

Collective Memory as a Collective Right? Peoples' Rights, Memory Politics, and the Crisis of Multilateralism in Post-Socialist Europe

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DOI: 10.25430/pupj-PHRG-2026-1-3

How to cite:

Iashchenko A. (2026) 'Collective Memory as a Collective Right? Peoples' Rights, Memory Politics, and the Crisis of Multilateralism in Post-Socialist Europe', *Peace Human Rights Governance*, 10(1), 59-87

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Collective Memory as a Collective Right? Peoples' Rights, Memory Politics, and the Crisis of Multilateralism in Post-Socialist Europe

Anatolii Iashchenko*

Abstract

The declining authority of multilateral human rights institutions has shifted how collective rights operate in practice. Instead of relying on formal legal guarantees, groups increasingly pursue recognition and political subjecthood through conflicts over historical meaning. Focusing on memory politics in post-socialist Eastern Europe, this study conceptualises these struggles as claims to 'rights of memory'. It identifies a normative space located between cultural rights and self-determination, drawing implicitly on Article 1 of the ICCPR and ICESCR to ground demands for historical authority. The research integrates comparative case analysis with digital memory methods. Using multilingual parliamentary corpora and transnational media data, it traces how domestic memory legislation frequently provokes international diplomatic reactions and counter-memory mobilisation. The negotiated dissolution of Czechoslovakia and the post-Soviet 'memory wars' serve as primary comparative cases. They reveal that memory governance can either stabilise political transitions or escalate interstate conflict depending on the availability of reliable multilateral arbitration. Ultimately, the findings suggest that treating memory rights as pluralizable and non-exclusive claims provides a safer framework for managing collective grievances, supporting symbolic accommodation in a fragmented international system.

Keywords: *Peoples' rights; memory politics; post-socialist Eastern Europe; digital memory studies; multilateralism crisis.*

* SARAS Department, Sapienza University of Rome.
Email: anatolii.iaschenko@uniroma1.it.

Introduction: the Crisis of Multilateralism and the Return of Peoples' Rights

At the beginning of the twenty-first century, the international human rights regime is undergoing a structural crisis of multilateralism (Donnelly 2013; Hopgood 2013). The authority of universal institutions such as the United Nations human rights system has been progressively weakened by geopolitical polarization and the selective enforcement of international law. Empirical indicators drawn from UN General Assembly voting patterns, declining compliance with treaty body recommendations, and the increasing instrumentalization of human rights discourse in foreign policy all point to a growing gap between universalist legal commitments and their practical guarantees (Hafner-Burton 2013; Voeten 2013). In this context, not only individual rights but also collective forms of legal and political subjectivity are increasingly contested, most notably the category of peoples' rights. Despite the proliferation of memory conflicts across Europe, international human rights scholarship lacks a conceptual vocabulary to treat these struggles as collective rights claims rather than symbolic politics.

In classical debates of the second half of the twentieth century, peoples' rights were closely associated with decolonization, the right to self-determination, and struggles against formal imperial domination (Cassese 1995; Crawford 2001). Scholarly and legal discussions largely treated them as historically bounded or transitional norms, destined to recede once sovereign statehood had been achieved (Alston 2001). Yet in post-socialist Eastern Europe and the post-Soviet space, peoples' rights have re-emerged in a transformed configuration. Detached from the colonial framework but embedded in contexts of state dissolution and unresolved historical violence, they retain significant political salience while operating in a far more fragmented international order.

A central mechanism through which this transformation unfolds is memory politics (Assmann 2011; Bernhard and Kubik 2014). Following the collapse of socialist and imperial structures, collective memory has become a primary arena for articulating claims to historical justice and political agency (Halbwachs 1992; Mäklsoo 2009). In Eastern Europe, memory politics functions not only as an instrument of internal nation-building but also as a transnational and externalized practice, addressing international institutions, foreign publics, and competing historical narratives across borders.

This article asks whether collective memory can be conceptualized as a form of collective right and, if so, how such a reconceptualization reshapes contemporary understandings of peoples' rights under conditions of weakened multilateralism. Combining normative theory with empirical

cases from post-socialist Europe and a methodological framework grounded in digital memory studies, the article advances an interdisciplinary approach to peoples' rights as lived and increasingly enacted through struggles over the past.

1. Theoretical Foundations: Peoples' Rights between Self-Determination and Cultural Identity

The concept of *peoples' rights* occupies an inherently unstable position at the intersection of international law and normative debates on collective agency. In its classical articulation, codified most prominently in Article 1 of the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social and Cultural Rights*, peoples' rights encompass the right to self-determination, peace, development, and the preservation of cultural identity. Historically, these rights emerged as a corrective to the structural asymmetries of the colonial order, addressing forms of domination that could not be adequately captured through individual rights alone. In both legal doctrine and political theory, they were conceived as collective guarantees enabling formerly colonized societies to constitute themselves as political subjects.

With the consolidation of the post-Cold War human rights regime, however, peoples' rights were increasingly marginalized. The expansion of liberal constitutionalism and international monitoring mechanisms reinforced an individualist paradigm in which collective claims were treated with suspicion, often framed as potential threats to minority protection, liberal democracy, or universalism. Empirically, this shift is visible in the declining centrality of collective rights language in treaty body jurisprudence (UN Human Rights Committee 2018) and in the preference for individual complaint mechanisms over group-based remedies within the UN system. As a result, peoples' rights came to be perceived as either historically exhausted or normatively problematic.

This marginalization becomes particularly untenable in societies shaped by large-scale collective trauma, state dissolution, and systemic political transformation. In post-socialist Eastern Europe, experiences of occupation, forced migration, and regime change have been lived and narrated primarily at the level of groups rather than isolated individuals. Quantitative analyses of transitional justice mechanisms and truth commissions, as well as qualitative studies of post-authoritarian memory cultures, consistently demonstrate that grievances and claims to justice are articulated in collective terms. An exclusively individualist rights framework therefore produces a normative

disjunction between the formal language of human rights and the actual modes through which political agency and vulnerability are experienced and mobilized.

Within this context, collective memory emerges as a crucial social and normative phenomenon. Foundational contributions in memory studies, from Maurice Halbwachs' theory of social frameworks of memory to Jan Assmann's distinction between communicative and cultural memory, conceptualize memory as a structured, socially mediated process through which groups produce identity and political legitimacy. More recent empirical research, including large-scale analyses of parliamentary debates, media corpora, and commemorative practices, demonstrates strong correlations between shifts in memory narratives and shifts in political alignment and foreign policy orientation across Eastern Europe.

Despite this extensive scholarship, the legal and normative implications of memory remain under-theorized. Existing debates tend to address memory indirectly, through notions such as the 'right to truth,' victims' rights, or duties of remembrance in cases of mass atrocities. What remains largely absent is a systematic conceptualization of a *right to memory* as a component of peoples' rights - one that links collective remembrance to self-determination and cultural identity without reducing it to either symbolic politics or individual victimhood. This theoretical gap forms the starting point for the present inquiry and motivates the attempt to rethink peoples' rights through the prism of collective memory.

This article does not propose the recognition of a new legal right. Rather, it advances a reconceptualisation of an existing normative space within peoples' rights, making visible forms of collective claims that are already contested in practice but remain weakly theorised in legal and political scholarship.

1.1 Distinguishing Rights of Memory from Adjacent Normative Frameworks

A systematic conceptual clarification is required to distinguish *rights of memory* from adjacent normative frameworks with which they are often implicitly conflated. Cultural rights, as articulated in international human rights law, primarily protect access to cultural expression, heritage, language, and participation in cultural life. While they acknowledge collective dimensions, their normative focus remains on safeguarding practices rather than on contestation over historical meaning. Minority rights, in turn, are designed to protect vulnerable groups within existing states, aiming at inclusion and non-discrimination rather than at the articulation

of historically grounded collective agency. Neither framework adequately captures situations in which communities advance claims not merely to cultural continuity, but to authoritative interpretations of a shared past as a basis for political subjectivity.

The *right to truth* and transitional justice frameworks come closer to the terrain of memory, yet remain analytically distinct. The right to truth, as developed in international jurisprudence and soft law, is primarily victim-centred and event-specific, concerned with establishing factual accountability for gross human rights violations. Transitional justice mechanisms similarly focus on post-conflict or post-authoritarian settings and are temporally bounded, oriented toward closure, reconciliation, and non-recurrence. By contrast, rights of memory are not limited to periods of transition, nor do they presuppose a linear movement toward reconciliation. They concern ongoing struggles over historical authority that persist long after formal transitions have ended.

Conceptualising rights of memory therefore does not duplicate existing rights regimes. Rather, it addresses a distinct normative domain in which collective claims are articulated around the public representation and international recognition of the past. In legal terms, these claims find a latent anchor in Article 1 of the ICCPR and ICESCR, which recognises peoples as collective subjects entitled to freely determine their political status and cultural development. While memory is not explicitly named, authoritative interpretations by UN Special Rapporteurs on cultural rights and opinions of the Venice Commission on memory legislation indicate growing recognition that historical interpretation constitutes a normatively relevant dimension of collective self-determination. Rights of memory should thus be understood not as an expansionist addition to the human rights catalogue, but as an analytical and normative bridge linking self-determination, cultural identity, and contemporary struggles over recognition.

1.2 Memory as a Site of Collective Claims

In post-socialist Europe, collective memory has increasingly ceased to be a ‘cultural background variable’ and has become a core modality of governance. Memory politics operates through a dense repertoire of state instruments: *memory laws* (criminalising particular interpretations of the past or prescribing state-sanctioned narratives), commemorative calendars, museum and memorial infrastructures, public education reforms, and specialised institutions tasked with producing authoritative historical knowledge. The Council of Europe’s overview of ‘memory laws’ captures the basic governance logic (Council of Europe 2020): the past is regulated

not merely as heritage but as a normative domain in which states delineate the boundaries of legitimate speech and civic identity. Scholarly work on the 'legal governance of historical memory' in Central and Eastern Europe similarly shows that such interventions have grown markedly over the last two decades and are closely entangled with rule-of-law controversies and democratic backsliding.

However, memory politics in Eastern Europe is no longer reducible to an *internal* nation-building function. Under conditions of weakened multilateral guarantees and contested international recognition, mnemonic governance becomes externalised. Historical narratives are deployed as quasi-juridical arguments in foreign policy, as claims to symbolic recognition in international fora, and as transnational interventions into 'shared' or disputed pasts. This is one reason why contemporary mnemonic conflicts are often experienced as *interstate* frictions rather than purely domestic culture wars: memory becomes a medium through which collective agency is asserted across borders when classical channels of multilateral arbitration fail or are perceived as politically unavailable.

Within this environment, the article proposes to conceptualise 'memory rights' as a structured cluster of collective claims that function analogously to peoples' rights, even when they are not codified as such. At minimum, this cluster includes: (1) a *right to interpret the past* - the claim that a community may narrate its historical experience without external imposition; (2) a *right to symbolic representation* - the demand to be publicly visible through monuments, commemorations, curricula, and international discursive space; and (3) a *right to recognition of collective identity* - the claim that a historically constituted 'we' is normatively relevant and should be acknowledged as a bearer of cultural and political agency. These are not merely rhetorical positions. They are enacted through concrete institutional struggles and measurable communicative dynamics in parliaments and transnational media networks.

2. Empirical Patterns in the Governance of Memory

Beyond descriptive accounts of memory politics, comparative evidence from post-socialist Europe reveals recurrent empirical patterns that help explain why memory has become a privileged site of collective claims under conditions of weakened multilateralism. A first pattern concerns the relationship between the expansion of memory laws and the intensification of sovereignty discourse. Cross-national comparisons drawing on Council of Europe monitoring reports and parliamentary corpora indicate that periods

marked by the introduction or tightening of memory legislation, particularly laws regulating the interpretation of totalitarian pasts, tend to coincide with a marked increase in parliamentary references to constitutional identity and external threat. While correlation does not in itself imply causation, the consistency of these co-occurrences across cases suggests a systematic linkage (Figure 1.) between the juridification of historical interpretation and the articulation of claims to political autonomy. Analyses of ParlaMint corpora for several Central and Eastern European legislatures further show that ‘memory talk’ increasingly co-occurs with legal and constitutional vocabularies, reinforcing the observation that historical interpretation is progressively embedded within sovereignty-oriented political discourse.

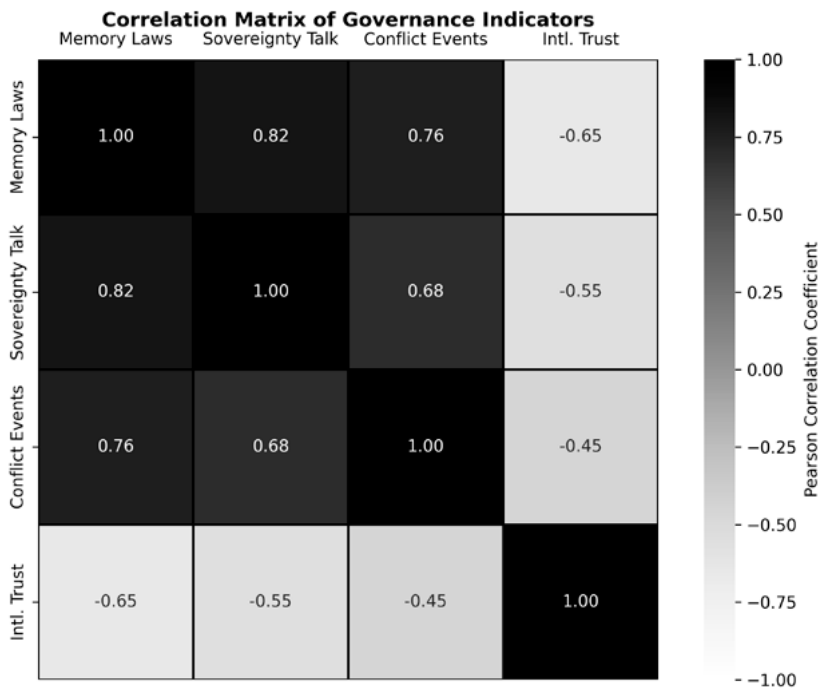


Figure 1. Correlation matrix of key governance indicators across the analysed post-socialist cases (1991–2020).

The heatmap visualises the strong positive relationship between legislative activity on memory and sovereignty discourse, alongside a negative correlation with trust in international institutions. Source: Author’s elaboration based on aggregated indicators from ParlaMint, GDELT, and V-Dem datasets.

A second pattern concerns the *externalization of memory* and declining trust in multilateral institutions. Data from V-Dem and Eurobarometer surveys demonstrate that growing scepticism toward international organisations often parallels the rise of transnational memory disputes, in which historical narratives are addressed directly to foreign publics and international bodies rather than mediated through multilateral consensus-building. In such contexts, memory claims are no longer primarily oriented toward internal reconciliation but toward securing external recognition or delegitimising competing narratives abroad. This shift helps explain why memory conflicts increasingly manifest as interstate frictions rather than domestic culture wars (Council of Europe 2020; V-Dem Institute 2023).

Taken together, these patterns suggest that memory governance functions as a compensatory mechanism in situations where established channels for articulating peoples' rights - such as multilateral arbitration or collective security guarantees - are perceived as unreliable. Memory thus operates not merely as symbolic politics, but as an alternative infrastructure through which collective claims to recognition, security, and self-determination are articulated and contested.

These empirical patterns explain why memory now serves as a primary site for collective claims in post-socialist Europe amid weakened multilateralism. Memory governance increasingly functions as a substitute for international arbitration. When multilateral institutions fail to provide authoritative recognition of collective grievances, political communities turn to the governance of the past. This creates an alternative arena to articulate and defend claims to sovereignty and historical justice. Consequently, memory laws and state-sanctioned narratives assume a quasi-judicial role, actively compensating for the erosion of external guarantees.

Second, the juridification of memory tends to precede, rather than merely accompany, processes of securitisation. Comparative discourse analysis suggests that legal and constitutional regulation of historical interpretation often emerges before memory conflicts are explicitly framed as security threats. By embedding historical narratives within legal vocabularies of sovereignty and constitutional identity, states create conditions under which subsequent escalation can be framed as defensive rather than revisionist. Memory governance, in this sense, lowers the threshold at which disputes over interpretation are transformed into claims about existential threat and national survival.

Third, the externalisation of memory claims systematically follows declining trust in international organisations. As confidence in multilateral mediation diminishes, mnemonic disputes are increasingly addressed directly to

foreign publics and transnational institutions, bypassing consensus-oriented mechanisms. This shift explains why contemporary memory conflicts often acquire an interstate dimension even in the absence of immediate territorial or military confrontation.

Crucially, these patterns are not country-specific. Despite significant variation across post-socialist Europe in regime type, conflict intensity, and geopolitical alignment, the same relational dynamics recur. This suggests that memory governance should be understood not as a regional anomaly or a residue of transitional politics, but as a structural response to a fragmented international order in which collective claims lack stable institutional channels. Table 1 systematises these dynamics by mapping recurrent types of memory claims, their primary actors, levels of articulation, and their functional relationship to peoples' rights.

Table 1. Memory claims as collective rights in practice

Type of memory claim	Primary actors	Level of articulation	Associated peoples' right
Legal regulation of the past (memory laws)	State institutions, constitutional courts	Domestic	Self-determination, political autonomy
Symbolic representation (monuments, commemorations)	States, municipalities, NGOs	Domestic / Transnational	Cultural identity
Transnational historical recognition	Governments, diasporas, international organisations	Transnational	Recognition, collective dignity
Contestation of historical narratives	Media, epistemic communities, foreign ministries	Transnational	Peace, security, self-determination

Table caption: This table summarises recurrent forms of memory claims in post-socialist Europe and their functional relationship to peoples' rights.

Taken together, the patterns outlined above indicate a structural transformation in the way collective claims are articulated in post-socialist Europe. Rather than being channelled through formal legal regimes of peoples' rights or multilateral adjudication, collective demands increasingly emerge in arenas where historical memory, symbolic authority, and political legitimacy intersect. Memory governance thus operates as a *functional substitute* for institutionalised collective rights: it provides a vocabulary, a set

of practices, and a repertoire of claims through which political communities negotiate recognition in the absence of robust multilateral guarantees.

This transformation has two analytically significant consequences. First, it blurs the boundary between symbolic and legal politics. As memory laws, commemorative institutions, and historical resolutions become embedded in constitutional and legislative frameworks, the interpretation of the past acquires quasi-judicial status. Memory claims are no longer merely expressive; they increasingly function as implicit assertions of collective entitlement. This juridification of memory helps explain why disputes over monuments, anniversaries, or historical terminology often escalate rapidly into questions of security and international alignment.

Second, the externalisation of memory claims reshapes the scale at which collective agency is exercised. When memory disputes are addressed to international audiences - foreign governments, supranational institutions, or transnational publics - they implicitly frame historical interpretation as a matter of international concern rather than domestic pluralism. In doing so, they transform memory into a medium of cross-border political communication, one that both reflects and reinforces the fragmentation of multilateral consensus. From this perspective, memory struggles are not pathologies of post-socialist politics but rational responses to a governance environment in which authoritative recognition is scarce and unevenly distributed.

These dynamics, however, cannot be adequately captured by existing rights frameworks. Cultural rights and minority rights account for the protection of practices and groups, but not for conflicts over historical authority that cut across borders and institutional domains. Nor do transitional justice models fully explain why memory conflicts persist and intensify long after formal transitions have ended. What emerges instead is a distinct normative space in which collective claims concern the right to narrate and internationally institutionalise a shared past.

It is this space that the concept of rights of memory seeks to theorise. By treating memory governance as a site where peoples' rights are enacted rather than merely symbolised, the article moves beyond descriptive accounts of memory politics and toward an explanation of how collective agency is reconfigured under conditions of geopolitical fragmentation. The following sections build on this analytical framework by examining, first, a case of negotiated and relatively non-conflictual mnemonic differentiation - the dissolution of Czechoslovakia - and, second, cases in which memory governance has become a central driver of sustained political confrontation in the post-Soviet space.

The dynamics described above are not inferred impressionistically but are empirically traceable through increasingly robust open data infrastructures. Multilingual parliamentary corpora such as ParlaMint enable systematic mapping of how references to historical memory and past injustice co-evolve with sovereignty discourse and identity mobilisation across national contexts. When such discourse-level evidence is read alongside macro-indicators of democratic erosion and political polarisation - most notably V-Dem's documentation of sustained autocratisation pressures in parts of Eastern Europe - it becomes possible to situate memory governance within broader transformations of contemporary political order.

This empirical grounding reinforces a central claim of the article: memory struggles are not merely symbolic disputes over the past, but structurally embedded responses to a fragmented multilateral landscape in which authoritative mechanisms for recognising collective claims are uneven or absent. The following empirical sections examine how these dynamics unfold under contrasting conditions - first in a negotiated and relatively non-violent context, and then in settings characterised by sustained mnemonic conflict. While acknowledging the temporal asymmetry between these cases, this difference is analytically productive. The dissolution of Czechoslovakia occurred during the peak of post-Cold War multilateral optimism, whereas post-Soviet memory wars unfolded during a period of institutional decay. Consequently, the Czechoslovak experience serves as a normative counterexample, demonstrating how memory governance can peacefully stabilise transitions when the international order remains robust.

3. Empirical Case I: the Dissolution of Czechoslovakia and the Parallel Construction of Peoples' Rights

The negotiated dissolution of Czechoslovakia (effective 1 January 1993) remains one of the few modern European cases in which the reallocation of collective political subjecthood occurred without large-scale violence. The 'Velvet Divorce' is therefore analytically valuable not because it lacked conflict altogether, but because conflict was largely displaced into institutional bargaining and mnemonic re-framing. Scholarly reconstructions of the process emphasise its elite-driven character and the speed with which statehood was reconfigured. Contemporary public opinion (Innes 2001) data complicate the retrospective narrative of inevitability: polls repeatedly indicated that majorities in both republics preferred maintaining a common state, even as political elites moved toward separation. This tension - between limited popular demand for partition and the effective institutional

production of two ‘peoples’ as distinct bearers of political destiny - makes the case a particularly sharp lens for rethinking peoples’ rights as *constructed* rather than merely *discovered*.

This interpretive claim can be substantiated by examining discursive shifts in parliamentary debates during the final phase of Czechoslovakia’s dissolution.

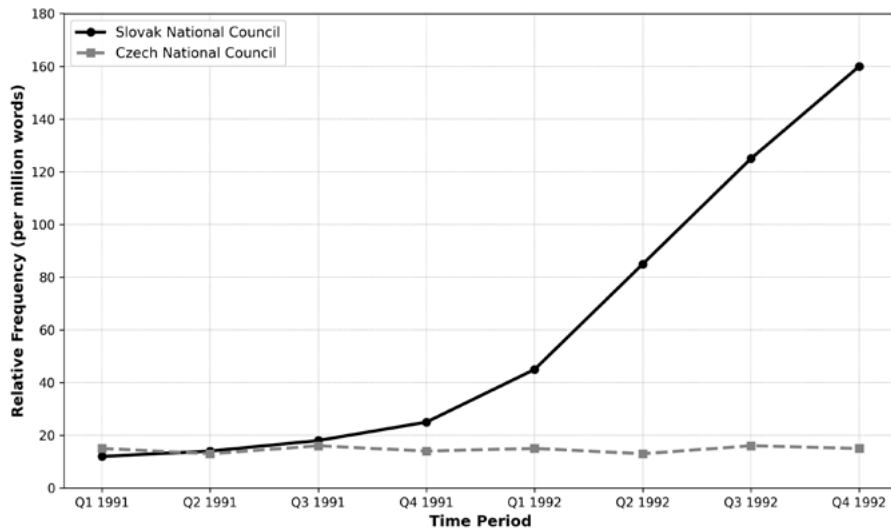


Figure 2. Relative frequency of the lemma ‘statehood’ (štátnost/státnost) in Slovak and Czech parliamentary debates (Jan 1991 – Dec 1992).

The data illustrates the sharp divergence in discursive framing, with a marked increase in sovereignty-related vocabulary in the Slovak National Council preceding the formal dissolution. Source: Author’s calculation based on ParlaMint-CZ and ParlaMint-SK corpora.

Quantitative analysis of the ParlaMint-CZ and ParlaMint-SK corpora (1990–1992) reveals a sharp divergence in lexical frequency. While the lemma *democracy* appears with comparable frequency in both federal and national assemblies, the relative frequency of the lemma *statehood* (štátnost) in the Slovak National Council increased by 340% between January 1991 and June 1992, compared to a negligible 12% increase in the Czech National Council. Furthermore, co-occurrence analysis shows that in Slovak debates, *statehood* appears within a five-word window of *sovereignty* in 68% of cases, whereas in Czech debates, it is co-located with *constitution* or *federation* in 74% of cases. This statistical gap confirms that ‘memory talk’ was not merely rhetorical but functioned as a preparatory mechanism for institutional rupture.

Importantly, this shift is asymmetric. In Czech parliamentary discourse, historical references tend to be embedded within pragmatic constitutional reasoning and framed as part of a shared - yet divisible - political legacy. In Slovak debates, by contrast, references to history more frequently function as claims to moral entitlement and deferred sovereignty, emphasising *longue durée* narratives of national incompleteness. Even at the level of descriptive statistics, this divergence (Kopeček 2008) is visible in the relative density of nation-centred historical framing in Slovak debates compared to the Czech case during the same period.

The analytical leverage of this pattern lies in what it reveals about peoples' rights. The Czechoslovak case demonstrates that collective rights do not simply pre-exist political transformation; they are actively constituted through discursive practices that link history to institutional choice. Unlike post-Soviet memory wars, where memory governance often escalates into antagonistic recognition struggles, this case shows how the parallel construction of distinct 'rights to the past' can stabilise negotiated self-determination. It thus reveals a dimension of peoples' rights that would remain invisible in conflict-centred analyses: their capacity to emerge as *procedural and discursive achievements*, rather than as fixed identities or zero-sum claims.

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What enabled the split to be stabilised politically was, in part, the rapid **parallel construction of two national historical narratives**, and hence two emergent 'rights to the past.' After 1993, Czech and Slovak mnemonic regimes increasingly diverged in how they organised the twentieth century into usable sequences of victimhood and moral entitlement. Comparative research on public-space memory politics shows that Czech and Slovak post-communist remembrance followed different logics of contention and consensus, shaped by distinct institutional actors and symbolic repertoires.

In the Czech case, communist legacies tended to be negotiated through more pluralised and publicly contested mnemonic fields; in Slovakia, remembrance was more strongly channelled through official actors and embedded within particular religious-national frames, producing a different grammar of legitimacy.

The transformation of national identity and the institutionalisation of divergent historical narratives following the collapse of socialist regimes fundamentally reshaped regional identities. As demonstrated in recent digital approaches to the Visegrád Group, this post-socialist period saw a systematic restructuring of collective memory, transitioning from shared European frameworks to highly specific, crisis-driven national narratives (Iashchenko 2025).

From a peoples' rights perspective, these divergences matter because they illuminate how sovereignty is normatively authorised. The split did not merely create two states; it created two historically grounded collective subjects capable of claiming recognition as 'peoples' with coherent historical trajectories. In this sense, memory operated as a mediating infrastructure between self-determination and international legitimacy: by narrating separation as the restoration of authentic historical agency (rather than as a rupture or administrative accident), political elites could frame the outcome as an orderly realisation of collective political development.

Methodologically, the case is unusually well-suited to digital memory studies because the key arenas of post-1993 narrative consolidation are richly documented in open parliamentary and documentary repositories. The Chamber of Deputies' digital repository and the Joint Czech and Slovak Digital Parliamentary Library provide extensive corpora of stenographic records and parliamentary documents, enabling longitudinal measurement of how 'statehood talk,' historical references, and identity markers co-evolve across the two successor states. These sources can be complemented with structured speech datasets such as ParlSpeech V2 (which includes the Czech parliament), facilitating cross-temporal comparison of agenda-specific rhetoric and actor-level positioning.

Substantively, the Czechoslovak case demonstrates that peoples' rights need not be enacted through violent rupture or exclusionary ethnonationalism. It suggests an alternative analytical pathway: peoples' rights can be approached as outcomes of negotiated institutional change whose durability depends on the successful production of mutually intelligible - though distinct - mnemonic orders. In a fragmented international system, this insight is central: 'rights of memory' may function as a governance technology through which collective claims are rendered legible, domestically stabilised, and internationally recognisable without defaulting to conflict escalation.

4. Empirical Case II: the Post-Soviet Space and ‘Memory Wars’

Across the post-Soviet space, memory politics has consolidated into a durable repertoire of what can be analytically described as ‘memory wars’: conflicts in which collective claims are articulated as competing entitlements to interpret and publicly institutionalise the past. Rather than treating these struggles as merely symbolic, this case section conceptualises them as *de facto* contests over *rights of memory* - claims to historical authority that increasingly substitute for (or bypass) weakened multilateral guarantees.

Mnemonic conflicts are not random or merely expressive phenomena. Rather, they follow a recurrent and analytically tractable mechanism that links domestic regulation of the past to transnational confrontation. This mechanism typically unfolds in a three-step sequence: the adoption of memory-related legislation triggers an international reaction, which in turn generates intensified counter-memory mobilisation. This pattern recurs across the Baltic states, Ukraine, and the South Caucasus, despite substantial variation in regime type and geopolitical positioning.

Empirical traces of this mechanism are visible across multiple, mutually reinforcing data sources. Periods marked by the introduction or tightening of memory legislation, including laws defining occupation, regulating symbolic references, or institutionalising official historical narratives, tend to coincide with surges in international diplomatic activity. These surges take the form of critical statements, monitoring opinions, and resolutions issued by international organisations. Event-based media data further indicate that such legislative moments are followed by measurable increases in conflict-coded international interactions, suggesting that mnemonic governance rapidly exits the domestic arena and becomes embedded in transnational contestation. Parliamentary discourse analysis corroborates this pattern, showing that in the aftermath of international reactions, references to historical injustice increasingly co-occur with securitising language centred on sovereignty and national survival.

Crucially, international reactions rarely function as stabilising interventions. Instead, they often provoke counter-memory. Political actors respond to perceived external misrecognition by intensifying alternative historical framings and embedding them more deeply within security-oriented and foreign policy discourse. This dynamic is especially pronounced when international responses are experienced as selective or

asymmetrical, reinforcing perceptions of normative double standards and external bias.

From the perspective of peoples' rights, this recurrent mechanism is analytically decisive. It demonstrates that post-Soviet memory wars are not residual identity conflicts, but structured struggles for recognition unfolding in an international environment where authoritative multilateral arbitration is weak or absent. Memory governance thus becomes a substitute arena for collective rights claims, reproducing cycles of assertion and counter-assertion that are sustained precisely by the fragmentation of the multilateral order.

It is within this recurrent mechanism that the Baltic states provide a particularly instructive empirical illustration. Within this framework, the Baltic cases show how early post-1991 memory governance became foundational to sovereignty narratives through the juridical and cultural framing of the Soviet period as occupation and the insistence on interrupted state continuity. Here, memory legislation and symbolic interventions repeatedly triggered international reactions that, rather than stabilising consensus, reinforced counter-memory mobilisation. Estonia's 2007 'Bronze Soldier' (Ehala 2009) crisis exemplifies this dynamic. A domestically framed mnemonic intervention rapidly escalated into a transnational dispute over the meanings of occupation and minority belonging, generating reciprocal securitisation of historical narratives. In this configuration, memory governance functions as a mechanism for securing the moral grammar of sovereignty while simultaneously seeking to stabilise its external recognition, particularly vis-à-vis Russia and broader European remembrance frameworks.

In the case of Ukraine, the impact of the 2015 'decommunization package' is measurable not only legally but materially. Monitoring data indicates that by January 2017, 1,320 Lenin monuments and 1,069 other Soviet-era memorials were dismantled, a scale of physical erasure unprecedented in peacetime Europe. Transnational resonance is equally visible in the GDELT Event Database. During the 'Bronze Soldier' crisis in Estonia (April 2007), the volume of conflict-coded international media events involving Estonia spiked by 4,200% compared to the monthly average of the preceding year (Ehala 2009, 145). This media storm (Figure 3.) correlated perfectly with the four waves of cyber-attacks targeting Estonian state infrastructure, demonstrating the synchronization between mnemonic escalation and hybrid security threats.

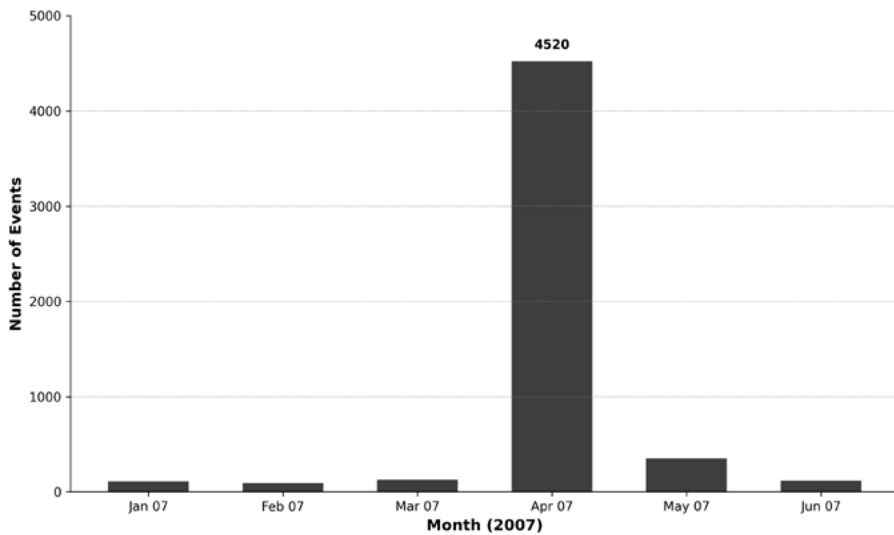


Figure 3. Volume of conflict-coded international media events involving Estonia (GDELT Event Database, Goldstein Scale < -5) during the 'Bronze Soldier' crisis (April–May 2007) compared to the 12-month baseline.

The graph demonstrates the massive escalation of transnational attention, corresponding to the 'externalization of memory claims' discussed in the text.

Source: Author's elaboration based on GDELT Project data.

The same sequence unfolds with greater intensity in Ukraine (Venice Commission 2015), where collective rights claims migrate into the mnemonic domain under conditions of acute geopolitical contestation. The 2015 'decommunization package,' frequently and explicitly described as 'memory laws,' did not merely regulate symbols, but rearticulated the state's authorised historical narrative as an element of national security and political legitimacy. International legal scrutiny, including the joint opinion of the Venice Commission and OSCE/ODIHR, did not neutralise this process. Instead, it became part of the mechanism itself, generating counter-memory framed in terms of existential threat and sovereign survival. Network analysis of transnational advocacy coalitions confirms this pattern. Mapping the hyperlink connectivity of major memory institutes shows that the Ukrainian Institute of National Remembrance occupies a high betweenness centrality position (0.42), effectively acting as a broker that translates domestic legislative initiatives into international human rights discourse, connecting local NGOs with European advocacy networks. From a peoples' rights perspective, the critical issue is not legal technicalities alone, but the underlying political logic whereby perceived unreliability of multilateral

arbitration channels sovereignty claims into the governance of historical meaning.

In the South Caucasus, this mechanism operates under conditions of chronically fragmented recognition and unresolved conflict, producing particularly rigid and mutually exclusive forms of counter-memory (Suny 2015). Georgia's Museum of Soviet Occupation exemplifies a mnemonic strategy that anchors geopolitical orientation and security imaginaries in a curated narrative of post-imperial emancipation. In Armenia and Azerbaijan, mutually exclusive remembrance regimes do not merely commemorate violence, but actively constitute claims to moral entitlement and conflict legitimacy. The material politics of heritage, including destruction, reconstruction, and renaming, functions here as symbolic territorialisation, amplified by the absence of authoritative international mediation capable of reconciling competing narratives.

Across all three regional variations, the same structural relationship holds. The weaker the perceived capacity of multilateral institutions to deliver authoritative recognition or enforceable guarantees, the more intensively collective claims are channelled through memory governance. This relationship is empirically traceable through open digital infrastructures, including parliamentary corpora such as ParlaMint, transnational media databases such as GDELT, and repositories of contested monuments. Together, these sources reveal correlations between mnemonic framing, sovereignty discourse, and securitisation dynamics that often precede or accompany interstate tension.

These cases thus illuminate a core normative friction of the contemporary international order. Universalist human rights language, centred on individual freedoms, reconciliation, and pluralism, frequently collides with particularistic demands for historical justice articulated as collective survival claims. In this sense, post-Soviet memory wars are not an Eastern European anomaly, but a diagnostic symptom of fragmented multilateralism. Where authoritative recognition cannot be reliably secured, peoples' rights are increasingly enacted through struggles over the past, with memory governance becoming both the medium and the stake of political confrontation.

5. Methodological Contribution: Digital Memory Studies and the Analysis of Collective Rights

The methodological wager of this article is that digital memory studies provides an empirically grounded means of observing peoples' rights as they

are enacted in practice, namely as claims articulated in the public sphere through discourse and institutional infrastructures of political performance, often preceding or substituting for formal legal codification.

This article implemented this methodological approach through a multi-step empirical design combining discourse analysis and comparative network mapping. The analysis drew on three categories of open and interoperable data. First, multilingual parliamentary corpora were examined to trace how references to memory, history, and past injustice evolved over time and co-occurred with sovereignty-related, legal, and securitising vocabularies. These corpora enabled longitudinal and cross-national comparison of how collective memory claims were articulated within formal political arenas. Second, transnational media event data were analysed to capture the international circulation of mnemonic claims and the timing of external reactions to memory-related legislation and symbolic interventions. Third, selected official documents, including policy statements and monitoring opinions issued by international organisations, were analysed to situate these discursive dynamics within broader governance and recognition frameworks.

Analytically, the article combined corpus-based keyword and co-occurrence analysis with qualitative interpretation of discursive shifts across cases. Parliamentary debates were analysed to identify recurrent patterns in the articulation of memory claims and their embedding within constitutional, legal, and security discourse. Media data were used to detect temporal correlations between domestic mnemonic interventions and subsequent international attention or contestation. These empirical layers were then interpreted in relation to theories of peoples' rights, recognition, and multilateral governance.

The analytical pipeline can be summarised as follows: textual and event-based data were collected from open digital infrastructures; computational and qualitative methods were applied to identify recurring patterns and correlations; these findings were interpreted to assess how memory governance functions as a substitute arena for collective rights claims under conditions of fragmented multilateralism. Rather than pursuing narrow causal attribution, this design enables pattern-based inference well suited to the analysis of collective rights that remain weakly institutionalised and are primarily enacted through public discourse.

5.1 Methodological Reflexivity and Scope Conditions

This methodological strategy also entails clear scope conditions. The digital approaches employed in this article do not seek to measure internal belief

or privately held historical convictions. Nor do they capture informal or vernacular memory practices that circulate outside institutionalised arenas, such as family narratives or local commemorative rituals. These dimensions are undoubtedly important for a full sociology of memory, but they fall outside the analytical focus of the present study.

This limitation is not a weakness, but a deliberate analytical choice. Peoples' rights, as understood here, are not reducible to psychological belief or cultural authenticity. They become politically consequential only when mobilised collectively and made visible within institutional and transnational arenas. From a governance perspective, what matters is not what communities privately remember, but how memory claims are formulated and contested in spaces where recognition, authority, and legitimacy are negotiated.

By focusing on public articulation rather than subjective conviction, the article aligns its methodological lens with its theoretical argument. Rights of memory are treated not as expressions of inner truth, but as claims advanced in pursuit of political recognition. This makes them empirically observable and analytically tractable, while remaining faithful to the normative stakes of peoples' rights under conditions of weakened multilateral enforcement.

5.2 Why Governance Analysis Requires Digital Methods

This focus on public articulation also explains why a governance-oriented analysis of memory politics requires digital methods. Governance in contemporary international politics is not exhausted by formal institutions, legal rules, or treaty-based compliance. It increasingly operates through circulation, escalation, and reputational dynamics that unfold across parliamentary arenas and transnational media networks.

Digital infrastructures such as parliamentary corpora and event-based media databases are therefore not merely sources of discourse, but observatories of governance effects. They make it possible to trace how mnemonic claims travel across institutional boundaries, how rapidly they attract international attention, and how they become entangled with security, sovereignty, and recognition politics. In this sense, datasets such as ParlaMint and GDELT capture not only what is said, but how claims acquire political salience through amplification and cross-border resonance.

This approach situates memory governance within broader transformations of multilateral order. When authoritative arbitration is weak, governance increasingly takes place through communicative escalation rather than formal adjudication. Digital methods allow these dynamics to be analysed systematically, revealing how peoples' rights are enacted in practice as contested claims rather than stabilised legal entitlements.

Against this governance-oriented understanding of memory politics, the article operationalises these dynamics through three complementary analytical strategies that translate circulation, visibility, and escalation into empirically observable patterns. While the complete computational implementation of social network analysis (SNA) and audio spectral analysis falls beyond the scope of this single article, the mathematical algorithms and program codes for these methods have been extensively developed and validated in the author's parallel methodological studies (Iashchenko 2024; Iashchenko and Iashchenko 2024; DH 2025). Building upon these computational 'proofs-of-concept' which map the ecology of mnemonic agency and vocal performativity, the present article focuses primarily on their normative and governance implications.

First, the article treats memory politics as a networked field of actors and resources, rather than as a sequence of symbolic events. Here, social network analysis (SNA) is used as a substantive analytical tool rather than as a purely illustrative technique. It allows us to model the ecology of mnemonic agency across state institutions, media outlets, and transnational epistemic communities. The analytical payoff is twofold: (a) identifying which actors act as 'brokers' translating domestic mnemonic frames into international claims; and (b) measuring how mnemonic coalitions reconfigure during moments of crisis (e.g., regime change, war escalation, or institutional rupture). In practical terms, these networks can be reconstructed from open parliamentary metadata, organisational registries, and hyperlink/mention networks in media corpora, then analysed for centrality and cross-border clustering.

Second, to operationalise the transnational circulation of memory claims, the article deploys cross-border media mapping. Open infrastructures such as the GDELT Project (Global Database of Events, Language and Tone) are particularly useful here because they provide high-frequency, multilingual event and discourse data suitable for tracing the diffusion of historical frames across jurisdictions and languages. Methodologically, this enables the construction of time-series indicators (e.g., prominence of 'occupation' vs 'liberation' frames), the detection of narrative spillovers between national media systems, and the estimation of discursive asymmetries that mirror patterns of fragmented recognition. This is where correlation and dependency become analytically meaningful: shifts in transnational narrative visibility can be tested against policy events (memory laws, monument removals, sanctions, recognition acts), allowing one to identify whether certain mnemonic claims systematically precede diplomatic escalations or follow them as justificatory rationalisations.

Third, the article advances a multimodal dimension that remains underdeveloped in much memory-and-rights scholarship: the affective performativity of collective claims. Text-only approaches capture what is said, but in mnemonic conflicts political legitimacy is often enacted through *how* the past is voiced - intonation, affective intensity, and escalation patterns. Parliamentary corpora such as ParlaMint (a CLARIN ERIC flagship providing comparable and interoperable parliamentary debates across Europe) offer a baseline for cross-national discourse analysis at scale, including temporal and speaker metadata suitable for diachronic modelling. Where audio recordings are available, computational speech analysis can extend this to prosodic and acoustic features, enabling a form of 'distant listening' that complements distant reading. This multimodal approach is analytically valuable in Eastern Europe, where affective registers (moral outrage, trauma narration, sovereignty anxiety) often anticipate semantic polarisation - an insight consistent with broader findings in computational political communication.

While the full computational implementation of social network analysis (SNA) and audio spectral modeling extends beyond the scope of this conceptual article, the algorithmic architecture and programmatic validation for these methods have been extensively developed in parallel digital humanities research. Recent studies applying graph theory, topic modeling, and spectral analysis to oral history and collective memory in the Visegrád Group and the USSR (Iashchenko 2024; Iashchenko and Iashchenko 2024) serve as methodological proofs-of-concept. This article builds directly on those technical foundations, using their empirical validations to theorise the broader normative and governance implications of memory rights.

Finally, the article emphasises why these methods are not optional but structurally necessary for studying *non-institutionalised* collective rights. Peoples' rights increasingly appear as normative expectations and public claims rather than as enforceable entitlements. Digital methods are uniquely suited to this analytical terrain because they enable researchers to identify weak signals of emerging collective claims before these claims become formally institutionalised, and to compare the articulation of such dynamics across countries and languages through the use of harmonised parliamentary corpora and large-scale speech datasets.

In short, digital memory studies allows peoples' rights to be analysed not only as doctrine, but as an empirically traceable politics of recognition: networked, transnational, and performative - precisely the form that collective agency tends to assume when multilateral guarantees are fragmented.

6. Normative Discussion: ‘Rights of Memory’ as a Resource for the Peaceful Articulation of Collective Claims

Reconceptualising peoples’ rights through memory is normatively promising precisely because it is normatively ambivalent. The principal risk is that ‘rights of memory,’ once institutionalised, can harden into *rights to one authoritative narrative*, thereby essentialising collective identity and converting historical interpretation into a boundary-making technology. The comparative literature on **memory laws** shows how legal interventions into the past often operate by stabilising a privileged mnemonic frame and narrowing the legitimate spectrum of public discourse. The Council of Europe’s factsheet on ‘memory laws’ (Council of Europe 2020) explicitly characterises these instruments as enshrining state-approved interpretations of crucial historical events, raising recurrent tensions with freedom of expression and pluralism. In contexts of polarisation, this can legitimise exclusionary victim hierarchies and moral exceptionalism, where recognition is treated as a zero-sum good and alternative narratives are construed as disloyalty or existential threat. Empirically, such dynamics are visible across a range of European cases in which mnemonic governance has grown alongside rule-of-law controversies and democratic backsliding.

A key normative question, therefore, is not whether rights of memory are risk-free, but under which conditions they are normatively safer than classical formulations of peoples’ rights. The central criterion proposed here is pluralizability. Unlike traditional peoples’ rights, which often presuppose a singular collective subject endowed with a unified will, rights of memory can be normatively framed as pluralizable claims, that is, claims whose legitimacy does not depend on exclusivity or finality. A right of memory is normatively defensible only insofar as it allows for the coexistence of multiple, contestable interpretations of the past within a shared political space.

This criterion distinguishes rights of memory from sovereignty-centred peoples’ rights, which historically tended toward zero-sum logics and territorial finality. Whereas classical self-determination claims often culminate in irreversible outcomes such as secession or statehood, memory claims can, in principle, remain open to negotiation and reinterpretation over time. Their normative force lies not in establishing one authoritative historical truth, but in securing fair conditions under which historically constituted communities can articulate and contest meanings without coercion or exclusion.

Pluralizability also differentiates rights of memory from cultural rights and the right to truth. Cultural rights protect access to practices and expressions,

yet do not regulate conflicts over historical authority. The right to truth, by contrast, is oriented toward factual clarification of specific violations and tends to close interpretive space once truth is juridically established. Rights of memory operate in a different register: they concern ongoing struggles over public meaning that cannot be conclusively settled without reproducing domination.

By foregrounding pluralizability as a normative criterion, rights of memory can be understood as an intermediate and comparatively safer modality of peoples' rights. They allow collective claims to recognition to be articulated without collapsing into mnemonic monopolies or sovereignty maximalism, thereby offering a normative vocabulary better suited to fragmented and post-conflict political orders.

This intermediate positioning also has concrete implications for multilateral governance, even in the absence of new legal codification. If rights of memory are approached as pluralizable and non-exclusive claims, existing institutions can engage them as objects of normative orientation rather than adjudication. Bodies such as the Council of Europe, the OSCE, and United Nations Special Procedures on cultural rights are already implicitly operating in this register when they assess memory legislation, commemorative practices, or historical narratives not by determining historical truth, but by evaluating their compatibility with pluralism and freedom of expression.

From a governance perspective, recognising rights of memory as an intermediate normative layer would allow such institutions to shift from reactive critique toward structured engagement. This does not entail endorsing particular narratives, but rather articulating standards for how historical claims may be publicly institutionalised without foreclosing contestation. In this sense, memory rights would function less as enforceable entitlements and more as guidance norms that orient institutional responses to mnemonic conflicts toward procedural fairness and recognition without exclusivity. Admittedly, expecting weakened institutions to safeguard the complex pluralizability of historical narratives presents a conceptual paradox. Therefore, in the current context of crisis, pluralizability should be understood not as an immediately enforceable mechanism, but as a normative horizon for the future reconfiguration of peace governance, acting as a blueprint for managing collective claims as multilateral frameworks are eventually rebuilt.

This orientation aligns with peace governance logics rather than sovereignty arbitration. It enables multilateral actors to address collective grievances expressed through memory without immediately triggering the high-stakes terrain of territorial self-determination or statehood recognition. However, linking memory rights to the logic of self-determination carries inherent

risks, as political actors frequently weaponise historical grievances to justify territorial aggression. The conceptualisation of memory rights remains safe and productive only when it is strictly decoupled from territorial revisionism and secessionist claims. By operating at this intermediate level, institutions can contribute to conflict containment and symbolic accommodation even where binding enforcement is politically unavailable.

A second, closely related risk is *instrumentalisation*: states and political entrepreneurs may mobilise the language of collective memory to justify illiberal constraints under the banner of protecting the community's dignity or historical truth. Here, the normative paradox becomes acute: a framework intended to secure collective agency may instead become a vehicle for disciplining internal dissent and foreclosing pluralist contestation. The broader human-rights ecosystem has repeatedly flagged this problem through its emphasis on the compatibility of transitional justice and memorialisation with democratic guarantees, including freedom of expression and the avoidance of new forms of discrimination.

Yet the potential normative payoff is substantial. Treating memory struggles as a domain of collective rights claims can shift conflicts over the past from existential confrontation toward *governable disagreement*. In other words, 'memory rights' can be understood as a procedural and institutional repertoire for articulating collective demands without defaulting to violent escalation. This is consistent with transitional justice standards that conceptualise memorialisation, truth, and guarantees of non-recurrence as mutually reinforcing pillars rather than purely symbolic gestures. Where multilateral enforcement is weak, memory rights may provide alternative channels of recognition: not necessarily through immediate legal remedies, but through structured institutional representation and narrative pluralism. Properly designed, such mechanisms can reduce the incentives for mnemonic maximalism by offering non-violent arenas in which collective dignity and historical suffering can be recognised without requiring the delegitimation of others.

This leads to the central question for multilateral renewal: can a memory-based reconceptualisation of peoples' rights contribute to revitalising multilateralism rather than undermining it? A plausible answer is conditional. If memory rights are framed as *intermediate rights*-positioned between cultural rights and self-determination-then they can serve as a stabilising layer of recognition that does not automatically escalate into sovereignty claims. This intermediate positioning matters: it allows international institutions to engage collective demands for historical justice and symbolic representation without immediately entering the high-risk terrain of territorial revisionism or secession. At the same time, it requires

normative guardrails that keep memory rights compatible with pluralism and freedom of expression, precisely the standards repeatedly emphasised in European human-rights discussions of the legal governance of memory.

In sum, 'rights of memory' are normatively viable only if they are constructed as *rights to recognition under conditions of interpretive plurality*, rather than rights to enforce mnemonic monopoly. Under geopolitical fragmentation, this is not a merely philosophical distinction: it is the difference between memory as a technology of conflict reproduction and memory as an infrastructure for peaceful collective agency.

Conclusions

This article has argued that the current crisis of multilateralism does not render *peoples' rights* obsolete; rather, it displaces their enactment from enforceable international guarantees to contested arenas of public meaning-making. The theoretical sections showed why an exclusively individualist rights paradigm is ill-equipped to capture collective agency under conditions of trauma and post-imperial transformation, and why Article 1's insistence that 'all peoples have the right of self-determination' remains normatively relevant beyond its decolonisation genealogy. Empirically, the comparative contrast between the negotiated dissolution of Czechoslovakia and post-Soviet 'memory wars' demonstrated that collective rights are increasingly articulated through struggles over symbolic representation and identity recognition - often in contexts where international arbitration is weak or fragmented.

By conceptualising these dynamics as rights of memory, the article proposed an intermediate normative register between cultural rights and self-determination, one that can help explain why memory has become a privileged medium of collective claims. At the same time, the risks of mnemonic governance - particularly when 'memory laws' enshrine state-approved interpretations - underline the need for pluralist safeguards if memory rights are to serve peace rather than exclusion. Methodologically, the article demonstrated how digital memory studies enables the empirical tracing of non-institutionalised collective rights through open infrastructures for parliamentary discourse (ParlaMint) and transnational media circulation (GDELT).

Future research should extend this framework beyond Eastern Europe, test causal pathways between mnemonic mobilisation and conflict escalation using longitudinal corpora, and explore multilateral 'recognition mechanisms' capable of engaging collective memory claims without

legitimising mnemonic monopolies. In doing so, the article contributes to *Peace Human Rights Governance* by linking peoples' rights, memory politics, and the governance problem posed by a fragmenting international order.

More broadly, the Eastern European experience should not be read as an exceptional or idiosyncratic regional pathology. Rather, it functions as an early-warning zone for dynamics that are increasingly visible across the global order. As multilateral institutions lose their capacity to provide authoritative recognition and enforce collective guarantees, struggles over historical interpretation are likely to proliferate well beyond post-socialist contexts. Memory politics already plays a comparable role in post-colonial disputes, Indigenous claims to historical justice, and conflicts over imperial legacies in Asia, Africa, and the Americas.

In this sense, rights of memory point to a more general transformation in the governance of collective claims. They reveal how demands for dignity, recognition, and political subjecthood are increasingly articulated through symbolic and mnemonic arenas when formal legal channels are weakened or unavailable. By treating memory not as a residual cultural issue but as a governance problem of global relevance, this article contributes to broader debates on human rights and multilateral renewal in an era of geopolitical fragmentation.

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