REFINING THE ADVOCACY OF HUMAN RIGHTS

by

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A year into the Reagan presidency, the issue of human rights clearly has receded from the prominent position that it commanded during the Carter Administration. Its place in the making of foreign policy, however, still remains a subject of public debate.

In the decade of the Seventies, human rights advocacy became a more visible instrument of US foreign policy, having been revived by Congress in 1973-75 following the American experience in Vietnam and in response to the pleas of dissenters in the Soviet Union.[1] In June 1976, Secretary of State Kissinger declared that "one of the most compelling issues of our time, and one which calls for the concerted action of all responsible people and nations, is the necessity to protect and extend the fundamental rights of humanity."[2]

During the Carter Administration, US policy supported the growth of human rights through "open and democratic methods."[3] This policy defined human rights as the integrity of the person, his political and civil rights, and his economic and social development.[4] The policy was to bring all these human rights issues to the "center stage of international relations,"[5] building on congressional declarations that "a principal goal of the foreign policy of the United States is to promote the increased observance of internationally recognized human rights by all countries."[6] This "increased observance" was to be promoted partly by legislation that tied US economic and military aid to a nation's human rights record, as reported annually by the State Department to Congress.[7]

The obvious problem in carrying out such a policy is that other US interests (in this article we shall call them "national interests") may conflict with the advocacy of human rights.[8] An offending government, for example, might, in some way, also be an important contributor to the well-being of the United States or its allies and be very sensitive to public criticism of its human rights record. Under such circumstances, the United States might see it as prudent to withhold public criticism and continue its economic and military aid rather than risk damaging relations with the nation in question.[9] The challenge, then, is how to promote human dignity in the world and continue to give proper weight to US national interests.

Against the background of recent US experience, this article will examine how the United States might refine human rights advocacy to make it a more effective instrument of foreign policy.

PROPER SCOPE

A starting point might be to examine carefully the nature of the rights in question. The United Nations began a process of codifying the international law of human rights in its Charter. In the Preamble, Article 1, and Article 55, the Charter promotes universal respect for and observance of human rights and fundamental freedoms. Additionally, Article 56 provides that all members "pledge themselves to take joint

and separate action in cooperation with the Organization" to achieve the purposes of Article 55. In 1948 the General Assembly took another step toward codification by unanimously passing the Universal Declaration of Human Rights, which established the "standard of achievement" for human rights.[10] Further action was taken by the General Assembly in 1966 through the adoption of two covenants: one, urged by Western countries, covered political and civil rights; the other, supported by communist countries, addressed economic, social, and cultural rights.[11] Although the covenants entered into force in 1976 for ratifying nations, an effective procedure for investigating complaints has yet to be developed.[12] President Carter signed the covenants in 1977 and urged their ratification by the Senate to add credibility to US advocacy of human rights, but the Senate has not ratified them. Carter also supported the appointment of a UN Commissioner of Human Rights.[13]

Some of the rights codified by the United Nations are fundamental in that most people consider that governments are obligated to observe them. Other so-called rights are really aspirations that may not be attainable.[14] Consistent with this distinction, one would find almost worldwide agreement that even in war or insurrection the following individual rights should not be suspended by government:

- Right to physical integrity of the person (i.e., the individual will not be subject to murder, deliberate starvation, or torture).
- Right to fundamental due process in criminal proceedings, including relief from retroactive criminal laws; the opportunity to know the charges, offer a defense, and be heard in a neutral forum; and the imposition of punishment only after trial.
- Right to religious and intellectual freedom of belief.
- Right to private family relations.[15]
- Right to be free from discrimination based on race.

Because of acceptance of these rights as fundamental (poignantly, Rumanian dissenters have pointed out that the first four are guaranteed in the Rumanian constitution[16]), governments not fulfilling them can expect an international consensus of condemnation and perhaps sanctions.

In contrast to the foregoing rights, which safeguard personal dignity, other so-called rights merely represent aspirations for a better quality of life and improved political institutions. The fulfillment of these aspirations may require a long-term change in political, social, or religious traditions and practices or a change in the political system. The attainment of a better quality of life may even require finding ways to overcome shortages in such resources as potable water, tillable land, and disposable capital. Even though US policy supports such aspirations as worthy, their description as "rights" invites impatience with necessarily slow progress and a search for villains who have deprived people of them.[17] To stoke instability with the fuel of unrealizable expectations not only jeopardizes peace but also invites more repressive government, thereby setting back the pursuit of human rights rather than fostering it. If it is not reasonable to expect that a remedy is feasible, then little is gained by calling an aspiration a right.

The laws of most nations prohibit murder, assault, threats, punishment without a trial, coercion in personal belief, interference with family privacy, and governmental racial discrimination. As Charles Frankel points out, limiting governmental advocacy to the short list of rights necessary to safeguard personal dignity permits a

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clearer focus of effort to promote human rights, displays morally sensible discrimination, permits the United States to appear resolute, and allies the United States with an international consensus. Further, it enables the United States to successfully refute any allegation of "moral grandstanding."[18]

NATIONAL INTERESTS

How does human rights advocacy relate to US national interests? The "realist" view of Hans Morgenthau defines national interests in terms of power.[19] More recently, the "idealist" view, as articulated by Marshall Schulman, maintains that, if the United States is to defend its value system as well as its territory, then that value system must be included in the concept of national interest.[20] Senator Daniel Patrick Moynihan further maintains that human rights advocacy is a political component of American foreign policy, not just a humanitarian program.[21]

As arguably the richest and most powerful nation, the United States has a special responsibility to sponsor world order.[22] The pursuit of improved human rights practices as a moral imperative in every instance of perceived abuse by another government, however, may endanger nations with a smaller margin of survival than that enjoyed by the United States. Moreover, overzealous pursuit of human rights may increase the risk of war and jeopardize US national interests. Finally, the pursuit of human rights as an imperative would probably go beyond the limit of the American people's support, even though public opinion does convey clear support for some moral component in US foreign policy.[23] In a functional sense, respect for human rights promotes stability in and among the nations of the world and serves as a reference point for US foreign policy.

The promotion of American ideals provides at least three benefits to US national interests. First, promoting values inscribed in the Constitution and Declaration of Independence clarifies the direction US foreign policy should take and promotes citizen support of US foreign policy.[24] Second, American security interests and access to resources are improved by encouraging respect for human rights in countries that may be evolving toward a more democratic form of government. Long-term stability in nontotalitarian countries depends in part on respect for human rights, because direct offenses against human rights tend to generate civil unrest, which in turn invites totalitarian takeover.[25] Third, the principles of freedom, dignity of the individual, and sanctity of law provide the foundation for natural partnership with other industrial democracies.

Before initiating any action to improve another government's human rights practices, the United States must carefully consider the nature of the targeted government, the circumstances surrounding the apparent violation of human rights, and the likely consequences of US action. Abstractly, such action might seek to develop the economy through internal resource redistribution or to strengthen official institutions that foster human rights, such as an independent court system. In practice, however, public bilateral methods—from drawing up "report cards" to levying economic sanctions and limiting arms sales—can weaken the ability of the targeted government to maintain order or even stay in power. The United States must therefore consider whether the likelihood of destabilization brought on by a US effort to promote human rights would engender more threats to those rights, as well as to US interests, than the desired gains would be worth. Of course, if either the government in power or a significant insurgency is communist, that circumstance might also make a difference in the US approach to a human rights initiative.

The most consistent violators of human rights are authoritarian and totalitarian governments. Both have power concentrated in the executive, but an authoritarian regime is subject to some restraint from its legislative or judicial branch. In a totalitarian state, however, either the executive directs the other branches or the other branches do not even exist. Authoritarian governments in Spain, Greece, and Portugal have recently evolved into more democratic systems, with improved

observance of human rights.[26] On the other hand, totalitarian governments, such as that of the Soviet Union, have not undergone the same kind of change voluntarily.[27] Thus, the United States should tailor its approach differently for these two types of government, while seeking the one goal of protecting human rights regardless of the violator. Experience has shown that some totalitarian governments have responded positively to public criticism of their abuse of dissidents. Better known dissenters in East Germany, for example, have been treated less severely than those with no Western contacts.[28] Different circumstances call for different approaches. A US-Hungarian understanding recognizes the importance of human rights practices as a factor in American economic policies,[29] but the United States impaired its relations with Brazil and Argentina by publicizing human rights abuses in those countries and by linking human rights with economic relations.

The United States should advocate improved human rights practices only when doing so is consistent with other US national interests. These interests include defending US territory, citizens, and political institutions; improving economic relations with other countries; and maintaining a stable world balance of power. Some national interests are essential to survival, whereas others may be important but do not warrant the use of economic sanctions or military force.[30] Although pressuring another government to refrain from violating human rights would rarely, if ever, be essential to US survival or vital to US national interests, there are times when doing so is nevertheless wholly consistent with such interests. President Franklin Roosevelt, for example, did much to strengthen the willingness of the American people to support US foreign policy when he declared in his "Four Freedoms" speech on 6 January 1941 that "freedom means the supremacy of human rights everywhere," and that the United States would support the struggle for those rights.[31] More recently, in the case of the US coffee embargo against Amin's Uganda, the human rights basis for the embargo was in consonance with US national interests in Africa. In contrast, it would be counterproductive for the United States to challenge in the same manner an equally offending nontotalitarian government that might, instead, be nurtured to a greater observance of human rights. Thus, even when Americans think that the United States should act to prevent or end an abuse of human rights, the government must evaluate carefully the methods available before choosing its course.

In assessing the effectiveness of recent US human rights policy, one must conclude that it has clearly increased worldwide sensitivity to the need to promote human dignity. In addition, it has revived the moral aspect of American foreign policy. In dealing with the Soviet Union, the United States did not link strategic arms limitation negotiations or economic relations with human rights performance. Yet, in some of the East European countries where the demand for human rights is much more threatening to the regime, the United States appears to have influenced the government to treat dissenters less harshly by linking the sale of technology and other aspects of economic relations with the government's human rights record.

It has obviously been difficult for the United States to be consistent in its public, bilateral dealings with authoritarian governments. This is so probably because different US national interests are involved and the weight of those interests varies in each instance. Because Brazil and Argentina make a less significant contribution to US defense posture than do South Korea and the Philippines, the United States chose to be more critical of Brazil and Argentina and to apply more stringent economic linkage to human rights performance.[32]

US policy during the Carter presidency stipulated that the integrity of the person would not be placed above economic and social development or civil and political liberties in the Administration's advocacy of human rights. To expect America, however, to be able to "correct and improve the political habits" of large parts of the world's population seems unrealistic, according to

George Kennan.[33] Moreover, a quixotic assertion of US guardianship over many of the more ethereal interests labeled "human rights" might unnecessarily complicate relations with particular countries. Accordingly, US policy should advocate only those human rights safeguarding the essential dignity of the person.

METHODS OF ADVOCACY

Having thus more clearly defined which human rights are truly basic and should be advocated, we can turn to the equally essential consideration of which methods of advocacy should be used.

There are two basic judgments that have to be made in the selection of an approach to the advocacy of human rights. First, the approach can be one of either private diplomacy or public denunciation and publicly announced sanctions. Second, the approach can be either bilateral or multilateral.

Private bilateral diplomacy with an offending government avoids the negative, polarizing effect of a public denunciation by an official spokesman, and some leverage might be obtained by conditionally withholding a public denunciation. Privacy can also be maintained in certain multilateral forums, such as the United Nations Human Rights Commission.[34]

Public denunciation might be useful in dealing with totalitarian offenders, but its effect should be weighed against the price of apparent inconsistency in not publicly denouncing more friendly authoritarian governments for similar offenses. In some instances, US security or economic benefits evolving from a public denunciation of human rights violations by a totalitarian regime could be worth the price of apparent inconsistency. For example, charges of inconsistent treatment would pale if that treatment were to result in some genuine cooperation on strategic arms reduction. This point is made more clear if one recalls that (1) American agreement on, and ratification of, strategic arms limitations were made more difficult because of American mistrust occasioned by reported Soviet oppression, and (2) in recent times publicity has, with some reliability, reduced the harshness of oppression in East European countries, including the Soviet Union. (To be sure, the Soviet Union is stifling all the dissent it can—more than 25 people were arrested or put on trial between 1 December 1980 and 31 May 1981 on charges related to human rights advocacy[35]—but the harshness is clearly not at the Stalinist level.) Consequently, the chances of a more cooperative effort in arms limitation or reduction would be increased if US denunciations caused a real reduction in Soviet oppression and if the American people, though still perhaps withholding their trust, thus saw that the Soviets were responsive to such pressure.

There are many other public bilateral methods of reducing human rights violations: economic sanctions; arms embargoes, sometimes limited to equipment for domestic police forces; trade embargoes; and economic or military assistance tied to improvements, setbacks, or failure to improve in human rights performance.[36] The annual State Department "report cards" required by Congress on all UN members (except the United States) illustrate the difficulties of public bilateral methods. The reports apparently have improved human rights and living conditions only marginally in the countries surveyed.[37] Yet the public reports cast the United States as a morally superior judge of most other sovereign states; further, they flame suspicions that the report cards merely reflect American policy. Brazil became so indignant over how it was described in the 1977 report card that it repudiated American security assistance.[38] With the reduction of American influence in such states, human rights performance may worsen. The report cards, then, can make it more difficult for the United States to use its influence as an economic and military power to encourage the kind of political and economic development that can foster greater respect for human rights. They can also have a cumulative effect, causing the United States to lose a potential ally—for example,

Argentina—needed to make economic sanctions effective against another offending government.

The extension of US foreign aid is a bilateral matter between the United States and the recipient state. The recipient is free to abide by the accompanying conditions, if any, or to reject the aid. The attachment of conditions, therefore, does not violate the principle of nonintervention in the internal affairs of another state. Even so, tying foreign aid to another government's human rights performance may harm US security and economic interests. United States influence with Latin American countries, for example, would diminish if they bought arms from France rather than the United States as a result of the "report card" on their rights performance. Similarly, the economic development of foreign nations is thwarted and American influence may be weakened if the United States vetoes loans by international financial organizations because of human rights records.[39]

On the other hand, multilateral action can be taken in international forums, supported by the proposition that human rights are a "legitimate and recognized subject of international discourse, . . . an object [of] international legal standards."[40] The value of such international forums in promoting human rights was underscored when the Nobel Peace Prize for 1980 was awarded to Argentinian Adolfo Perez Esquirel, a leading participant in nongovernmental organizations in Latin America pursuing improved human rights. Practically speaking, action in an international forum may not create the same degree of nationalistic resentment when the members of that forum impartially examine the matter, provide an opportunity for response, and express the consensus of many nations, rather than the views of one, in any resulting denunciation. Moreover, the position of the United States gains in stature in such circumstances because it is shared by other nations.

The key organization in the United Nations for the promotion of human rights is the UN Human Rights Commission, which consists of 32 representatives from Western, Eastern, and Third World governments. The commission receives valuable assistance from nongovernmental organizations, such as Amnesty International, which present documented complaints of violations.[41]

For most of its 35 years, the UN Human Rights Commission languished as an ineffective body because of a totally politicized atmosphere. There can be no doubt, however, that some recent movement toward effectiveness has taken place. In 1979 the UN Human Rights Commission drafted a convention to prohibit torture and adopted three articles of a declaration condemning intolerance and discrimination based on religious belief.[42] Also in 1979, the commission required 10 governments to come to Geneva to answer, in confidential proceedings, questions regarding their alleged consistent pattern of gross violations of human rights.[43] The Soviet Union's internal exile of Andrei Sakharov on 22 January 1980 was quickly placed on the commission's agenda for public discussion, over vigorous Soviet objection, even though the matter was postponed for consideration until a later session.[44]

A panel appointed by the commission issued a report on 4 February 1981 naming 15 countries where 11,000 to 13,000 people are missing and thought to be victims of political violence. And, on the following day, the commission issued a report on genocide by the Pol Pot regime in Cambodia.[45]

On 9 March 1981, the United States asked the commission for an examination of human rights violations by the Soviet Union, Czechoslovakia, Cuba, and Nicaragua. Subsequent debate in the United States centered on whether the United States should be stressing totalitarian, expecially Soviet, abuses more than authoritarian abuses.[46] Because totalitarian dominance of the individual is totally oppressive and probably will not change of its own accord, and because more critical US national interests are involved, it would seem appropriate for the United States to condemn more vigorously the totalitarian denial of human rights.

All of these efforts illustrate that an international consensus can be forged to pursue human dignity. Further, this con-

sensus lends support to the argument that American human rights advocacy should focus on protecting integrity of the person. By proceeding through the UN Human Rights Commission, the United States can voice its concern for human rights without jeopardizing national interests by undertaking bilateral diplomacy.[47] If UN resolutions did not bear fruit, then the United States would already be part of a consensus and multilateral action could still be taken if appropriate. If the United States then considered it essential to its national interest to deal with the offending nation on a bilateral basis, the grounds to do so would be stronger because less extreme measures and action would have been attempted jointly, as pledged in the UN Charter.

This benefit of proceeding initially through the UN Human Rights Commission applies as well to the regional human rights commission of the Organization of American States. Progress in Argentina to promote human dignity appears to have resulted from a multilateral investigation and follow-up by that body. In a report made public on 18 April 1980, the Inter-American Commission for Human Rights accused the government of Argentina of massive violations of human rights, including murder and torture, reporting that more than 6000 people had disappeared in a decade. The report was a product of the commission's investigation in Argentina in September 1979. The commission noted that no disappearances had been reported in Argentina since October 1979.[48] In a resolution dated 27 November 1980, the OAS backed the report and called on Argentina and five other Latin American countries to improve their human rights practices.[49]

Perhaps encouraged by OAS action, six prominent human rights activists presented the case against Argentina to the UN Human Rights Commission early in 1981. Although they were arrested a short time later for alleged violations of law concerning classified materials, an Argentine judge, on 6 March 1981, ordered their release pending investigation of charges.[50] In light of the changing climate, it would appear that OAS actions were more effective and certainly less damaging to US-Argentina relations than continued berating in the annual State Department report card or the US embargo on military aid to Argentina instituted in 1978.[51]

Another public, multilateral avenue for human rights advocacy arose in 1975 from the Conference on Security and Cooperation in Europe with the signing by 35 states, including the United States and the Soviet Union, of a political, non-treaty accord known as the Helsinki Final Act. In the accord's "Basket Three," Western signatories agreed to recognize the post-World War II boundaries and legitimacy of the communist states in Eastern Europe and in return received assurances of the protection of essential human rights in those states. The accord also requires that those same Eastern European states be opened to the flow of information and that their people be free to move within their boundaries and from them.[52]

The Helsinki Final Act provided for a series of follow-up meetings to review progress toward these goals. Thus, without engaging in a political assault on the legitimacy of the Soviet government, the United States has a unique forum in which to pursue openly and in consensus with other Western nations the improvement—or lack of improvement—in a totalitarian power's treatment of human rights. The first meeting was held in Belgrade in 1977, and a second detailed implementation review was convened in Madrid in November 1980.[53] At each meeting, the United States and the other Western signatories pressed known cases of deprivation of rights.[54] Even though the Soviet Union refused at Belgrade to discuss its performance in regard to human rights and refused to agree to any mention of human rights in the Belgrade closing statement, the Soviets were there to hear the critique. Further, by criticizing the human rights practices of others, the Soviet bloc severely compromised its traditional position that the human rights of its citizens were under its internal jurisdiction and therefore not subject to foreign intervention. At the

Madrid meeting, the Soviet Union again attempted to prevent critical public commentary on its human rights performance. Again, however, the Soviet bloc did not leave the meeting, showing themselves apparently willing to pay the price of world exposure in return for continued access to Western trade, credits, and technology.[55] Protests seeking implementation of the Helsinki accords, perhaps best exemplified by the Charter 77 group of grievances in Czechoslovakia, have occurred throughout Eastern Europe.[56] The largest gains, however, have occurred in Poland and Hungary.[57] An example of such protest occurred when the labor crisis in Poland reached a fever pitch in March 1981 with the demand by the independent labor organization Solidarity that detained human rights activists be released and that an explanation be provided of a police beating of three Solidarity officials in Bydogoszcz. On 12 June 1981, continuing unrest over the lack of a satisfactory explanation and the prosecution of those responsible led to replacement of the Polish Minister of Justice.

In the interest of peace in Eastern Europe, the United States should take public notice of violations of basic human rights in order to reduce the likelihood of extreme repressive measures. Dissidents welcome Western publicity of communist practices regarding basic human rights. Such publicity reinforces their hope for improvement and affords them a measure of personal protection.[58] The pressure bought to bear strongly assists in reducing the threat by encouraging a gradual process of change and reform.[59]

Through the Helsinki Final Act forum, the United States has been provided an opportunity to proclaim its own good example in human rights practice. Doing so would not only strengthen the commitment of the American people to US foreign policy, but would strengthen the country's common bond with other nations of the West and its public standing in the rest of the world when US human rights performance is contrasted with that of the Soviet Union and the other governments in Eastern Europe.[60] Full use of this forum would pointedly remind the Soviets that oppressive behavior thwarts closer relations with Western nations, and it would discourage the Soviets from any return to Stalinist repression.[61]

IMPROVING US POLICY

The following steps would improve the effectiveness of US human rights policy:

- The United States should publicize violations of human rights by relying on reports generated by the United Nations and by regional multinational organizations that seek to improve human rights practices, rather than drawing up and making public its own "report cards" on other nations' human rights performance. Such a policy would emphasize that the United States is part of a consensus of nations speaking and acting together on the subject of human rights violations, and it would increase the stature of international forums. American credibility throughout the world would be improved by US readiness to publicize the reports of nongovernmental, privately funded organizations submitted to international forums of which the United States is a member. The United States could then look to these reports as the basis for concerted action. Amnesty International already provides a useful annual report card which, to be sure, also gives marks to the United States. American citizen support of US foreign policy would grow with increased public awareness of a more focused concern for human rights in US policy. The State Department could satisfy the interest of Congress in continued US commitment to human rights by consulting regularly and privately with appropriate congressional committees on US bilateral and multilateral efforts.
- The United States should press even harder to strengthen the United Nations as the principal international body to promote human rights. A UN Commissioner of Human Rights should be appointed, as the United States has already urged, to help correct violations in individual cases and to assist member states in developing national institutions to safeguard human rights. The UN Human Rights Commission would be

more effective if cases were processed more quickly to make meaningful redress for individuals deprived of their rights more likely. Sessions could be held at least semiannually to accommodate the heavy case load.

- The United States should not ratify UN covenants to safeguard civil and political rights and to recognize a right to economic, social, and cultural development until active, effective participation of nongovernmental organizations is assured under those covenants. Such participation should be at least as strong as current participation in UN Human Rights Commission activities. Otherwise, the covenants would only weaken the ability of the United Nations to be a credible force in the improvement of human rights practices.
- In its foreign policy, the United States should acknowledge as human rights only those rights that safeguard the essential dignity of the person. Methods used to encourage states to refrain from violations should not be directed against a specific violator or be made public unless all indirect and private methods have been exhausted or manifestly would be unsuccessful. When a public denouncement or linkage is considered, it must be carefully developed in harmony with US national interests. Working within an international consensus, particularly with the involvement of nongovernmental organizations, avoids the possibility of substantial negative effects on bilateral relations. Rarely would public bilateral action be appropriate with authoritarian governments, owing to its frequently negative effect on US security and US economic interests, including the ability of the United States to influence economic and political development in such countries. Public bilateral action would often be more appropriate with totalitarian governments because they, unlike authoritarian governments, cannot be expected to move voluntarily toward improved human rights practice, and because they have sometimes responded favorably to consistent public pressure and linkage with security and economic interests.
- When legitimate social and political aspirations are denied somewhere in the world, the United States should join an international consensus in condemnation or in the application of sanctions when doing so is consistent with US national interests (as has been done through the Helsinki Final Act with respect to Soviet restraints on emigration). Moreover, the United States should use every opportunity to foster the initiative and cooperation of others in building more just social and political institutions.
- US economic and military assistance to other countries should be measured by how effectively the assistance promotes US national interests, including security, markets, and resources. Human rights performance should not enter the equation except when a threat to international peace is closely related to human rights practices, especially in totalitarian countries (e.g., Poland). The United States should consult regularly with the other industrial democracies to assist economic and social development in the world. In the long term, an improved economy and greater security will tend to lead to improved human rights performance and more stable social institutions in most authoritarian countries with at least the framework of representative government.

Through their representatives in Congress, the American people have demanded that a concern for human rights be expressed in US foreign policy. Experience since 1973 has shown that human rights advocacy is an important part of foreign policy. Experience has also shown that human rights advocacy will be most effective, in terms of US national interests, if it is limited in scope to those fundamental rights safeguarding the essential dignity of the person and limited in method to multilateral actions whenever possible. Linkage to economic relations and security interests usually should be limited to the improvement of human rights performance by totalitarian governments. A pragmatic refinement of US human rights advocacy as outlined above would meet the public demand for a moral

component in American foreign policy in a manner consistent with US national interests.

NOTES

1. Arthur Schlesinger, Jr., "Human Rights and the American Tradition," *Foreign Affairs*, 57 (America and the World edition, 1978), 503-26.

2. Henry A. Kissinger, "Human Rights," address to the Sixth General Assembly of the Organization of American States, 8 June 1976, released by the State Department, p. 1.

3. Quoted in US Congress, House Committee on Foreign Affairs and Senate Committee on Foreign Relations, *Country Reports on Human Rights Practices for 1979*, Joint Committee Print, prepared by the State Department, 96th Cong., 2d Sess., 1980, p. 4. Hereinafter *Country Reports for 1979*.

4. Cyrus R. Vance, "Human Rights Policy," in *Human Rights and U.S. Foreign Policy*, ed. Barry M. Rubin and Elizabeth P. Spiro (Boulder, Colo.: Westview, 1979), p. 218.

5. *Country Reports for 1979*, p. 4.

6. Quoted in Vance, p. 210.

7. William F. Buckley, Jr., "Human Rights and Foreign Policy: A Proposal," *Foreign Affairs*, 58 (Spring 1980), 775-96, especially pp. 784-87.

8. Henry A. Kissinger, "Continuity and Change in American Foreign Policy," in *Human Rights and World Order*, ed. Abdul A. Said (New York: Praeger, 1978), p. 164.

9. George W. Grayson, "The United States and Latin America: The Challenge of Human Rights," *Current History*, 76 (February 1979), 49-53; Robert W. Tucker, "America in Decline: The Foreign Policy of Maturity," *Foreign Affairs*, 58 (America and the World edition, 1979), 449-84.

10. US Department of State, *Universal Declaration of Human Rights*, Department of State Publication 3381 (1949), p. 1.

11. Tufton Beamish and Guy Hadley, *The Kremlin's Dilemma* (San Rafael, Calif.: Presidio Press, 1979), p. 19.

12. James A. Joyce, *The New Politics of Human Rights* (New York: St. Martin's Press, 1978), p. 284.

13. US Congress, House, Subcommittee on International Organizations, *Hearings, Human Rights and United States Foreign Policy: A Review of the Administration's Record*, 95th Cong., 1st Sess., 1977, p. 5.

14. Charles Frankel, "Human Rights and Foreign Policy," Headline Series, No. 241 (Ephrata, Pa.: Science Press, for the Foreign Policy Association, October 1978), p. 38.

15. Ibid., pp. 44-48.

16. Beamish and Hadley, p. 84.

17. Frankel, p. 41.

18. Frankel, p. 48; see also Abdul A. Said, "Pursuing Human Dignity," in *Human Rights and World Order*, p. 2.

19. Hans J. Morgenthau, *Politics Among Nations*, 5th rev. ed. (New York: Alfred A. Knopf, 1978), p. 15; foreign policy is seen as a pursuit by states of "their respective interests defined in terms of power" on p. 11; see also Morgenthau's "The Founding Fathers and Foreign Policy: Implications for the Late Twentieth Century," *Orbis*, 20 (Spring 1976), 15-26.

20. Marshall D. Shulman, "On Learning to Live with Authoritarian Regimes," *Foreign Affairs*, 55 (January 1977), 325-38.

21. Daniel P. Moynihan, "The Politics of Human Rights," *Commentary*, 64 (August 1977), 19-26.

22. Henry A. Kissinger, *American Foreign Policy*, 3d ed. (New York: W. W. Norton, 1977), p. 203.

23. Daniel Yankelovich, "Farewell to President Knows Best," *Foreign Affairs*, 57 (America and the World edition, 1978), 670-93.

24. B. H. Liddell Hart, *Strategy*, 2d rev. ed. (New York: Praeger, 1967), p. 336.

25. Beamish and Hadley, pp. 64, 230-31.

26. Sandra Vogelgesang, "What Price Principle?—U.S. Policy on Human Rights," *Foreign Affairs*, 56 (July 1978), 819-40; see also Vogelgesang's, *American Dream, Global Nightmare* (New York: W. W. Norton, 1980).

27. Kissinger, "Continuity and Change in American Foreign Policy," pp. 162-63. Instead, totalitarian governments systematically violating human rights have been changed by revolution, as in Uganda, Equitorial Guinea, and the Central African Empire in 1979. See *Country Reports for 1979*, pp. 38, 62, 216.

28. Beamish and Hadley, p. 176.

29. Ibid., p. 113.

30. Donald E. Neuchterlain, "The Concept of 'National Interest': A Time for New Approaches," *Orbis*, 23 (Spring 1979), 73-92.

31. B. D. Zevin, ed., *Nothing to Fear: The Selected Addresses of Franklin Delano Roosevelt, 1932-1945* (Boston: Houghton Mifflin, 1946), p. 267.

32. Buckley, pp. 775-96; Schlesinger, pp. 503-26.

33. George F. Kennan, *The Cloud of Danger* (Boston: Little, Brown, 1977), p. 43. Vogelgesang observes that in practice from 1977 to 1980 the United States gave highest priority to safeguarding personal integrity, but the stated policy stressed economic and social development and political and civil liberties as well as personal integrity, *American Dream, Global Nightmare*, p. 248.

34. US Congress, House, Subcommittee on International Organizations, *Hearings, Review of the 35th Session of the United Nations Commission on Human Rights*, 95th Cong, 1st Sess., 1979, p. 10.

35. US Department of State, *Tenth Semi-Annual Report on Implementation of Helsinki Final Act, December 1, 1980-May 31, 1981*, Special Report No. 85, 1981, p. 4. Hereinafter, *Tenth Semi-Annual Report on Helsinki Final Act*.

36. US Congress, House, Subcommittee on International Organizations, *Human Rights in the International Community and in U.S. Foreign Policy, 1945-1976*, Committee Print prepared by the Library of Congress, 95th Cong., 1st Sess., 1977, pp. 32-35.

37. Richard Falk, "The Human Rights Country Reports," *World Issues*, 4 (October-November 1979), 19-21; Grayson, 49-53.

38. Falk, pp. 19-21.

39. Elizabeth P. Spiro, "Front Door or Back Stairs: U.S. Human Rights Policy in the International Financial Institutions," *Human Rights and U.S. Foreign Policy*, p. 164.

40. Kissinger, "Continuity and Change in American Foreign Policy," p. 164.

41. James F. Green, "NGOs," in *Human Rights and World Order*, p. 98; *Hearings, Review of the 35th Session of the United Nations Commission on Human Rights*, p. 19.

42. *Hearings, Review of the 35th Session of the United Nations Commission on Human Rights*, p. 10.

43. Green, p.19. Only two did not appear. One of these, Equitorial Guinea, was subjected to public discussion and a resolution condemning its violations and lack of cooperation with the UN Human Rights Commission. Because of confidential procedures, disposition of the 10th case was not published.

44. "Human Rights," *Facts on File*, 14 March 1980, p. 181.

45. "United Nations Rights Violators Named," *Facts on File*, 20 February 1981, p. 180.

46. For example, see "The Talk of the Town," *The New Yorker*, 8 June 1981, p. 33.

47. Valery Chaldize, "Human Rights: A Policy of Honor," *Wall Street Journal*, 6 April 1977, p. 6.

48. "Argentina," *Facts on File*, 25 April 1980, p. 309.

49. "OAS," *Facts on File*, 5 December 1980, p. 913.

50. "Rights Activists Seized, Freed," *Facts on File*, 20 March 1981, p. 177.

51. Ibid.

52. Dante Fascell, "Breaking the Silence Barrier," in *Human Rights and U.S. Foreign Policy*, p. 179; Mathew Nimetz, "The Potential of the Helsinki Dialogue," Current Policy, No. 29 (Washington: Department of State, 1978), p. 2.

53. Nimetz, pp. 6-8.

54. Fascell, p. 181. Flora Lewis, "A Modest Success," *The New York Times*, 23 December 1980, p. A15.

55. "The Soviet Record on Human Rights," *Newsweek*, 10 November 1980, p. 10. The Soviets have effectively removed from access to the Soviet public 51 of 71 Soviet citizens who have tried to monitor Soviet compliance with the Helsinki Final Act.

56. Beamish and Hadley, pp. 227-28.

57. *Tenth Semi-Annual Report on Helsinki Final Act*, pp. 4, 10-11.

58. Vogelgesang, *American Dream, Global Nightmare*, p. 257.

59. Beamish and Hadley, p. 231.

60. Buckley, pp. 775-96, especially pp. 793-96.

61. Kennan, p. 217.