—norms that encourage civic participation.
- (b) Sometimes civic participation is the *source* of a human rights cognitive style.<sup>21</sup> In this ‘bottom-up’ scenario, citizens’ human rights impact the quality and stability of civic institutions. Borne by a cognitive style, trust leads to civic participation whereas in (a), civic participation leads to the kind of trust involved in human rights consciousness. Trust, reciprocity, and related orientations of a cognitive style contribute to citizen participation and to the development of civic networks.

I close on a practical note. In early 2015 I invited Mario Mažić, the Director of Programs for the Youth Initiative for Human Rights in Croatia, to comment on how my models of a human rights cognitive style appear to a

20 Following the explanatory logic, but not the subject matter, of work in the mould of Coleman (1990).

21 Following the logic but not the content of scholarship in approaches such as Putnam’s (1993).

practitioner in the field. He responded by noting challenges on the ground and what he takes to be possible merits of what this article proposes:<sup>22</sup>

Just very recently, the organization I work with—the Youth Initiative for Human Rights (YIHR) in Croatia formalized a partnership with the UN International Criminal Tribunal for the former Yugoslavia (ICTY). Through this partnership, YIHR should hold presentations on the ICTY, international humanitarian law and dealing with the past in high schools around the country. In order to hold a presentation in a school in Croatia, an organization has to have its program approved by the Ministry of Education. However, the Ministry of Education refused to give the necessary approval to the ICTY and YIHR due to the *controversial nature of the topic*. I am convinced that the Minister and the bureaucrats never even considered the option that the presentations aim at simply providing information to students rather than shaping their attitudes. The goal that we have set for ourselves is to inform, to provide examples and literature, and to generally enable students to form their own responsible opinions on these processes relevant for their society. Yet, the Ministry of Education is used to organizing programs that directly shape students' opinions. If a topic is controversial, it is thought that we should all just have the same view. Anything else prompts conflict. This is a clear example of how education is generally perceived in transitional societies.

With respect to the proposal developed in these pages, Mario Mažić writes:

Other approaches start at the end of a discussion, they offer a model and aim to develop students' loyalty to it. They, of course, also discuss specific values, but instantly impose a model that is claimed to promote and safeguard these values best. However, in [Gregg's] approach, the model comes at an end and is on the table for discussion. The core discussion is about the principles and their basis. Through such a critical approach, students are not merely the receptors of information. On the contrary, each student, by reaching his/her own conclusion, reaffirms these principles anew.

Mario Mažić suggests that the model

offers a perspective in which a specific style of education in human rights really cannot any longer be considered as ideology-based education. Gregg goes a step further in explaining that this style is different, equally, from being considered as a set of beliefs or worldview. The *cognitive style* presented in the article is not a type of education where students learn the facts and figures, ideological narratives and behavioral

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22 Personal communication with the author, on file with the *Journal of Human Rights Practice*.

patterns. This type offers a deeper look into *why* and *how* human rights build a society safer and better for each of its members. It develops critical thinking to a deeper, fuller extent, as it offers a personal perspective of each of the students into the discussion on how to organize and understand society.

I am grateful to Mario Mažić for his feedback. In that spirit, I invite other practitioners in the field to write me about their experiences in advancing human rights in post-authoritarian communities through education. And I would be grateful for practitioners' critical feedback on what they find to be strengths and weaknesses of the model I develop here.

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